State of Wisconsin

Date of enactment: **August 30, 2001**
2001 Senate Bill 55 Date of publication*: **August 31, 2001**

2001 WISCONSIN ACT 16

(Vetoed in Part)

AN ACT **relating to:** state finances and appropriations, constituting the executive budget act of the 2001 legislature.

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

Vetoed In Part

SECTION 1bg. 1.055 (1) of the statutes is amended to read:

1.055 **(1)** Consent of this state is given to the acquisition by the United States by purchase, gift, lease or condemnation, with adequate compensation therefor, of such areas of land not exceeding 2,000,000 acres as the United States deems necessary for the establishment of national forests in the state, in accordance with the act of congress approved June 7, 1924, and the board of commissioners of public lands are authorized to sell and convey for a fair consideration to the United States any state lands included within such areas; provided, that this state shall retain concurrent jurisdiction with the United States in and over such areas so far that civil process, in all cases, and such criminal process as may issue under the authority of this state against any persons charged with the commission of any crime within or without said areas, may be executed thereon in like manner as if this consent had not been given. Provided, further, that the boundaries of any areas so selected shall be first approved by the governor, the board of commissioners of public lands, the department of natural resources, the department of forestry, and the county board of each county in which any such area is located.

Vetoed In Part

SECTION 1br. 1.056 of the statutes is amended to read:

1.056 State conservation areas. Consent of this state is given to the United States to acquire by purchase, gift, lease, or condemnation, with adequate compensation therefor, areas of land and water within boundaries approved by the governor and the county board of the county in which the land is located, for the establishment of state forests, state parks or other state conservation areas to be administered by the state under long−term leases, treaties or cooperative agreements~~, which the~~. The department of natural resources is ~~hereby~~ authorized, on behalf of the state, to enter into ~~on behalf of the state~~, with the federal government, such leases, treaties, or cooperative agreements covering land under its jurisdiction. The department of forestry is authorized, on behalf of the state, to enter into, with the federal government, such leases, treaties, or cooperative agreements covering land under its jurisdiction.

SECTION 1d. 1.10 (title) of the statutes is amended to read:

1.10 (title) **State song, state ballad, state waltz, state dance, and state symbols.**

SECTION 1f. 1.10 (1m) of the statutes is created to read:

1.10 **(1m)** The Wisconsin state ballad is "Oh Wisconsin, Land of My Dreams," music written by Shari A. Sarazin and lyrics written by Erma Barrett, the words to which are as follows: "Oh Wisconsin, land of beauty,

* Section 991.11, WISCONSIN STATUTES 1999−00 : 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].

with your hillsides and your plains, with your jackpine and your birch tree, and your oak of mighty frame. Land of rivers, lakes and valleys, land of warmth and winter snows, land of birds and beasts and humanity, oh Wisconsin, I love you so. Oh Wisconsin, land of my dreams. Oh Wisconsin, you're all I'll ever need. A little heaven here on earth could you be? Oh Wisconsin, land of my dreams. In the summer, golden grain fields; in the winter, drift of white snow; in the springtime, robins singing; in the autumn, flaming colors show. Oh I wonder who could wander, or who could want to drift for long, away from all your beauty, all your sunshine, all your sweet song? Oh Wisconsin, land of my dreams. Oh Wisconsin, you're all I'll ever need. A little heaven here on earth could you be? Oh Wisconsin, land of my dreams. And when it's time, let my spirit run free in Wisconsin, land of my dreams."

SECTION 1g. 1.10 (1r) of the statutes is created to read:

1.10 **(1r)** The Wisconsin state waltz is "The Wisconsin Waltz," music and lyrics written by Eddie Hansen, the words to which are as follows: "Music from heaven throughout the years; the beautiful Wisconsin Waltz. Favorite song of the pioneers; the beautiful Wisconsin Waltz. Song of my heart on that last final day, when it is time to lay me away. One thing I ask is to let them play the beautiful Wisconsin Waltz. My sweetheart, my complete heart, it's for you when we dance together; the beautiful Wisconsin Waltz. I remember that September, before love turned into an ember, we danced to the Wisconsin Waltz. Summer ended, we intended that our lives then would both be blended, but somehow our planning got lost. Memory now sings a dream song, a faded love theme song; the beautiful Wisconsin Waltz."

SECTION 1j. 1.10 (4) of the statutes is amended to read:

1.10 **(4)** The Wisconsin Blue Book shall include the information contained in this section concerning the state song, ballad, waltz, dance, beverage, tree, grain, flower, bird, fish, animal, domestic animal, wildlife animal, dog, insect, fossil, mineral, rock, and soil.

SECTION 1x. 5.02 (1) of the statutes is renumbered 5.02 (1c).

SECTION 2m. 5.02 (1e) of the statutes is amended to read:

5.02 **(1e)** "Ballot" means a ~~tabulating card,~~ ballot label, sheet of paper or envelope on which votes are recorded. The term also includes a sheet or card, filmstrip or other device listing or containing information relative to offices, candidates and referenda which is placed, projected or composed on the board or screen inside a voting machine.

SECTION 2p. 5.02 (1m) of the statutes is repealed.

SECTION 8m. 5.35 (2) of the statutes is amended to read:

5.35 **(2)** VOTING BOOTHS. There shall be one voting booth for every 200 electors who voted at the last general election. The booths shall have a surface on which to write or work and be sufficiently enclosed to assure privacy for the elector and anyone lawfully assisting the elector while marking ~~or punching~~ the elector's ballot.

SECTION 8p. 5.35 (6) (b) of the statutes is amended to read:

5.35 **(6)** (b) At each polling place in the state where a consolidated ballot under s. 5.655 is used or an electronic voting system is utilized at a partisan primary election incorporating a ballot upon which electors may mark ~~or punch~~ votes for candidates of more than one recognized political party or for candidates of a recognized political party and independent candidates, the municipal clerk or board of election commissioners shall prominently post a sign in the form prescribed by the board warning electors in substance that on any ballot with votes cast for candidates of more than one recognized political party or any ballot with votes cast for candidates of a recognized political party and independent candidates, no votes cast for any candidates for partisan office will be counted unless a preference for a party or for the independent candidates is made. If the elector designates a preference, only votes cast for candidates of that preference will be counted.

SECTION 9e. 5.54 of the statutes is amended to read:

5.54 Notice to electors. Every ballot, except a ~~ballot label or~~ voting machine ballot, shall bear substantially the following information on the face: "NOTICE TO ELECTORS: This ballot may be invalid unless initialed by 2 election inspectors. If cast as an absentee ballot, the ballot must bear the initials of the municipal clerk or deputy clerk.

SECTION 9g. 5.55 of the statutes is amended to read:

5.55 Ballot identification. On every ballot, except a ~~ballot label or~~ voting machine ballot, shall be printed "Official .... Ballot" or "Official .... Ballot for ...." followed by the designation of the polling place for which the ballot has been prepared, the date of the election, and the official endorsement and blank certificates. The number of the ward or wards or aldermanic district, if any, and the name of the municipality may be omitted in printing and stamped or written on the ballots at any location which is clearly visible at the option of the county clerk. Printed information and initials shall appear on the back and outside of the ballot. ~~When a ballot card is employed with an electronic voting system, the date of the election may be printed or stamped on the back of the ballot card in such a manner that the card is not reusable, at the option of the county clerk.~~

SECTION 9i. 5.66 (2) of the statutes is amended to read:

5.66 **(2)** The county clerk or board of election commissioners shall print a sufficient number of sample bal-

lots. The municipal clerk or board of election commissioners shall print sample ballots whenever the municipality prepares ballots under s. 7.15 (2) (b) or (c). Sample ballots shall be printed on nonwhite colored paper and shall be overprinted "SAMPLE". Voting machine sample ballots shall be a reduced size diagram of the face of the board or screen inside the voting machine with all candidates, issues and voting instructions as they will appear on the official ballot. Sample ballots to be used with an electronic voting system in which ~~ballot labels and ballot cards~~ ballots that are distributed to electors are used shall be an actual size copy of the ballot ~~label and ballot card~~. The clerk or board of election commissioners printing the ballots shall distribute the samples approximately as follows: 45% shall be kept in the clerk's or board's office and distributed to electors requesting them; 45% shall be sent to the municipalities, or, if the municipality prints ballots, 45% shall be sent to the county for distribution to the electors; and 10% shall be reserved to be sent to the polling places by municipalities in proportion to the number certified in sub. (1) and made available to electors at the polls on election day.

SECTION 9k. 5.68 (3) of the statutes is amended to read:

5.68 **(3)** If voting machines are used or if an electronic voting system is used in which all candidates and referenda appear on the same ballot ~~card~~, the ballots for all national, state and county offices and for county and state referenda shall be prepared and paid for by the county wherein they are used. If the voting machine or electronic voting system ballot includes a municipal or school, technical college, sewerage or sanitary district ballot, the cost of that portion of the ballot shall be reimbursed to the county or paid for by the municipality or district, except as provided in a 1st class city school district under sub. (2).

SECTION 9m. 5.79 of the statutes is amended to read:

5.79 Instruction of electors. At polling places where an electronic voting system employing the use of ~~ballot cards or ballot labels~~ ballots and voting devices is used, the election officials shall offer each elector instruction in the operation of the voting device and ballot ~~label or ballot card~~ before the elector enters the voting booth. No instructions may be given after the elector has entered the voting booth, except as authorized under s. 6.82 (2). All instructions shall be given by election officials in such a manner that they may be observed by other persons in the polling place.

SECTION 9n. 5.81 (1) of the statutes is amended to read:

5.81 **(1)** Whenever the statutes provide for the use of separate ballots or columns or rows for offices, parties or referenda, and an electronic voting system ~~employing a ballot label or ballot card~~ in which ballots are distributed to electors is used at a polling place, a single ballot may be used for all offices, referenda and parties. The ballot information, whether placed on the ballot or on the voting device, shall, as far as practicable, be grouped and ordered in the same manner as provided for other ballots under this chapter, except that the information on the ballot ~~card~~ need not be in separate columns or rows ~~and the information in the ballot label booklet may appear on a number of pages~~.

SECTION 9p. 5.81 (2) of the statutes is repealed.

SECTION 9r. 5.81 (3) of the statutes is amended to read:

5.81 **(3)** If a municipality utilizes an electronic voting system in which ballots distributed to electors are employed, absentee ballots may consist of ballots utilized with the system or paper ballots and envelopes voted in person in the office of the municipal clerk or voted by mail. ~~If a ballot card is used for voting by mail it shall be accompanied by a punching tool or marking device, elector instructions and a sample ballot showing the proper positions to vote on the ballot card for each party, candidate or referendum and, if the ballot card is to be punched, shall be mounted on a suitable material.~~

SECTION 9t. 5.82 of the statutes is amended to read:

5.82 Write−in ballots. If the ballot ~~card~~ employed by a municipality does not provide a space for write−in votes, the municipality shall provide a separate write−in ballot, which may be in the form of a paper ballot, to permit electors to write in the names of persons whose names are not on the ballot whenever write−in votes are authorized.

SECTION 9tm. 5.84 (1) of the statutes is amended to read:

5.84 **(1)** Where any municipality employs an electronic voting system which utilizes automatic tabulating equipment, either at the polling place or at a central counting location, the municipal clerk shall, on any day not more than 10 days prior to the election day on which the equipment is to be utilized, have the equipment tested to ascertain that it will correctly count the votes cast for all offices and on all measures. Public notice of the time and place of the test shall be given by the clerk at least 48 hours prior to the test by publication of a class 1 notice under ch. 985 in one or more newspapers published within the municipality if a newspaper is published therein, otherwise in a newspaper of general circulation therein. The test shall be open to the public. The test shall be conducted by processing a preaudited group of ballots so ~~punched or~~ marked as to record a predetermined number of valid votes for each candidate and on each referendum. The test shall include for each office one or more ballots which have votes in excess of the number allowed by law and, for a partisan primary election, one or more ballots which have votes cast for candidates of more than one recognized political party, in order to test the ability of the automatic tabulating equipment to reject such votes. If any error is detected, the municipal clerk shall

ascertain the cause and correct the error. The clerk shall make an errorless count before the automatic tabulating equipment is approved by the clerk for use in the election.

SECTION 9w. 5.85 (2) and (3) of the statutes are amended to read:

5.85 **(2)** The election officials shall examine the ballots or record of votes cast for write−in votes and shall count and tabulate the write−in votes. When an electronic voting system is used which utilizes a ballot which is distributed to electors, before separating the remaining ~~ballot cards~~ ballots from their respective covering envelopes, the election officials shall examine the ballots for write−in votes. When an elector has cast a write−in vote, the election officials shall compare the write−in vote with the votes on the ballot to determine whether the write−in vote results in an overvote for any office. In case of an overvote for any office, the election officials shall make a true duplicate ballot of all votes on the ballot ~~card~~ except for the office which is overvoted, by using ~~the~~ an official ballot ~~label booklet and voting device for the ward, if any~~ of that kind used by the elector who voted the original ballot, and one of the ~~punching or~~ marking devices so as to transfer all votes of the elector except for the office overvoted, to an official ballot of that kind used in the ward at that election. Unless election officials are selected under s. 7.30 (4) (c) without regard to party affiliation, the election officials shall consist in each case of at least one election official of each of the 2 major political parties, whenever officials of both parties are present. Write−in votes shall be counted as provided in s. 7.50 (2) (d). The original ballot upon which there is an overvote shall be clearly labeled "Overvoted Ballot" and the ballot so produced "Duplicate Overvoted Ballot", and each shall bear the same serial number which shall be placed thereon by the election officials, commencing with number "1" and continuing consecutively for each of the ballots of that kind in that ward or election district. The election officials shall initial the "Duplicate Overvoted Ballot" ballots and shall place them in the container for return of the ballots. The "Overvoted Ballot" ballots and their envelopes shall be placed in the "Original Ballots" envelope. Ballots bearing write−in votes marked in the place designated therefor and bearing the initials of an election official and not resulting in an overvote and otherwise complying with the election laws as to marking shall be counted, tallied, and their votes recorded on a tally sheet provided by the municipal clerk. ~~Ballot cards~~ Ballots and ballot ~~card~~ envelopes shall be separated and all ballots except any which are defective or overvoted shall be placed separately in the container for return of the ballots, along with the ballots marked "Duplicate Overvoted Ballots".

(3) The election officials shall examine the ballots to determine if any is damaged or defective so that it cannot be counted by the automatic tabulating equipment. If any ballot is damaged or defective so that it cannot be properly counted by the automatic tabulating equipment, the election officials, in the presence of witnesses, shall make a true duplicate ballot of all votes on that ballot by using ~~the ballot label booklet and voting device for the ward, if any, and~~ one of the ~~punching or~~ marking devices so as to transfer all votes of the elector to an official ballot of that kind used ~~in the ward~~ by the elector who voted the original ballot in that election. Unless election officials are selected under s. 7.30 (4) (c) without regard to party affiliation, the election officials shall consist in each case of at least one election official of each of the 2 major political parties, whenever officials of both parties are present. The original ballot shall be clearly labeled "Damaged Ballot" and the ballot so produced "Duplicate Damaged Ballot", and each shall bear the same number which shall be placed thereon by the election officials, commencing with number "1" and continuing consecutively for the ballots of that kind in the ward. The election officials shall initial the "Duplicate Damaged Ballot" ballots, and shall place them in the container for return of the ballots. The officials shall place "Damaged Ballot" ballots and their envelopes in the "Original Ballots" envelope.

SECTION 9x. 5.91 (14) of the statutes is created to read:

5.91 **(14)** It does not employ any mechanism by which a ballot is punched or punctured to record the votes cast by an elector.

SECTION 9y. 5.94 of the statutes is amended to read:

5.94 Sample ~~ballot labels and cards~~ ballots; publication. When an electronic voting system employing a ballot ~~label and ballot card~~ that is distributed to electors is used, the county and municipal clerk of the county and municipality in which the polling place designated for use of the system is located shall cause to be published, in the type B notices, a true actual−size copy of the ballot ~~label and ballot card~~ containing the names of offices and candidates and statements of measures to be voted on, as nearly as possible, in the form in which they will appear on the official ballot ~~label and ballot card~~ on election day. The notice may be published as a newspaper insert. Municipal clerks may post the notice if the remainder of the type B notice is posted.

SECTION 29n. 6.10 (7m) of the statutes is created to read:

6.10 **(7m)** (a) The residence of a person who is detained, or committed and institutionalized, under s. 51.20, 971.14, or 971.17 or ch. 980 shall be determined by applying the standards under sub. (1) to whichever of the following dates is applicable to the circumstances of the person:

1. For a person detained or committed under s. 51.20, the date that the person was detained under s. 51.20 (2) or, if the person was not detained under s. 51.20 (2), the date that the person was committed under s. 51.20 (13).

2. For a person committed under s. 971.14 or 971.17, the date of the offense or alleged offense that resulted in the person's commitment.

3. For a person detained or committed under ch. 980, the date that the person committed the sexually violent offense that resulted in the sentence, placement, or commitment that was in effect when the state filed a petition under s. 980.02 against the person.

(b) That the person's habitation was fixed at the place established under par. (a) before he or she was detained or committed shall be considered prima facie evidence that the person intends to return to that place. The prima facie evidence of intent to return to the place determined under par. (a) may be rebutted by presenting information that indicates that the person is not likely to return to that place if the person's detention or commitment is terminated.

SECTION 29p. 6.15 (3) (a) 1. of the statutes is amended to read:

6.15 **(3)** (a) 1. Upon proper completion of the application and cancellation card, the municipal clerk shall inform the elector that he or she may vote for the presidential electors not sooner than 9 days nor later than 5 p.m. on the day before the election at the office of the municipal clerk, or at a specified polling place on election day. When voting at the municipal clerk's office, the applicant shall provide identification and shall mark ~~or punch~~ the ballot in the clerk's presence in a manner that will not disclose his or her vote. Unless the ballot is utilized with an electronic voting system, the applicant shall fold the ballot so as to conceal his or her vote. The applicant shall then deposit the ballot and seal it in an envelope furnished by the clerk.

SECTION 29r. 6.15 (3) (b) of the statutes is amended to read:

6.15 **(3)** (b) *Election day.* An eligible elector may appear at the polling place for the ward or election district where he or she resides and make application for a ballot under sub. (2). In such case, the inspector or special registration deputy shall perform the duties of the municipal clerk. The elector shall provide identification. If the elector is qualified, he or she shall be permitted to vote. The elector shall mark ~~or punch~~ the ballot and, unless the ballot is utilized with an electronic voting system, the elector shall fold the ballot, and shall deposit the ballot into the ballot box or give it to the inspector. The inspector shall deposit it directly into the ballot box. Voting machines or ballots utilized with electronic voting systems may only be used by electors voting under this section if they permit voting for president and vice president only.

SECTION 29t. 6.22 (4) and (5) of the statutes are amended to read:

6.22 **(4)** INSTRUCTIONS AND HANDLING. An individual who qualifies as a military elector may request an absentee ballot for any election, or for all elections until the individual otherwise requests or until the individual no longer qualifies as a military elector. A military elector's application may be received at any time. The municipal clerk shall not send a ballot for an election if the application is received later than 5 p.m. on the Friday preceding that election. The municipal clerk shall send a ballot, as soon as available, to each military elector who requests a ballot. The board shall prescribe the instructions for marking ~~or punching~~ and returning ballots and the municipal clerk shall enclose instructions with each ballot and shall also enclose supplemental instructions for local elections. The envelope, return envelope and instructions may not contain the name of any candidate appearing on the enclosed ballots other than that of the municipal clerk affixed in the fulfillment of his or her duties. Whenever the material is mailed, the material shall be prepared and mailed to make use of the federal free postage laws. The mailing list established under this subsection shall be kept current in the same manner as provided in s. 6.86 (2) (b).

(5) VOTING PROCEDURE. Except as authorized in s. 6.25, the ballot shall be marked ~~or punched~~ and returned, deposited and recorded in the same manner as other absentee ballots. In addition, the certification under s. 6.87 (2) shall have a statement of the elector's birth date. Failure to return any unused ballots in a primary election does not invalidate the ballot on which the elector casts his or her votes.

SECTION 29v. 6.24 (6) and (7) of the statutes are amended to read:

6.24 **(6)** INSTRUCTIONS AND HANDLING. The municipal clerk shall send a ballot, as soon as available, to each overseas elector by whom a request has been made. The board shall prescribe the instructions for marking ~~or punching~~ and returning ballots and the municipal clerk shall enclose such instructions with each ballot. The envelope, return envelope and instructions may not contain the name of any candidate appearing on the enclosed ballots other than that of the municipal clerk affixed in the fulfillment of his or her duties. Except as authorized in s. 6.87 (3), the municipal clerk shall mail the material postage prepaid to any place in the world. The overseas elector shall provide return postage.

(7) VOTING PROCEDURE. Except as authorized under s. 6.25, the ballot shall be marked ~~or punched~~ and returned, deposited and recorded in the same manner as other absentee ballots. In addition, the certificate shall have a statement of the elector's birth date. Failure to return the unused ballots in a primary election does not invalidate the ballot on which the elector casts his or her votes.

SECTION 68ab. 6.82 (1) (a) and (2) (a) and (b) of the statutes are amended to read:

6.82 **(1)** (a) When any inspectors are informed that an elector is at the entrance to the polling place who as a result of disability is unable to enter the polling place,

they shall permit the elector to be assisted in marking ~~or punching~~ a ballot by any individual selected by the elector, except the elector's employer or an agent of that employer or an officer or agent of a labor organization which represents the elector. The inspectors shall issue a ballot to the individual selected by the elector and shall accompany the individual to the polling place entrance where the assistance is to be given. If the ballot is a paper ballot, the assisting individual shall fold the ballot after the ballot is marked ~~or punched~~ by the assisting individual. The assisting individual shall then immediately take the ballot into the polling place and give the ballot to an inspector. The inspector shall distinctly announce that he or she has "a ballot offered by .... (stating person's name), an elector who, as a result of disability, is unable to enter the polling place without assistance". The inspector shall then ask, "Does anyone object to the reception of this ballot?" If no objection is made, the inspectors shall record the elector's name under s. 6.79 and deposit the ballot in the ballot box, and shall make a notation on the registration or poll list: "Ballot received at poll entrance".

(2) (a) If an elector declares to the presiding election official that he or she cannot read or write, or has difficulty in reading, writing or understanding English or that due to disability is unable to mark ~~or punch~~ a ballot or depress a button or lever on a voting machine, the elector shall be informed by the officials that he or she may have assistance. When assistance is requested, the elector may select any individual to assist in casting his or her vote. The selected individual rendering assistance may not be the elector's employer or an agent of that employer or an officer or agent of a labor organization which represents the elector. The selected individual shall certify on the back of the ballot that it was marked ~~or punched~~ with his or her assistance. Where voting machines are used, certification shall be made on the registration list.

(b) The individual chosen shall enter the voting booth or machine with the elector and shall read the names of all candidates on the ballot for each office, and ask, "For which one do you vote?". The ballot shall be marked ~~or punched~~ or the lever or button depressed according to the elector's expressed preference. The individual selected to assist may not disclose to anyone how the elector voted.

SECTION 69e. 6.87 (3) (d) of the statutes is amended to read:

6.87 **(3)** (d) ~~Unless a municipality uses an electronic voting system that requires an elector to punch a ballot in order to record the elector's votes, a~~ A municipal clerk of a municipality may, if the clerk is reliably informed by an absent elector of a facsimile transmission number or electronic mail address where the elector can receive an absentee ballot, transmit a facsimile or electronic copy of the absent elector's ballot to that elector in lieu of mailing under this subsection if, in the judgment of the clerk, the time required to send the ballot through the mail may not be sufficient to enable return of the ballot by the time provided under sub. (6). An elector may receive an absentee ballot under this subsection only if the elector has filed a valid application for the ballot under sub. (1). If the clerk transmits an absentee ballot under this paragraph, the clerk shall also transmit a facsimile or electronic copy of the text of the material that appears on the certificate envelope prescribed in sub. (2), together with instructions prescribed by the board. The instructions shall require the absent elector to make and subscribe to the certification as required under sub. (4) and to enclose the absentee ballot in a separate envelope contained within a larger envelope, that shall include the completed certificate. The elector shall then mail the absentee ballot with postage prepaid to the municipal clerk. An absentee ballot received under this paragraph shall not be counted unless it is cast in the manner prescribed in this paragraph and in accordance with the instructions provided by the board.

SECTION 69m. 6.87 (4) and (5) of the statutes are amended to read:

6.87 **(4)** Except as otherwise provided in s. 6.875, the elector voting absentee shall make and subscribe to the certification before one witness. The absent elector, in the presence of the witness, shall mark ~~or punch~~ the ballot in a manner that will not disclose how the elector's vote is cast. The elector shall then, still in the presence of the witness, fold the ballots if they are paper ballots so each is separate and so that the elector conceals the markings thereon and deposit them in the proper envelope. If a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot if it is a paper ballot so that the elector conceals the markings thereon and deposit the ballot in the proper envelope. The elector may receive assistance under sub. (5). The return envelope shall then be sealed. The witness may not be a candidate. The envelope shall be mailed by the elector, postage prepaid, or delivered in person, to the municipal clerk issuing the ballot or ballots. Failure to return an unused ballot in a primary does not invalidate the ballot on which the elector's votes are cast. Return of more than one marked ~~or punched~~ ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot used with an electronic voting system in a primary which is marked ~~or punched~~ for candidates of more than one party invalidates all votes cast by the elector for candidates in the primary.

(5) If the absent elector declares that he or she is unable to read, has difficulty in reading, writing or understanding English or due to disability is unable to mark ~~or punch~~ his or her ballot, the elector may select any individual, except the elector's employer or an agent of that employer or an officer or agent of a labor organization which represents the elector, to assist in marking ~~or punching~~ the ballot, and the assistant shall then sign his or her name to a certification on the back of the ballot, as provided under s. 5.55.

SECTION 69s. 6.875 (6) of the statutes is amended to read:

6.875 **(6)** Special voting deputies in each municipality shall, not later than 5 p.m. on the Friday preceding an election, arrange one or more convenient times with the administrator of each nursing home or qualified retirement home and qualified community−based residential facility in the municipality from which one or more occupants have filed an application under s. 6.86 to conduct absentee voting for the election. The time may be no earlier than the 4th Monday preceding the election and no later than 5 p.m. on the Monday preceding the election. Upon request of a relative of an occupant of a nursing home or qualified retirement home or qualified community−based residential facility, the administrator may notify the relative of the time or times at which special voting deputies will conduct absentee voting at the home or facility, and permit the relative to be present in the room where the voting is conducted. At the designated time, 2 deputies appointed under sub. (4) shall visit the nursing home or qualified retirement home or qualified community−based residential facility. The municipal clerk or executive director of the board of election commissioners shall issue a supply of absentee ballots to the deputies sufficient to provide for the number of valid applications received by the clerk, and a reasonable additional number of ballots. The municipal clerk or executive director shall keep a careful record of all ballots issued to the deputies and shall require the deputies to return every ballot issued to them. The deputies shall personally offer each elector who has filed a proper application the opportunity to cast his or her absentee ballot. If an elector is present who has not filed a proper application, the 2 deputies may accept an application from the elector and shall issue a ballot to the elector if the elector is qualified and the application is proper. The deputies shall administer the oath and may, upon request of the elector, assist the elector in marking ~~or punching~~ the elector's ballot. Upon request of the elector, a relative of the elector who is present in the room may assist the elector in marking ~~or punching~~ the elector's ballot. All voting shall be conducted in the presence of the deputies. No individual other than a deputy may administer the oath and no individual other than a deputy or relative of an elector may render voting assistance to the elector. Upon completion of the voting, the deputies shall promptly deliver, either personally or by 1st class mail, any absentee ballot applications and the sealed certificate envelope containing each ballot to the clerk or board of election commissioners of the municipality in which the elector casting the ballot resides, within such time as will permit delivery to the polling place serving the elector's residence on election day. Personal delivery may be made by the deputies no later than noon on election day. If a qualified elector is not able to cast his or her ballot on 2 separate visits by the deputies to the nursing home or qualified retirement home, they shall so inform the municipal clerk or executive director of the board of election commissioners, who may then send the ballot to the elector no later than 5 p.m. on the Friday preceding the election.

SECTION 72m. 7.03 (1) (a) of the statutes is amended to read:

7.03 **(1)** (a) A reasonable daily compensation shall be paid to each inspector, voting machine custodian, automatic tabulating equipment technician, member of a board of canvassers, messenger and tabulator who is employed and performing duties under chs. 5 to 12. Daily compensation shall also be provided for attendance at training sessions and examinations required by the board under s. 7.31. Alternatively, such officials may be paid by the hour at a proportionate rate for each hour actually worked.

SECTION 76ab. 7.08 (7) of the statutes is created to read:

7.08 **(7)** VOTING SYSTEM TRANSITIONAL ASSISTANCE. From the appropriation under s. 20.510 (1) (c), provide assistance to municipalities that used punch card electronic voting systems at the 2001 spring election to enable the municipalities to employ another type of electronic voting system, and provide training for election officials in the use of replacement systems.

SECTION 76ac. 7.08 (7) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 81aa. 7.15 (1) (e) of the statutes is amended to read:

7.15 **(1)** (e) ~~Instruct~~ In coordination with the board, instruct election officials in their duties, calling them together whenever advisable, advise them of changes in laws, rules and procedures affecting the performance of their duties, and administer examinations as authorized under s. 7.30 (2) (c). The clerk shall assure that officials who serve at polling places where an electronic voting system is used are familiar with the system and competent to instruct electors in its proper use. The clerk shall inspect systematically and thoroughly the conduct of elections in the municipality so that elections are honestly, efficiently and uniformly conducted.

SECTION 81m. 7.15 (3) (b) of the statutes is amended to read:

7.15 **(3)** (b) Sample ballots~~,~~ and voting machine ballots ~~and ballot labels for electronic voting systems, whenever the labels are affixed to the voting devices,~~ shall be furnished to the officials in the ward or election district at least one day before each election.

SECTION 83ab. 7.30 (1) of the statutes is amended to read:

7.30 **(1)** NUMBER. There shall be 7 inspectors for each polling place at each election. In municipalities where voting machines are used, the municipal governing body may reduce the number of inspectors to 5. A municipal governing body may provide for the appointment of additional inspectors whenever more than one voting

machine is used or wards are combined under s. 5.15 (6) (b). A municipal governing body may provide by ordinance for the selection of alternate officials or the selection of 2 or more sets of officials to work at different times on election day, and may permit the municipal clerk or board of election commissioners to establish different working hours for different officials assigned to the same polling place. Alternate officials shall also be appointed in a number sufficient to maintain adequate staffing of polling places. Unless officials are appointed without regard to party affiliation under sub. (4) (c), additional officials shall be appointed in such a manner that the total number of officials is an odd number and the predominant party under sub. (2) is represented by one more official than the other party.

SECTION 85m. 7.30 (6) (b) of the statutes is amended to read:

7.30 **(6)** (b) Prior to the first election following the appointment of the inspectors, the inspectors at each polling place shall elect one of their number to act as chief inspector. No person may serve as chief inspector at any election who is not certified by the board under s. 7.31 at the time of the election. The chief inspector shall hold the position for the remainder of the term unless the inspector ceases to be certified under s. 7.31, except that whenever wards are combined or separated under s. 5.15 (6) (b), the inspectors shall elect a new chief inspector who is certified under s. 7.31. If a vacancy occurs in the position of chief inspector, the municipal clerk shall appoint one of the other inspectors who is certified under s. 7.31 to fill the vacancy.

SECTION 85s. 7.31 of the statutes is created to read:

7.31 Training and certification of chief inspectors. (1) The board shall, by rule, prescribe requirements for certification of individuals to serve as chief inspectors.

(2) No individual may serve as a chief inspector at a polling place in an election unless the individual is certified by the board to hold that office on the date of the election at which the individual serves.

(3) The board shall, upon application, issue certificates to qualified individuals who meet the requirements to be certified as chief inspectors. Each certificate shall carry an expiration date.

(4) The board shall require each individual to whom a certificate is issued under this section to meet requirements to maintain that certification. The board shall renew the certificate of any individual who requests renewal and who meets the requirements prescribed under this subsection.

(5) The board shall conduct regular training and administer examinations to ensure that individuals who are certified by the board under this section are knowledgeable concerning their authority and responsibilities. The board shall pay all costs required to conduct the training and to administer the examinations from the appropriation under s. 20.510 (1) (b).

SECTION 86. 7.33 (1) (c) of the statutes is amended to read:

7.33 **(1)** (c) "State agency" has the meaning given under s. 20.001 (1) and includes an authority created under ch. 231, 232, 233 ~~or~~, 234, or 237.

SECTION 87f. 7.33 (4) of the statutes is amended to read:

7.33 **(4)** ~~Each~~ Except as otherwise provided in this subsection, each local governmental unit, as defined in s. 16.97 (7), may, and each state agency shall, upon proper application under sub. (3), permit each of its employees to serve as an election official without loss of fringe benefits or seniority privileges earned for scheduled working hours during the period specified in sub. (3), ~~and~~ without loss of pay for scheduled working hours during the period specified in sub. (3) except as provided in sub. (5), and ~~shall not impose~~ without any other penalty ~~upon an employee who serves as an election official~~. For employees who are included in a collective bargaining unit for which a representative is recognized or certified under subch. V of ch. 111, this subsection shall apply unless otherwise provided in a collective bargaining agreement.

SECTION 87m. 7.33 (5) of the statutes is amended to read:

7.33 **(5)** Any employee of ~~the state~~ a local governmental unit, as defined in s. 16.97 (7), or state agency who obtains a paid leave of absence under sub. (4) in order to serve as an election official under s. 7.30 shall certify in writing to the head of the local governmental unit or state agency by which he or she is employed the amount of compensation that the employee receives for such service. Upon receipt of the certification, the head of the local governmental unit or state agency shall deduct that amount from the employee's pay earned for scheduled working hours during the period specified in sub. (2) when the employee is on a paid leave of absence.

SECTION 87o. 7.37 (4) of the statutes is amended to read:

7.37 **(4)** BALLOTING PROCEDURE. At polling places which utilize paper ballots or electronic voting systems in which ballots are distributed to electors, 2 inspectors shall be assigned to take charge of the official ballots. They shall write their initials on the back of each ballot and deliver to each elector as he or she enters the voting booth one ballot properly endorsed by each of them. Where paper ballots are used, the inspectors shall fold each ballot in the proper manner to be deposited before delivering it to the elector. If asked, inspectors may instruct any elector as to the proper manner of marking ~~or punching~~ the ballot, but they may not give advice, suggestions, express any preferences or make any requests as to the person for whom, the question on which or the ballot on which the elector shall vote.

SECTION 87q. 7.37 (8) of the statutes is amended to read:

7.37 **(8)** ELECTRONIC VOTING SYSTEMS. Prior to the opening of the polling place, wherever electronic voting systems employing voting devices are used, the inspectors shall place the voting devices in position for voting and examine them to see that they are in proper working order ~~and that they have the correct ballot labels by comparing them with the sample ballots~~.

SECTION 87s. 7.50 (1) (d) and (2) (a), (b) and (d) of the statutes are amended to read:

7.50 **(1)** (d) Whenever an electronic voting system is used at a polling place in a partisan primary, and the same ballot is utilized to cast votes for candidates of more than one recognized political party or candidates of a party and independent candidates, if an elector designates a preference for a party or for independent candidates, only votes cast within that preference category may be counted. If an elector does not designate a preference and makes a mark ~~or punch~~ or affixes a sticker opposite candidates of more than one recognized political party or opposite a candidate in the independent candidates' column and a candidate of a recognized political party, no votes cast by the elector for any candidate for partisan office are valid. Votes for other candidates and votes on ballot questions, if any, shall be counted if otherwise valid.

(2) (a) At a general election, if the elector places a mark, symbol or sticker ~~or punches a hole~~ under a party designation at the head of a column in or near the space indicated for that purpose, it is a vote for all the candidates whose names appear in the marked ~~or punched~~ column except as otherwise provided in this paragraph. If a name is stricken, it is not a vote for that candidate. If a name is written in, it is a vote for the write−in candidate. If a sticker is attached it is a vote for the candidate whose name appears on the sticker. If in some other column there is a mark ~~or punch~~ in the square to the right of a specific candidate's name or at the place designated on the ballot for marking ~~or punching~~ a vote for a specific candidate for the same office, it is a vote for that specific candidate and no vote may be counted for the candidate for the same office in the column marked ~~or punched~~ for a straight party vote.

(b) A ballot cast without any marks~~,~~ or stickers ~~or punches~~ may not be counted. A ballot without a mark ~~or punch~~ at the top of a party column may be counted only for persons for whom marks ~~or punches~~ are applicable.

(d) If an elector writes a person's name in the proper space for write−in candidates for an office, it is a vote for the person written in for the office indicated, regardless of whether the elector strikes the names appearing in the same column for the same office, or places a mark ~~or punch~~ by the same or any other name for the same office, or omits placing a mark ~~or punch~~ to the right of the name written in. If an elector is permitted to vote for more than one candidate for the same office in an election and casts one or more write−in votes which, when added to the votes cast for candidates whose names appear on the ballot, exceed the number of votes authorized to be cast for the office, the write−in votes shall be counted and the votes for candidates whose names appear on the ballot may not be counted, unless there are more write−in votes than votes authorized to be cast, in which case no votes may be counted for the office.

SECTION 93m. 9.01 (1) (a) of the statutes is amended to read:

9.01 **(1)** (a) Any candidate voted for at any election or any elector who voted upon any referendum question at any election may request a recount. The petitioner shall file a verified petition or petitions ~~accompanied by the fee prescribed in par. (ag), if any,~~ with the proper clerk or body under par. (ar) not earlier than the time of completion of the canvass and not later than 5 p.m. on the 3rd business day following the last meeting day of the municipal or county board of canvassers determining the election for that office or on that referendum question or, if more than one board of canvassers makes the determination not later than 5 p.m. on the 3rd business day following the last meeting day of the last board of canvassers which makes a determination. If the chairperson of the board or chairperson's designee makes the determination for the office or the referendum question, the petitioner shall file the petition not earlier than the last meeting day of the last county board of canvassers to make a statement in the election or referendum and not later than 5 p.m. on the 3rd business day following the day on which the elections board receives the last statement from a county board of canvassers for the election or referendum. Each verified petition shall state that at the election the petitioner was a candidate for the office in question or that he or she voted on the referendum question in issue; that the petitioner is informed and believes that a mistake or fraud has been committed in a specified ward or municipality in the counting and return of the votes cast for the office or upon the question; or shall specify any other defect, irregularity or illegality in the conduct of the election. The petition shall specify each ward, or each municipality where no wards exist, in which a recount is desired. If a recount is requested for all wards within a jurisdiction, each ward need not be specified. The petition may be amended to include information discovered as a result of the investigation of the board of canvassers or the chairperson of the board or chairperson's designee after the filing of the petition, if the petitioner moves to amend the petition as soon as possible after the petitioner discovered or reasonably should have discovered the information which is the subject of the amendment and the petitioner was unable to include information in the original petition.

SECTION 93n. 9.01 (1) (ad) of the statutes is created to read:

9.01 **(1)** (ad) Upon receiving a petition for a recount, the clerk or body receiving the petition shall calculate any

fee due under par. (ag) 1m. or reasonably estimate any fee due under par. (ag) 2. The clerk or body shall provide the petitioner promptly with the total due or estimate.

SECTION 93o. 9.01 (1) (ag) 1. of the statutes is amended to read:

9.01 **(1)** (ag) 1. ~~Each petition for a recount shall be accompanied by the fee prescribed in this paragraph.~~ If the difference between the votes cast for the leading candidate and those cast for the petitioner or the difference between the affirmative and negative votes cast upon any referendum question is less than 10 if 1,000 or less votes are cast or ~~less~~ not more than ~~.5%~~ 0.5% of the total votes cast for the office or on the question if more than 1,000 votes are cast, the petitioner is not required to pay a fee.

SECTION 93p. 9.01 (1) (ag) 1m. of the statutes is created to read:

9.01 **(1)** (ag) 1m. If the difference between the votes cast for the leading candidate and those cast for the petitioner or the difference between the affirmative and negative votes cast upon any referendum question is at least 10 if 1,000 or less votes are cast or is more than 0.5% but not more than 2% if more than 1,000 votes are cast, the petitioner shall pay a fee of $5 for each ward for which the petition requests a ballot recount, or $5 for each municipality for which the petition requests a recount where no wards exist.

SECTION 93q. 9.01 (1) (ag) 2. of the statutes is amended to read:

9.01 **(1)** (ag) 2. If the difference between the votes cast for the leading candidate and those cast for the petitioner or the difference between the affirmative and negative votes cast upon any referendum question is ~~at least 10 if 1,000 or less votes are cast or at least .5%~~ more than 2% if more than 1,000 votes are cast, the petitioner shall pay a fee ~~of $5 for~~ equal to the actual cost of performing the recount in each ward for which the petition requests a ~~ballot~~ recount, or ~~$5 for~~ in each municipality for which the petition request a recount where no wards exist.

SECTION 93r. 9.01 (1) (ag) 3. of the statutes is amended to read:

9.01 **(1)** (ag) 3. All fees calculated or estimated under par. (ad) shall be prepaid in cash or another form of payment which is acceptable to the officer to whom they are paid. No petition for which a fee is required is valid unless the proper calculated or estimated fee is paid at the time of filing.

SECTION 93s. 9.01 (1) (ag) 3m. of the statutes is created to read:

9.01 **(1)** (ag) 3m. The petitioner shall pay any balance owing toward the fee due under subd. 2. within 30 days after the clerk or body receiving the petition provides the petitioner with a written statement of the amount due. If the petitioner has overpaid the fee due under subd. 2. the clerk or body receiving the petition shall refund the amount overpaid within 30 days after the board of canvassers makes its determination in the recount.

SECTION 93t. 9.01 (1) (ar) 3. of the statutes is amended to read:

9.01 **(1)** (ar) 3. ~~Upon receipt of~~ Whenever a clerk receives a valid petition and any payment under par. (ag) 3., the clerk shall thereupon notify the proper board of canvassers. ~~Upon receipt of~~ Whenever the board receives a valid petition ~~by the board~~ and any payment under par. (ag) 3., the board shall promptly by certified mail or other expeditious means order the proper county boards of canvassers to commence the recount. County boards of canvassers shall convene no later than 9 a.m. on the second day ~~following~~ after receipt of an order and may adjourn for not more than one day at a time until the recount is completed in the county, except that the board may permit extension of the time for adjournment. Returns from a recount ordered by the board shall be transmitted to the office of the board as soon as possible, but in no case later than 13 days from the date of the order of the board directing the recount. The chairperson of the board or the chairperson's designee may not make a determination in any election if a recount is pending before any county board of canvassers in that election. The chairperson of the board or the chairperson's designee need not recount actual ballots, but shall verify the returns of the county boards of canvassers in making his or her determinations.

SECTION 94f. 9.10 (2) (b) of the statutes is amended to read: **Vetoed In Part**

9.10 **(2)** (b) A ~~recall~~ petition ~~for~~ requesting the recall of a city, village, town or school district ~~office~~ officer shall contain a statement of ~~a reason for the recall which is related to the official responsibilities of the official for whom removal is sought~~ each cause for the recall and the specific allegations that constitute each cause. In this paragraph, "cause" means neglect of duty or official misconduct.

SECTION 94i. 9.10 (2) (d) of the statutes is amended to read:

9.10 **(2)** (d) No petition may be offered for filing for the recall of an officer unless the petitioner first files a registration statement under s. 11.05 (1) or (2) with the filing officer with whom the petition is filed. The petitioner shall append to the registration a statement indicating his or her intent to circulate a recall petition, the name of the officer for whom recall is sought and, in the case of a petition for the recall of a city, village, town or school district officer, a statement of ~~a reason for the recall which is related to the official responsibilities of the official for whom removal is sought~~ each cause, as defined in par. (b), for the recall and the specific allegations that constitute each cause. No petitioner may circulate a petition for the recall of an officer prior to completing registration. The last date that a petition for the recall of a state, congressional, legislative, judicial or county officer may be offered for filing is 5 p.m. on the 60th day commencing after registration. The last date

Vetoed In Part

that a petition for the recall of a city, village, town or school district officer may be offered for filing is 5 p.m. on the 30th day commencing after registration. After the recall petition has been offered for filing, no name may be added or removed. No signature may be counted unless the date of the signature is within the period provided in this paragraph.

SECTION 94L. 9.10 (4) (a) of the statutes is amended to read:

9.10 **(4)** (a) Immediately after a petition for the recall of a city, village, town, or school district officer is offered for filing, the municipal clerk, board of election commissioners, or school district clerk shall notify the officer against whom the petition is filed. Within 10 days after ~~a~~ the petition ~~for the recall of a city, village, town or school district official,~~ is offered for filing, the officer against whom the petition is filed may file a written challenge with the municipal clerk or board of election commissioners or school district clerk ~~with whom it is filed~~, specifying any alleged insufficiency. If a challenge is filed, the petitioner may file a written rebuttal to the challenge with the clerk or board of election commissioners within 5 days after the challenge is filed. If a rebuttal is filed, the officer against whom the petition is filed may file a reply to any new matter raised in the rebuttal within 2 days after the rebuttal is filed. Within 14 days after the expiration of the time allowed for filing a reply to a rebuttal, the clerk or board of election commissioners shall file the certificate or an amended certificate. Within 31 days after the petition is offered for filing, the clerk or board of election commissioners shall determine by careful examination of the face of the petition whether the petition is sufficient and shall so state in a certificate attached to the petition. If the petition is found to be insufficient, the certificate shall state the particulars creating the insufficiency. The petition may be amended to correct any insufficiency within 5 days following the affixing of the original certificate. Within 2 days after the offering of the amended petition for filing, the clerk or board of election commissioners shall again carefully examine the face of the petition to determine sufficiency and shall attach to the petition a certificate stating the findings. Immediately upon finding an original or amended petition sufficient, ~~except in cities over 500,000 population,~~ the municipal clerk ~~or~~, school district clerk, or board of election commissioners shall notify, in writing, the officer against whom the petition is filed. Within 3 days following receipt of the notification, the officer shall inform the municipal clerk, school district clerk, or board of election commissioners, in writing, as to whether the officer contests the petition. If the officer fails to inform the municipal clerk, school district clerk, or board of election commissioners within 3 days following receipt of the notification, or if the officer does not contest the petition, the municipal clerk, school district clerk, or board of election commissioners shall issue a certificate declaring that an election will be held under this section. If the certificate is issued by the municipal clerk, the municipal clerk shall immediately transmit the petition and certificate to the governing body of the municipality. If the certificate is issued by the school district clerk, the school district clerk shall immediately transmit the petition and certificate to the school board. If the officer contests the petition, the municipal clerk, school district clerk, or board of election commissioners shall transmit the petition to the ~~governing body or to the school board. Immediately upon finding an original or amended petition sufficient, in cities over 500,000 population, the board of election commissioners shall file the petition in its office~~ circuit court for the county in which the office of the clerk or board of election commissioners is located.

Vetoed In Part

SECTION 94p. 9.10 (4) (b) and (c) of the statutes are created to read:

9.10 **(4)** (b) Within 10 days after receipt of a petition under par. (a), the circuit court shall determine, after hearing, whether the allegations in the petition are true and, if true, whether the allegations constitute cause, as defined in sub. (2) (b), for the recall. The clerk of court shall notify the officer for whom the recall is sought of the hearing date. The officer and the person who offers the petition for filing may appear by counsel and the court may take testimony with respect to the petition. If the circuit court determines that the allegations in the petition are true and constitute cause, as defined in sub. (2) (b), for the recall, the court shall issue a certificate directing that an election be held under this section. If the petition concerns a city, village, or town office, the court shall transmit the petition and certificate to the governing body of the city, village, or town, except that in cities over 500,000 population the court shall transmit the petition and certificate to the board of election commissioners. If the petition concerns a school district office, the court shall transmit the petition and certificate to the school board. Upon receiving a petition and certificate, the governing body, board of election commissioners, or school board shall file the petition and certificate in its office. If the court determines that the allegations in the petition are not true or do not constitute cause, as defined in sub. (2) (b), for the recall, the court may not issue the certificate.

(c) Any party aggrieved by a circuit court determination under par. (b) may appeal to the court of appeals within the time period specified in s. 808.04 (2). An appeal under this paragraph shall be given precedence over other matters not accorded similar precedence by law. The appeal shall stay the holding of a recall primary and election under a certificate issued by the circuit court under par. (b) until the court of appeals determines the validity of the certificate, but other acts required to be undertaken to prepare for the primary and election shall proceed during the pendency of the appeal.

Vetoed In Part

SECTION 94s. 9.10 (4) (d) of the statutes is amended to read:

9.10 **(4)** (d) The governing body, school board or board of election commissioners, upon receiving ~~the~~ a certificate from the circuit court under par. (b) or upon receiving or issuing a certificate under par. (a), shall call an election to be held on the Tuesday of the 6th week commencing after the date of the certificate. If Tuesday is a legal holiday, the recall election shall be held on the first day after Tuesday which is not a legal holiday.

SECTION 94sm. 10.01 (2) (b) of the statutes is amended to read:

10.01 **(2)** (b) Type B—The type B notice shall include the relevant facsimile ballots and the relevant portions of voting instructions to electors under s. 10.02 for each office or referendum and shall specify the date of the election. In counties or municipalities where an electronic voting system ~~employing a ballot label and ballot card~~ in which ballots are distributed to electors is used, the notice shall include the information specified in s. 5.94. The type B notice shall be published once by the county clerks, and for primaries and other elections in municipalities or special purpose districts, once by the clerk of the municipality or special purpose district on the day preceding each primary and other election.

SECTION 95m. 10.06 (3) (e) of the statutes is amended to read:

10.06 **(3)** (e) When electronic or mechanical voting machines or electronic voting systems ~~employing a ballot card or label~~ in which ballots are distributed to electors are used in a municipality at a municipal election, the municipal clerk shall publish a type B notice on the Monday before the election. The notice shall include all offices and questions to be voted on at the election. The cost of this notice shall be shared under s. 5.68 (2) and (3).

SECTION 95ms. 12.13 (1) (f) of the statutes is amended to read:

12.13 **(1)** (f) Shows his or her marked ~~or punched~~ ballot to any person or places a mark upon the ballot so it is identifiable as his or her ballot.

SECTION 96m. 12.13 (3) (e) and (j) of the statutes are amended to read:

12.13 **(3)** (e) Prepare or cause to be prepared an official ballot with intent to change the result of the election as to any candidate or referendum; prepare an official ballot which is premarked ~~or prepunched~~ or which has an unauthorized sticker affixed prior to delivery to an elector; or deliver to an elector an official ballot bearing a mark ~~or punch~~ opposite the name of a candidate or referendum question that might be counted as a vote for or against a candidate or question.

(j) When called upon to assist an elector who cannot read or write, has difficulty in reading, writing or understanding English, or is unable to mark ~~or punch~~ a ballot or depress a lever or button on a voting machine, inform the elector that a ballot contains names or words different than are printed or displayed on the ballot with the intent of inducing the elector to vote contrary to his or her inclination, intentionally fail to cast a vote in accordance with the elector's instructions or reveal the elector's vote to any 3rd person.

SECTION 96w. 13.093 (2) (c) of the statutes is repealed.

SECTION 97m. 13.0975 of the statutes is created to read:

Vetoed In Part

13.0975 Prison impact assessments. (1) In this section:

(a) "Bureau" means the legislative fiscal bureau.

(b) "Prison" means a state prison described under s. 302.01.

(2) The bureau shall prepare a prison impact assessment for any bill or, if requested, for any bill draft that creates a felony or modifies the period of imprisonment for a felony. Except as otherwise provided by the joint rules of the legislature, the bureau shall prepare the assessment within 21 days after the date on which the bureau receives a copy of a bill under sub. (4) or the date on which the bureau receives a request to prepare the assessment from the requester of the bill draft, whichever occurs first. The assessment shall contain all of the following:

(a) Projections of the impact on statewide populations of prisoners, probationers, parolees, and persons on extended supervision.

(b) An estimate of the fiscal impact of population changes under par. (a) on state expenditures, including expenditures for the construction and operation of state prisons for the current fiscal year and on an annualized basis.

(c) A statement of the methodologies and assumptions that the bureau used in preparing the assessment.

(3) The legislature shall reproduce and distribute assessments under sub. (2) in the same manner as it reproduces and distributes amendments.

(4) A bill draft that requires an assessment by the bureau under this section shall have that requirement noted on its jacket when the jacket is prepared. When a bill that requires an assessment under this section is introduced, the legislative reference bureau shall submit a copy of the bill to the legislative fiscal bureau.

(5) No public hearing before a standing committee may be held and no committee vote may be taken regarding any bill or bill draft described in sub. (2) unless the assessment under sub. (2) has been prepared.

(6) The department of corrections shall provide the bureau with information on current and past admissions and on length of time served and any other information needed by the bureau in order to prepare assessments under sub. (2).

(7) The circuit courts and the office of justice assistance in the department of administration shall

Vetoed In Part

provide the bureau any information needed by the bureau in order to prepare assessments under sub. (2).

(8) This section applies to bills introduced or requests for assessments for bill drafts made on or after July 1, 2002.

SECTION 98. 13.101 (4) of the statutes is amended to read:

13.101 **(4)** The committee may transfer between appropriations and programs if the committee finds that unnecessary duplication of functions can be eliminated, more efficient and effective methods for performing programs will result or legislative intent will be more effectively carried out because of such transfer, if legislative intent will not be changed as the result of such transfer and the purposes for which the transfer is requested have been authorized or directed by the legislature~~, or to implement s. 16.847 (8) (b) 3~~. The authority to transfer between appropriations includes the authority to transfer between 2 fiscal years of the same biennium, between 2 appropriations of the same agency and between an appropriation of one agency and an appropriation of a different agency. No transfer between appropriations or programs may be made to offset deficiencies arising from the lack of adequate expenditure controls by a department, board, institution, commission or agency. The authority to transfer between appropriations shall not include the authority to transfer from sum sufficient appropriations as defined under s. 20.001 (3) (d) to other types of appropriations.

SECTION 99. 13.101 (6) (a) of the statutes is amended to read:

13.101 **(6)** (a) As an emergency measure necessitated by decreased state revenues and to prevent the necessity for a state tax on general property, the committee may reduce any appropriation made to any board, commission, department, or the University of Wisconsin System, or to any other state agency or activity, by such amount as it deems feasible, not exceeding 25% of the appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and (cr) ~~and (q)~~, 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (aq) and (ar), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry purposes under s. 20.370 (1), or any other moneys distributed to any county, city, village, town, or school district. Appropriations of receipts and of a sum sufficient shall for the purposes of this section be regarded as equivalent to the amounts expended under such appropriations in the prior fiscal year which ended June 30. All functions of said state agencies shall be continued in an efficient manner, but because of the uncertainties of the existing situation no public funds should be expended or obligations incurred unless there shall be adequate revenues to meet the expenditures therefor. For such reason the committee may make reductions of such appropriations as in its judgment will secure sound financial operations of the administration for said state agencies and at the same time interfere least with their services and activities.

Vetoed In Part

SECTION 99m. 13.101 (6) (a) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

13.101 **(6)** (a) As an emergency measure necessitated by decreased state revenues and to prevent the necessity for a state tax on general property, the committee may reduce any appropriation made to any board, commission, department, or the University of Wisconsin System, or to any other state agency or activity by such amount as it deems feasible, not exceeding 25% of the appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and (cr), 20.395 (1), (2) (cq), (fq) to (fx), and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (aq) and (ar), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry purposes under s. ~~20.370 (1)~~ 20.375 (2), or any other moneys distributed to any county, city, village, town, or school district. Appropriations of receipts and of a sum sufficient shall for the purposes of this section be regarded as equivalent to the amounts expended under such appropriations in the prior fiscal year which ended June 30. All functions of said state agencies shall be continued in an efficient manner, but because of the uncertainties of the existing situation no public funds should be expended or obligations incurred unless there shall be adequate revenues to meet the expenditures therefor. For such reason the committee may make reductions of such appropriations as in its judgment will secure sound financial operations of the administration for said state agencies and at the same time interfere least with their services and activities.

SECTION 100. 13.101 (14) of the statutes is amended to read:

13.101 **(14)** With the concurrence of the joint committee on information policy and technology, direct the department of ~~administration~~ electronic government to report to the committee concerning any specific information technology system project in accordance with s. 13.58 (5) (b) 4.

SECTION 100m. 13.101 (16) of the statutes is created to read:

13.101 **(16)** (a) Annually, on June 15, beginning in 2004, the committee shall transfer from the permanent endowment fund to the general fund an amount equal to the amount calculated by the investment board under s. 25.17 (16).

(b) Annually, on June 15, beginning in 2004, the committee shall transfer from the permanent endowment fund to the tobacco control fund the lesser of $25,000,000 or 8.5% of the market value of the investments in the permanent endowment fund on June 1 in that year.

SECTION 102. 13.123 (1) (a) 1. of the statutes is amended to read:

13.123 **(1)** (a) 1. Any member of the legislature who has signified, by affidavit filed with the department of administration, the necessity of establishing a temporary residence at the state capital for the period of any regular or special legislative session shall be entitled to an allowance for expenses incurred for food and lodging for each day that he or she is in Madison on legislative business, but not including any Saturday or Sunday unless the legislator is in actual attendance on such day at a session of the legislature or a meeting of a standing committee of which the legislator is a member. The amount of the allowance for each biennial session shall be ~~established under s. 20.916 (8)~~ 90% of the per diem rate for travel for federal government business within the city of Madison, as established by the federal general services administration. For the purpose of determining the amount of the allowance, the secretary of employment relations shall certify to the chief clerk of each house the federal per diem rate in effect on December 1, or the first business day thereafter if December 1 is not a business day, in each even−numbered year. Each legislator shall file an affidavit with the chief clerk of his or her house certifying the specific dollar amount within the authorized allowance the member wishes to receive. Such affidavit, when filed, shall remain in effect for the biennial session~~, except that a new affidavit may be filed for any month following an adjustment in the amount of the authorized allowance under s. 20.916 (8)~~.

SECTION 102m. 13.123 (3) (a) of the statutes is amended to read:

13.123 **(3)** (a) Any senator authorized by the committee on senate organization to attend a meeting outside the state capital, any representative to the assembly authorized by the committee on assembly organization to attend an out−of−state meeting or authorized by the speaker to attend a meeting within this state outside the state capital, and all members of the legislature required by law, legislative rule, resolution or joint resolution to attend such meetings, shall be paid no additional compensation for such services but shall be reimbursed for actual and necessary expenses from the appropriation under s. 20.765 (1) (a) or (b), but no legislator may be reimbursed under this subsection for expenses on any day for which the legislator submits a claim under sub. (1). ~~Any expenses incurred by a legislator under s. 14.82 shall be reimbursed from the appropriation under s. 20.315 (1) (q).~~

Vetoed In Part

SECTION 102p. 13.205 of the statutes is created to read:

13.205 Legislative hotline prohibited. (1) Except as provided in sub. (2), the joint committee on legislative organization, the assembly committee on organization, and the senate committee on organization may not maintain a toll−free telephone service for the use of members of the public to contact members of the legislature or for the use of members of the legislature to contact members of the public.

(2) An organization committee under sub. (1) may maintain or allow the maintenance of one toll−free telephone service per member of the legislature for the use of members of the public to contact the member of the legislature. The senate committee on organization and the assembly committee on organization shall publish the number of the toll−free telephone service of each member of its house.

SECTION 103. 13.40 of the statutes is created to read:

13.40 Limitation on state appropriations from general purpose revenue. (1) In this section:

(a) "Fiscal biennium" means a 2−year period beginning on July 1 of an odd−numbered year.

(b) "General purpose revenue" has the meaning given for "general purpose revenues" in s. 20.001 (2) (a).

(2) Except as provided in sub. (3), the amount appropriated from general purpose revenue for each fiscal biennium, excluding any amount under an appropriation specified in sub. (3) (a) to (i), as determined under sub. (4), may not exceed the sum of:

(a) The amount appropriated from general purpose revenue, excluding any amount under an appropriation specified in sub. (3), for the 2nd fiscal year of the prior fiscal biennium as determined under sub. (4), multiplied by the sum of 1.0 and the annual percentage change in this state's aggregate personal income, expressed as a decimal, for the calendar year that begins on the January 1 that immediately precedes the first year of the fiscal biennium, as estimated by the legislative fiscal bureau, in consultation with the department of revenue, no later than November 20 of each even−numbered year.

(b) The amount determined under par. (a) multiplied by the sum of 1.0 and the annual percentage change in this state's aggregate personal income, expressed as a decimal, for the calendar year that begins on the January 1 that immediately precedes the 2nd year of the fiscal biennium, as estimated by the legislative fiscal bureau, in consultation with the department of revenue, no later than November 20 of each even−numbered year.

(3) The limitation under sub. (2) does not apply to any of the following:

(a) An appropriation for principal repayment and interest payments on public debt, as defined in s. 18.01 (4), or operating notes, as defined in s. 18.71 (4).

(b) An appropriation to honor a moral obligation undertaken pursuant to ss. 18.61 (5), 85.25 (5), 101.143 (9m) (i), 229.50 (7), 229.74 (7), 229.830 (7), 234.15 (4), 234.42 (4), 234.54 (4) (b), 234.626 (7), 234.93 (6), 234.932 (6), 234.933 (6), and 281.59 (13m).

(c) An appropriation to make a payment to the United States that the building commission determines to be payable under s. 13.488 (1) (m).

(d) An appropriation contained in a bill that is enacted with approval of at least two−thirds of the members of each house of the legislature.

(e) An appropriation for legal expenses and the costs of judgments, orders, and settlements of actions and appeals incurred by the state.

(f) An appropriation to make a payment for tax relief under s. 20.835 (2).

(g) An appropriation to make a transfer from the general fund to the budget stabilization fund under s. 20.875 (1) (a).

Vetoed In Part

(h) An appropriation to make a transfer from the general fund to the cash building projects fund under s. 20.867 (6) (a).

(i) An appropriation to any of the following:

1. The higher educational aids board.
2. The department of public instruction.
3. The board of regents of the University of Wisconsin System.

(4) For purposes of sub. (2), the legislative fiscal bureau shall determine the amount appropriated from general purpose revenue for any fiscal biennium to which sub. (2) applies. The legislative fiscal bureau shall make this determination no later than December 1 of each even−numbered year.

SECTION 103m. 13.45 (3) (a) of the statutes is amended to read:

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

Vetoed In Part

SECTION 104m. 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. The building commission shall not recommend any project for enumeration in the authorized state building program unless the commission adopts and provides with its recommendation a statement of the amount of the anticipated annual operating costs or the amount of any increased annual operating costs, plus the amount of any anticipated annual debt service costs, generated by the project in the first full year following completion, and the amount of such costs to be funded from each revenue source under s. 20.001 (2). The building commission shall include in its report any projects proposed by the state fair park board involving a cost of not more than $250,000, together with the method of financing those projects proposed by the board, without recommendation. 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 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.

Vetoed In Part

SECTION 105. 13.48 (10) (b) 3m. of the statutes is created to read:

13.48 **(10)** (b) 3m. Rehabilitation projects of the Fox River Navigational System Authority.

SECTION 105m. 13.48 (12) (b) 2. of the statutes is amended to read:

13.48 **(12)** (b) 2. A facility constructed by or for the state fair park board, if the cost of constructing the facility does not exceed the amount specified in sub. (3).

SECTION 106. 13.48 (12) (b) 4. of the statutes is created to read:

13.48 **(12)** (b) 4. A facility constructed by or for the Fox River Navigational System Authority.

SECTION 107. 13.48 (13) (a) of the statutes is amended to read:

13.48 **(13)** (a) Except as provided in par. (b) or (c), every building, structure or facility that is constructed for the benefit of or use of the state, any state agency, board, commission or department, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, or any local professional baseball park district created under subch. III of ch. 229 if the construction is undertaken by the department of administration on behalf of the district, shall be in compliance with all applicable state laws, rules, codes and regulations but the construction is not subject to the ordinances or regulations of the municipality in which the construction takes place except zoning, including without limitation because of enumeration ordinances or regulations relating to materials used, permits, supervision of construction or installation, payment of permit fees, or other restrictions.

SECTION 107m. 13.48 (14) (am) of the statutes is amended to read:

Vetoed In Part

13.48 **(14)** (am) Subject to par. (d) and s. 20.9145, the building commission shall have the authority to sell or lease all or any part of a state−owned building or structure or state−owned land, including farmland, where such authority is not otherwise provided to an agency by law, and may transfer land under its jurisdiction among agencies.

SECTION 107mm. 13.48 (14) (am) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

13.48 **(14)** (am) Subject to par. (d) ~~and s. 20.9145~~, the building commission shall have the authority to sell or lease all or any part of a state−owned building or structure or state−owned land, including farmland, where such

Vetoed In Part

authority is not otherwise provided to an agency by law, and may transfer land under its jurisdiction among agencies.

SECTION 107n. 13.48 (14) (b) of the statutes is amended to read:

13.48 **(14)** (b) Subject to par. (d) and s. 20.9145, the building commission shall sell or lease on the basis of either public bids, with the building commission reserving the right to reject any or all bids in the best interest of the state, or negotiated prices. Buildings, structures and land mentioned in this subsection shall be subject to general property taxes levied by those taxing bodies within whose area they lie if used for commercial purposes, and shall be subject to special assessments for public improvements in the same manner and to the same extent as privately owned buildings, structures and land, subject to approval of the building commission when required under s. 66.0703 (6).

SECTION 107nm. 13.48 (14) (b) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

13.48 **(14)** (b) Subject to par. (d) ~~and s. 20.9145~~, the building commission shall sell or lease on the basis of either public bids, with the building commission reserving the right to reject any or all bids in the best interest of the state, or negotiated prices. Buildings, structures and land mentioned in this subsection shall be subject to general property taxes levied by those taxing bodies within whose area they lie if used for commercial purposes, and shall be subject to special assessments for public improvements in the same manner and to the same extent as privately owned buildings, structures and land, subject to approval of the building commission when required under s. 66.0703 (6).

SECTION 107p. 13.48 (14) (d) 4. of the statutes is amended to read:

13.48 **(14)** (d) 4. If the commission proposes to sell or transfer a parcel of surplus land having a fair market value of at least $20,000 that is not subject to sale under s. 20.9145, the commission shall notify the joint committee on finance in writing of its proposed action. If the cochairpersons of the committee do not notify the commission that the committee has scheduled a meeting for the purpose of reviewing the proposed sale or transfer within 14 working days after the date of the commission's notification, the parcel may be sold or transferred by the commission. If, within 14 working days after the date of the commission's notification, the cochairpersons of the committee notify the commission that the committee has scheduled a meeting for the purpose of reviewing the proposed sale or transfer, the parcel may be sold or transferred under this subdivision only upon approval of the committee.

SECTION 107pm. 13.48 (14) (d) 4. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

Vetoed In Part

13.48 **(14)** (d) 4. If the commission proposes to sell or transfer a parcel of surplus land having a fair market value of at least $20,000 ~~that is not subject to sale under s. 20.9145~~, the commission shall notify the joint committee on finance in writing of its proposed action. If the cochairpersons of the committee do not notify the commission that the committee has scheduled a meeting for the purpose of reviewing the proposed sale or transfer within 14 working days after the date of the commission's notification, the parcel may be sold or transferred by the commission. If, within 14 working days after the date of the commission's notification, the cochairpersons of the committee notify the commission that the committee has scheduled a meeting for the purpose of reviewing the proposed sale or transfer, the parcel may be sold or transferred under this subdivision only upon approval of the committee.

SECTION 108b. 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) (i) 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.

Vetoed In Part

SECTION 108c. 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 accomplished through formal action of the building commission. The building commission may authorize the lease, lease purchase or acquisition of such facilities constructed in the manner authorized by the building commission. ~~The~~ Subject to the requirements of s. 20.924 (1) (i) and (j) , 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.

Vetoed In Part

SECTION 108d. 13.48 (25p) of the statutes is created to read:

13.48 **(25p)** BIOSTAR INITIATIVE. There is created a program, to be known as the biostar initiative, for the purpose of providing financial support to attract federal and private funds to construct biological sciences facilities to spur biological sciences education and research activities at the University of Wisconsin−Madison. Projects financed under the program shall be designed to provide biological sciences education and research facilities, ancillary systems, and supporting infrastructure. Projects shall be financed from the appropriation under s.

20.866 (2) (z) or as otherwise provided in the authorized state building program.

SECTION 108e. 13.48 (27) of the statutes is amended to read:

Vetoed In Part

13.48 **(27)** LEASE OF CORRECTIONAL FACILITIES. ~~The~~ Subject to the requirements of s. 20.924 (1) (i) 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.

SECTION 108f. 13.48 (31) of the statutes is created to read:

13.48 **(31)** DEBT INCREASE FOR CONSTRUCTION OF A BIOMEDICAL RESEARCH AND TECHNOLOGY INCUBATOR AT THE MEDICAL COLLEGE OF WISCONSIN, INC. (a) The legislature finds and determines that it is in the public interest to promote the public health and welfare and to provide for economic development in this state by ensuring a fundamental and expanding capacity to conduct biomedical research and to create new technologies; by training students in the substance and methodology of biomedical research; and by providing scientific support to individuals and organizations in this state who are engaged in biomedical research and technological innovation. It is therefore the public policy of this state to assist the Medical College of Wisconsin, Inc., in the construction of facilities that will be used for biomedical research and the creation of new technologies.

(b) On or after July 1, 2003, the building commission may authorize up to $25,000,000 of general fund supported borrowing to aid in the construction of a biomedical research and technology incubator at the Medical College of Wisconsin, Inc. The state funding commitment for the construction of the incubator shall be in the form of a construction grant to the Medical College of Wisconsin, Inc. Before the building commission may award the construction grant under this paragraph, the Medical College of Wisconsin, Inc., must certify to the building commission that the total funding commitments of the state and nonstate sources will pay for the construction cost of the incubator.

(c) If the building commission awards a construction grant to the Medical College of Wisconsin, Inc., under this subsection, the Medical College of Wisconsin, Inc., shall provide the state with an option to purchase the biomedical research and technology incubator 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 biomedical research and technology at the Medical College of Wisconsin, Inc., or any successor organization.

b. Foreclosure of any mortgage on the incubator by a private lender.

(d) If the state does not exercise the option to purchase the biomedical research and technology incubator under par. (c), and if the incubator is sold to any 3rd party, any agreement to sell the incubator shall provide that the state has the right to receive an amount equal to the construction grants awarded to the Medical College of Wisconsin, Inc., under this subsection from the net proceeds of any such sale after any mortgage on the incubator has been satisfied and all other secured debts have been paid. This right shall be paramount to the right of the Medical College of Wisconsin, Inc., to the proceeds upon such sale.

SECTION 108h. 13.48 (32r) of the statutes is created to read:

13.48 **(32r)** DEBT INCREASE FOR CONSTRUCTION OF THE DISCOVERY PLACE MUSEUM. (a) Subject to par. (b), the building commission may authorize $1,000,000 of general fund supported borrowing to aid in the construction of the Discovery Place museum as part of the Heritage museum in the city of Racine. The state funding commitment for the construction of the museum shall be in the form of a construction grant to Racine County. Before approving any state funding commitment for the museum and before awarding the construction grant under this paragraph, the building commission shall determine that Racine County has secured additional funding commitments of at least $1,000,000 from nonstate revenue sources.

(b) If the building commission authorizes a grant to Racine County under par. (a) and if, for any reason, the facility that is constructed with funds from the grant is not used as a Discovery Place museum as part of the Heritage museum, the state shall retain an ownership interest in the facility equal to the amount of the state's grant.

SECTION 108m. 13.48 (35) of the statutes is created to read:

13.48 **(35)** HR ACADEMY, INC., YOUTH AND FAMILY CENTER. (a) The building commission may authorize up to $1,500,000 in general fund supported borrowing to aid in the construction of a youth and family center for HR Academy, Inc., in the city of Milwaukee. The state funding commitment under this paragraph shall be in the form of a grant to HR Academy, Inc. Before approving any such state funding commitment, the building commission shall determine that HR Academy, Inc., has secured additional funding at least equal to $3,500,000 from nonstate donations for the purpose of constructing a youth and family center.

(b) If the building commission authorizes a grant to HR Academy, Inc., under par. (a) and if, for any reason, the facility that is constructed with funds from the grant is not used as a youth and family center, the state shall retain an ownership interest in the facility equal to the amount of the state's grant.

Vetoed In Part

SECTION 108o. 13.489 (2) of the statutes is amended to read:

13.489 **(2)** DEPARTMENT TO REPORT PROPOSED PROJECTS. Subject to s. 85.05, the department of transportation shall report to the commission not later than September 15 of each even−numbered year and at such other times as required under s. 84.013 (6) concerning its recommendations for adjustments in the major highway projects program under s. 84.013. If the report under this subsection includes a recommendation to enumerate one or more major highway projects under s. 84.013 (3), the department of transportation shall provide a life cycle cost statement for each proposed project to the governor, the transportation projects commission, the building commission, and the joint committee on finance. The life cycle cost statement shall include an estimate of the costs of constructing, maintaining, resurfacing, minor and major reconditioning, policing, plowing, painting, signing, and reconstructing the major highway project until the first reconstruction of the project is completed.

SECTION 109. 13.58 (5) (a) 5. of the statutes is amended to read:

13.58 **(5)** (a) 5. Upon receipt of strategic plans from the department of ~~administration~~ electronic government, the joint committee on legislative organization and the director of state courts, review and transmit comments concerning the plans to the entities submitting the plans.

SECTION 110. 13.58 (5) (b) 1. of the statutes is amended to read:

13.58 **(5)** (b) 1. Direct the ~~subunit in the~~ department of ~~administration with policy−making responsibility related to information technology~~ electronic government to conduct studies or prepare reports on items related to the committee's duties under par. (a).

SECTION 111. 13.58 (5) (b) 4. (intro.) of the statutes is amended to read:

13.58 **(5)** (b) 4. (intro.) With the concurrence of the joint committee on finance, direct the department of ~~administration~~ electronic government to report semi-annually to the committee and the joint committee on finance concerning any specific information technology system project which is being designed, developed, tested or implemented and which the committees anticipate will have a total cost to the state exceeding $1,000,000 in the current or any succeeding fiscal biennium. The report shall include all of the following:

SECTION 112. 13.62 (2) of the statutes is amended to read:

13.62 **(2)** "Agency" means any board, commission, department, office, society, institution of higher education, council or committee in the state government, or any authority created in ch. 231, 232, 233 ~~or~~, 234, or 237, except that the term does not include a council or committee of the legislature.

SECTION 113. 13.90 (6) of the statutes is amended to read:

13.90 **(6)** The joint committee on legislative organization shall adopt, revise biennially and submit to the cochairpersons of the joint committee on information policy and technology, the governor and the ~~secretary of administration~~ chief information officer, no later than September 15 of each even−numbered year, a strategic plan for the utilization of information technology to carry out the functions of the legislature and legislative service agencies, as defined in s. 16.70 (6). The plan shall address the business needs of the legislature and legislative service agencies and shall identify all resources relating to information technology which the legislature and legislative service agencies desire to acquire, contingent upon funding availability, the priority for such acquisitions and the justification for such acquisitions. The plan shall also identify any changes in the functioning of the legislature and legislative service agencies under the plan.

SECTION 114. 13.93 (2) (h) of the statutes is amended to read:

13.93 **(2)** (h) Approve specifications and scheduling for computer databases containing the Wisconsin statutes and for the printing of the Wisconsin statutes as prescribed in ss. ~~16.971~~ 22.03 (6) and 35.56 (5).

SECTION 114g. 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 the Fox River Navigational System Authority, a professional baseball park district, a local professional football stadium district, a local cultural arts district and a family care district ~~created~~ 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 114r. 13.95 (intro.) of the statutes is amended to read:

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

Vetoed In Part

SECTION 114v. 13.95 (1) (dm) of the statutes is created to read:

13.95 **(1)** (dm) When required to do so under s. 13.0975 (2), prepare prison impact assessments for bills or bill drafts.

SECTION 115. 13.95 (1m) of the statutes is created to read:

13.95 **(1m)** DUTIES OF THE BUREAU; BIENNIAL BUDGET BILL. (a) In this subsection, "version of the biennial budget bill or bills" means the executive biennial budget bill or bills, as modified by an amendment offered by the joint committee on finance, as engrossed by the first house, as concurred in and amended by the 2nd house or as nonconcurred in by the 2nd house, or as reported by any committee on conference.

(b) The legislative fiscal bureau shall prepare a statement of estimated general purpose revenue receipts and expenditures in the biennium following the succeeding biennium based on recommendations in each version of the biennial budget bill or bills. The statement shall contain all of the following:

1. For the 2nd year of the succeeding biennium, a comparison of the following:

a. The amount of moneys projected to be deposited in the general fund during the fiscal year that are designated as "Revenues and Transfers" in the summary in s. 20.005 (1), as published in each version of the biennial budget bill or bills, less the amount designated as the "Opening Balance" in the summary, and adjusted by any one−time deposit of revenues in the general fund.

b. The amount of moneys designated as "Total Expenditures" in the summary in s. 20.005 (1), as published in each version of the biennial budget bill or bills, adjusted by any one−time expenditure of general purpose revenue in excess of $5,000,000.

2. An estimate of the cost of any provision in each version of the biennial budget bill or bills that would, without the enactment of subsequent legislation, increase general purpose revenue expenditures or that would decrease the amount of revenues deposited in the general fund in the biennium following the succeeding biennium.

3. a. An estimate of the increase in general purpose revenue spending that will be required in the biennium following the succeeding biennium for all of the following: general equalization school aids; appropriations to the department of corrections; the medical assistance program under subch. IV of ch. 49; the amount designated as "Compensation Reserves" in the summary under s. 20.005 (1), as printed in the revised schedule that is approved under s. 20.004 (2) for that fiscal biennium; and public debt contracted under subchs. I and IV of ch. 18.

b. For the purpose of making the calculation under subd. 3. a., the bureau shall assume that the increase in general purpose revenue spending between the succeeding biennium and the biennium following the succeeding biennium for each of the items identified in subd. 3. a. is the same as that between the current biennium and the succeeding biennium for these items, as proposed in each version of the biennial budget bill or bills.

4. An estimate of the difference between the amount of tax revenues that will be deposited in the general fund in the biennium following the succeeding biennium and the amount of tax revenues that are deposited in the general fund in the succeeding biennium. For the purpose of making this calculation, the bureau shall:

a. Assume that the amount of tax revenues that are deposited in the general fund in the succeeding biennium is the amount designated as "Taxes" in the summary in s. 20.005 (1), as published in each version of the biennial budget bill or bills.

b. Assume that the annual increase in tax revenues that are deposited in the general fund in each fiscal year of the biennium following the succeeding biennium is the average of the annual increase for each of the 10 preceding fiscal years.

c. Adjust the estimate of the amount of tax revenues that are deposited in the general fund in the biennium following the succeeding biennium by any provision in each version of the biennial budget bill or bills that would affect the amount of tax revenues that are deposited in the general fund in the biennium.

5. a. A comparison of the following: the amount of moneys that are designated as "Revenues and Transfers" in the summary in s. 20.005 (1), as published in each version of the biennial budget bill or bills, and that are available for appropriation in the 2nd year of the succeeding biennium; and an amount that equals the sum of the amount of moneys designated as "Total Expenditures" in the summary in s. 20.005 (1), as published in each version of the biennial budget bill or bills, for the 2nd year of the succeeding biennium and the amount required to fund the increase in general purpose revenue spending in the biennium following the succeeding biennium for each of the items identified in subd. 3. a.

b. The bureau shall present this comparison in the format used for the statement of the condition of the general fund in the statement prepared under s. 20.005 (1).

6. A summary of the amount of additional general purpose revenues that will be available in the biennium following the succeeding biennium for increased expenditures or tax reductions, other than the amount calculated in subd. 4.

SECTION 117. 14.019 (2) of the statutes is amended to read:

14.019 **(2)** EFFECT OF APPROPRIATION. Subsection (1) continues to apply to any nonstatutory committee created by the governor even if a part of its expenses is later defrayed from state funds, whether under the general appropriation of s. 20.505 ~~(3) (a)~~ (4) (ba) or under an appropriation enacted specifically for the purposes of such committee.

SECTION 118. 14.019 (4) of the statutes is amended to read:

14.019 **(4)** PROGRAM FEES. The governor may authorize any committee created under this section to charge a fee for materials and services provided by it in the course of carrying out its responsibilities. The fee may not exceed the actual cost of the materials or services provided. All fees shall be ~~deposited in~~ credited to the appropriation account ~~for the appropriation made~~ under s. 20.505 ~~(3)~~ (4) (h).

SECTION 119. 14.20 (1) (a) of the statutes is amended to read:

14.20 **(1)** (a) "Local governmental unit" has the meaning given in s. ~~16.97~~ 22.01 (7).

SECTION 120g. 14.26 (5g) (c) of the statutes is repealed.

SECTION 120r. 14.26 (5g) (e) of the statutes is repealed.

SECTION 121. 14.26 (7) of the statutes is repealed.

SECTION 122. 14.28 of the statutes is repealed.

SECTION 124m. 14.63 (10m) of the statutes is repealed.

SECTION 126m. 14.65 of the statutes is created to read:

14.65 Repayment to the general fund. (1) The secretary of administration shall transfer from the tuition trust fund or the college savings program trust fund to the general fund an amount equal to the amount expended from the appropriations under s. 20.505 (9) (a), 1995 stats., and s. 20.585 (2) (a) and (am) when the secretary of administration determines that funds in the tuition trust fund or the college savings program trust fund are sufficient to make the transfer. The secretary of administration may make the transfer in installments.

(2) Annually, by June 1, the state treasurer shall submit a report to the secretary of administration and the joint committee on finance on the amount available for repayment under sub. (1), the amount repaid under sub. (1), and the outstanding balance under sub. (1).

SECTION 126s. 14.82 of the statutes is repealed.

SECTION 127. 14.90 (2) of the statutes is amended to read:

14.90 **(2)** The members of the commission shall serve without compensation but shall be reimbursed from the appropriation under s. 20.505 ~~(3) (a)~~ (4) (ba) for actual and necessary expenses incurred in the performance of their duties. The commission has the powers granted and the duties ~~granted and~~ imposed under s. 39.80.

SECTION 128. 14.90 (3) of the statutes is amended to read:

14.90 **(3)** From the appropriation under s. 20.505 ~~(3) (a)~~ (4) (ba), the department of administration shall pay the costs of membership in and costs associated with the midwestern higher education compact.

SECTION 129. 15.01 (2) of the statutes is amended to read:

15.01 **(2)** "Commission" means a 3−member governing body in charge of a department or independent agency or of a division or other subunit within a department, except for the Wisconsin waterways commission which shall consist of 5 members, the parole commission which shall consist of ~~6~~ 8 members, and the Fox River management commission which shall consist of 7 members. A Wisconsin group created for participation in a continuing interstate body, or the interstate body itself, shall be known as a "commission", but is not a commission for purposes of s. 15.06. The parole commission created under s. 15.145 (1) shall be known as a "commission", but is not a commission for purposes of s. 15.06.

SECTION 130. 15.01 (4) of the statutes, as affected by 1999 Wisconsin Act 9, section 12n, is repealed and recreated 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 131. 15.06 (1) (e) of the statutes is repealed.

SECTION 132. 15.06 (3) (a) 4. of the statutes is repealed.

SECTION 135. 15.07 (2) (L) of the statutes is created to read:

15.07 **(2)** (L) The governor shall serve as chairperson of the information technology management board and the chief information officer shall serve as secretary of that board.

SECTION 136. 15.07 (3) (bm) 4. of the statutes is created to read:

15.07 **(3)** (bm) 4. The information technology management board shall meet at least 4 times each year and may meet at other times on the call of the chairperson.

SECTION 137. 15.103 (3) of the statutes is repealed.

SECTION 138. 15.103 (5) of the statutes is repealed.

SECTION 139. 15.105 (3) of the statutes is amended to read:

15.105 **(3)** DEPOSITORY SELECTION BOARD. There is created a depository selection board which is attached to the department of administration under s. 15.03. The depository selection board shall consist of the state treasurer, the secretary of administration, and the ~~executive director of the investment board~~ secretary of revenue or their designees.

SECTION 162. 15.107 (7) (f) of the statutes is amended to read:

15.107 **(7)** (f) A representative of the ~~unit in the~~ department of ~~administration that deals with information technology~~ electronic government.

Vetoed In Part

SECTION 163. 15.107 (16) (b) 14. of the statutes is created to read:

15.107 **(16)** (b) 14. One member who is a representative from a public utility.

SECTION 164. 15.107 (16) (b) 15. of the statutes is created to read:

15.107 **(16)** (b) 15. One member who represents a professional land information organization.

SECTION 165. 15.107 (16) (b) 16. of the statutes is created to read:

15.107 **(16)** (b) 16. One member who is nominated by a statewide association whose purposes include support of a network of statewide land information systems.

SECTION 166. 15.107 (16) (d) of the statutes is amended to read:

15.107 **(16)** (d) *Terms, chairperson.* The members listed under par. (b) 8. to ~~13.~~ 16. shall be appointed for 5−year terms. The governor shall appoint the chairperson of the council, who shall serve at the pleasure of the governor.

SECTION 167. 15.107 (16) (e) of the statutes is repealed.

SECTION 168. 15.137 (1) of the statutes is created to read:

15.137 **(1)** AGRICULTURAL PRODUCER SECURITY COUNCIL. (a) There is created in the department of agriculture, trade and consumer protection an agricultural producer security council consisting of the following members appointed by the secretary of agriculture for 3−year terms:

1. One person representing the Farmers' Educational and Cooperative Union of America, Wisconsin Division.

2. One person representing the Midwest Food Processors Association, Inc.

3. One person representing the National Farmers' Organization, Inc.

4. One person representing the Wisconsin Agri−Service Association, Inc.

5. One person representing the Wisconsin Cheese Makers Association.

6. One person representing both the Wisconsin Corn Growers Association, Inc., and the Wisconsin Soybean Association, Inc.

7. One person representing the Wisconsin Dairy Products Association, Inc.

8. One person representing the Wisconsin Farm Bureau Federation.

9. One person representing the Wisconsin Federation of Cooperatives.

10. One person representing the Wisconsin Potato and Vegetable Growers Association, Inc.

(b) Each organization identified in par. (a) shall nominate 2 persons to represent that organization on the agricultural producer security council. The secretary of agriculture, trade and consumer protection shall appoint members from among the nominees.

SECTION 168e. 15.137 (2) of the statutes is created to read: **Vetoed In Part**

15.137 **(2)** FOOD ADVISORY COUNCIL. There is created in the department of agriculture, trade and consumer protection a food advisory council consisting of representatives of consumers, representatives of retail and wholesale grocers, representatives of academic institutions, representatives of the federal department of health and human services, representatives of the food industry or food industry associations, and employees of the department of agriculture, trade and consumer protection, all appointed by the secretary of agriculture, trade and consumer protection.

SECTION 169. 15.145 (1) of the statutes is amended to read:

15.145 **(1)** PAROLE COMMISSION. There is created in the department of corrections a parole commission consisting of ~~6~~ 8 members. Members shall have knowledge of or experience in corrections or criminal justice. The members shall include a chairperson who is nominated by the governor, and with the advice and consent of the senate appointed, for a 2−year term expiring March 1 of the odd−numbered years, subject to removal under s. 17.07 (3m), and ~~5~~ the remaining members in the classified service appointed by the chairperson.

SECTION 170d. 15.157 (3) of the statutes is amended to read:

15.157 **(3)** DWELLING CODE COUNCIL. There is created in the department of commerce, a dwelling code council, consisting of ~~17~~ 18 members appointed for staggered 3−year terms. Four members shall be representatives of building trade labor organizations; 4 members shall be certified building inspectors employed by local units of government; 2 members shall be representatives of

building contractors actively engaged in on−site construction of one− and 2−family housing; 2 members shall be representatives of manufacturers or installers of manufactured one− and 2−family housing; one member shall be an architect, engineer or designer actively engaged in the design or evaluation of one− and 2−family housing; 2 members shall represent the construction material supply industry; one member shall represent remodeling contractors actively engaged in the remodeling of one−family and 2−family housing; and 2 members shall represent the public, one of whom shall represent persons with disabilities, as defined in s. 106.50 (1m) (g). An employee of the department designated by the secretary of commerce shall serve as nonvoting secretary of the council. The council shall meet at least twice a year. Eleven members of the council shall constitute a quorum. For the purpose of conducting business a majority vote of the council is required.

SECTION 171. 15.157 (8) (intro.) of the statutes is amended to read:

15.157 **(8)** RURAL HEALTH DEVELOPMENT COUNCIL. (intro.) There is created in the department of commerce a rural health development council consisting of ~~11~~ 13 members nominated by the governor, and with the advice and consent of the senate appointed, for 5−year terms, and the secretaries of commerce and health and family services, or their designees. The appointed members shall include all of the following:

SECTION 172. 15.157 (8) (g) of the statutes is amended to read:

15.157 **(8)** (g) A physician licensed under ch. 448 ~~and~~, a dentist licensed under ch. 447, a nurse licensed under ch. 441, ~~both~~ and a dental hygienist licensed under ch. 447, all of whom practice in a rural area, and a representative of public health services.

Vetoed In Part

SECTION 173p. 15.195 (1) of the statutes is renumbered 15.195 (1) (intro.) and amended to read:

15.195 **(1)** TOBACCO CONTROL BOARD. (intro.) There is created a tobacco control board attached to the department of health and family services under s. 15.03. The tobacco control board shall consist of 15 members and shall include all of the following:

SECTION 173r. 15.195 (1) (a) of the statutes is created to read:

15.195 **(1)** (a) 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.

SECTION 173s. 15.195 (1) (b) of the statutes is created to read:

15.195 **(1)** (b) The attorney general or his or her designee.

SECTION 174. 15.195 (5) of the statutes is renumbered 15.105 (11) and amended to read:

15.105 **(11)** ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES BOARD. There is created an adolescent pregnancy prevention and pregnancy services board which is attached to the department of ~~health and family services~~ administration under s. 15.03. The board shall consist of 13 members. Notwithstanding s. 15.07 (2) (intro.), one member shall be the executive director of the women's council under s. 16.01, who shall be a nonvoting member and shall serve permanently as chairperson of the board. Six members shall be state employees who are appointed for membership by the women's council and shall be nonvoting members. The remaining 6 members shall be appointed for 3−year terms, shall represent an equal balance of points of view on pregnancy prevention and pregnancy services and shall be persons who are nominated for membership by statewide organizations that together represent an equal balance of points of view on pregnancy prevention and pregnancy services.

Vetoed In Part

SECTION 174g. 15.197 (11n) (cm) of the statutes is created to read:

15.197 **(11n)** (cm) Four members of the legislature, of which one each is designated by the speaker of the assembly, the senate majority leader, and the minority leader in each house of the legislature and appointed by the governor.

SECTION 174h. 15.197 (11n) (e) of the statutes is created to read:

15.197 **(11n)** (e) By January 31 of each year, the council shall prepare a report for the preceding calendar year and shall submit the report to the legislature under s. 13.172 (2). The report shall evaluate the waiting lists compiled by the department of health and family services for services for persons with developmental disabilities.

Vetoed In Part

SECTION 174p. 15.197 (25) (c) of the statutes is amended to read:

15.197 **(25)** (c) This subsection does not apply beginning on July 1, ~~2002~~ 2004.

SECTION 175. 15.21 of the statutes is created to read:

15.21 Department of electronic government; creation. There is created a department of electronic government under the direction and supervision of the secretary of electronic government, who shall be known as the "chief information officer."

SECTION 176. 15.215 of the statutes is created to read:

15.215 Same; attached boards. (1) INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an information technology management board which is attached to the department of electronic government under s. 15.03. The board shall consist of the governor, the cochairpersons of the joint committee on information policy and technology or a member of the legislature from the same house as a cochairperson designated by that cochairperson, one member of the minority party in each house of the legislature, appointed in the same manner as members of standing committees are

appointed, the secretary of administration, 2 heads of departments or independent agencies appointed to serve at the pleasure of the governor, 2 other members appointed to serve for 4−year terms, and the chief information officer, who shall serve as a nonvoting member .

Vetoed In Part

SECTION 177. 15.223 (3) of the statutes is repealed.

SECTION 178d. 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 or employee of a local workforce development board established under 29 USC 2832.

Vetoed In Part

SECTION 178f. 15.225 (2) (c) of the statutes is amended to read:

15.225 **(2)** (c) *Liaison representatives.* The secretary of agriculture, trade and consumer protection, the secretary of health and family services, the secretary of workforce development, the secretary of natural resources, the secretary of forestry, and the chancellor of the University of Wisconsin−Extension, or a designee of such a secretary or the chancellor, shall serve as liaison representatives to the Wisconsin conservation corps board, and provide information to and assist the board. The liaison representatives are not board members and may not vote on any board decision or action.

SECTION 179. 15.225 (3) (b) 6. of the statutes is amended to read:

15.225 **(3)** (b) 6. ~~The~~ An administrator of ~~the~~ a division ~~of workforce excellence~~ in the department of workforce development, designated by the governor.

SECTION 179q. 15.34 of the statutes is amended to read:

15.34 Department of natural resources; creation. **(1)** There is created a department of natural resources under the direction and supervision of the natural resources board.

(2) (a) The natural resources board shall consist of 7 members appointed for staggered 6−year terms.

(b) At least 3 members of the natural resources board shall be from the territory north, and at least 3 members of the board shall be from the territory south, of a line running east and west through the south limits of the city of Stevens Point.

(c) No person may be appointed to the natural resources board, or remain a member ~~thereof, who is a permit holder or~~ of the board, who receives, or has during the previous 2 years received, a significant portion of his or her income directly or indirectly from ~~permit~~ holders of or applicants for permits issued by the department~~. For purposes of this section, "permit holders" or "applicants for~~ under ch. 283, except that this paragraph does not apply to permits issued under s. 283.33.

(e) The restrictions in pars. (c) and (d) do not apply with respect to permits ~~" shall not include~~ or licenses held or applied for by agencies, departments, or subdivisions of this state.

SECTION 179r. 15.34 (2) (d) of the statutes is created to read:

15.34 **(2)** (d) The majority of members of the natural resources board may not derive a significant portion of their incomes from persons who are subject to permits or enforcement orders under ch. 285. Each board member shall inform the governor of any significant change in the income that he or she derives from persons who are subject to permits or enforcement orders under ch. 285.

SECTION 179t. 15.343 of the statutes is repealed. **Vetoed In Part**

SECTION 180. 15.345 (5) of the statutes is amended to read:

15.345 **(5)** FOX RIVER MANAGEMENT COMMISSION. There is created in the department of natural resources a Fox River management commission consisting of 7 members. The commission shall cease to exist on the day after the date on which the state and the Fox River Navigational System Authority enter into the lease agreement specified in s. 237.06.

SECTION 181m. 15.377 (2) of the statutes is created to read: **Vetoed In Part**

15.377 **(2)** DEAF AND HARD−OF−HEARING EDUCATION COUNCIL. There is created a deaf and hard−of−hearing education council in the department of public instruction. The council shall consist of the following members, at least 3 of whom must be hearing impaired, appointed by the state superintendent of public instruction for 3−year terms:

(a) Two parents of children who are hearing impaired.

(b) One licensed teacher of pupils who are hearing impaired.

(c) One person who is licensed as a speech−language pathologist under subch. II of ch. 459.

(d) One school district special education director.

(e) One person who is licensed as an audiologist under subch. II of ch. 459 and whose expertise is in educational audiology.

(f) One person who is experienced in educating the hearing impaired, or in educating teachers of the hearing impaired, and is affiliated with an institution of higher education.

(g) One person who is an instructor in a technical college interpreter training program.

(h) One person employed as an educational interpreter.

(i) Three other members.

SECTION 182g. 15.405 (6) (a) of the statutes, as affected by 1997 Wisconsin Act 96, is repealed and recreated to read:

15.405 **(6)** (a) Six dentists who are licensed under ch. 447.

SECTION 182i. 15.405 (6) (b) of the statutes, as affected by 1997 Wisconsin Act 96, is repealed and recreated to read:

15.405 **(6)** (b) Three dental hygienists who are licensed under ch. 447. Notwithstanding s. 15.08 (1m) (a), the dental hygienist members may participate in the preparation and grading of licensing examinations for dental hygienists.

Vetoed In Part

SECTION 182q. 15.405 (9) of the statutes is renumbered 15.405 (9) (a) (intro.) and amended to read:

15.405 **(9)** (a) (intro.) There is created a pharmacy examining board in the department of regulation and licensing~~. The pharmacy examining board shall consist of~~, consisting of the following 7 members appointed for ~~staggered~~ 4−year terms~~.~~:

1. Five ~~of the~~ members ~~shall be~~ who are licensed to practice pharmacy in this state.

2. Two public members ~~shall be public members~~.

SECTION 182r. 15.405 (9) (b) of the statutes is created to read:

15.405 **(9)** (b) Of the members of the pharmacy examining board who are licensed to practice pharmacy, one shall be employed in a pharmacy that provides pharmaceutical services primarily on an inpatient basis, including a pharmacy in a hospital, nursing home, correctional facility, or other institution.

Vetoed In Part

SECTION 183h. 15.445 (4) (a) 1. of the statutes is amended to read:

15.445 **(4)** (a) 1. Two representatives to the assembly, one recommended by the speaker of the assembly and one recommended by the minority leader of the assembly. ~~This subdivision does not apply after June 30, 2003.~~

SECTION 183i. 15.445 (4) (a) 2. of the statutes is amended to read:

15.445 **(4)** (a) 2. Two senators, one recommended by the majority leader of the senate and one recommended by the minority leader of the senate. ~~This subdivision does not apply after June 30, 2003.~~

Vetoed In Part

SECTION 183m. 15.45 of the statutes is created to read:

15.45 Department of forestry. There is created a department of forestry under the direction and supervision of the secretary of forestry.

SECTION 187d. 15.915 (3) of the statutes is repealed.

SECTION 187g. 15.915 (6) (b) 6. h. of the statutes is created to read:

15.915 **(6)** (b) 6. h. Forestry.

SECTION 187r. 15.915 (6) (b) 6. i. of the statutes is created to read:

15.915 **(6)** (b) 6. i. Energy industry.

SECTION 189. 16.002 (2) of the statutes is amended to read:

16.002 **(2)** "Departments" means constitutional offices, departments and independent agencies and includes all societies, associations and other agencies of state government for which appropriations are made by law, but not including authorities created in chs. 231, 232, 233, 234, 235, and 237.

SECTION 190. 16.004 (4) of the statutes is amended to read:

16.004 **(4)** FREEDOM OF ACCESS. The secretary and such employees of the department as the secretary designates may enter into the offices of state agencies and authorities created under chs. 231, 233 ~~and~~, 234, and 237, and may examine their books and accounts and any other matter which in the secretary's judgment should be examined and may interrogate the agency's employees publicly or privately relative thereto.

SECTION 191. 16.004 (5) of the statutes is amended to read:

16.004 **(5)** AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and authorities created under chs. 231, 233 ~~and~~, 234, and 237, and their officers and employees, shall cooperate with the secretary and shall comply with every request of the secretary relating to his or her functions.

SECTION 192. 16.004 (12) (a) of the statutes is amended to read:

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

SECTION 193. 16.004 (14) of the statutes is renumbered 38.04 (19) and amended to read:

38.04 **(19)** ~~GRANTS TO TECHNICAL COLLEGES~~ CAPACITY BUILDING PROGRAM. From the appropriation under s. ~~20.505 (4) (e)~~ 20.292 (1) (cm), the ~~secretary~~ board 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.

SECTION 194. 16.008 (2) of the statutes is amended to read:

16.008 **(2)** The state shall pay for extraordinary police services provided directly to state facilities, as defined in s. 70.119 (3) (e), in response to a request of a state officer or agency responsible for the operation and preservation of such facilities. The University of Wisconsin Hospitals and Clinics Authority shall pay for extraordinary police services provided to facilities of the authority described in s. 70.11 (38). The Fox River Navigational System Authority shall pay for extraordinary police services provided to the navigational system, as defined in s. 237.01 (4). Municipalities or counties which provide extraordinary police services to state facilities

may submit claims to the claims board for actual additional costs related to wage and disability payments, pensions and worker's compensation payments, damage to equipment and clothing, replacement of expendable supplies, medical and transportation expense and other necessary expenses. The clerk of the municipality or county submitting a claim shall also transmit an itemized statement of charges and a statement which identifies the facility served and the person who requested the services. The board shall obtain a review of the claim and recommendations from the agency responsible for the facility prior to proceeding under s. 16.007 (3), (5) and (6).

Vetoed In Part

SECTION 200b. 16.023 (2) of the statutes is amended to read:

16.023 **(2)** In conjunction with the working group established under sub. (1) (L) 1., the council shall, not later than one year after October 14, 1997, develop evaluation criteria for its functions under sub. (1). The council shall complete a report that contains an evaluation of its functions and activities not later than September 1, ~~2002~~ 2006, and shall submit the report to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), and to the governor. ~~The report shall also include a recommendation as to whether the council should continue in existence past its sunset date specified in s. 15.107 (16) (e) and, if so, a recommendation as to whether any structural modifications should be made to the council's functions or to the state's land use programs.~~

SECTION 201c. 16.023 (3) of the statutes is amended to read:

16.023 **(3)** Subsections (1) and (2) do not apply after August 31, ~~2003~~ 2007.

SECTION 202. 16.045 (1) (a) of the statutes is amended to read:

16.045 **(1)** (a) "Agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in ch. 231, 232, 233, 234 ~~or~~, 235, or 237.

SECTION 222. 16.339 (2) (a) of the statutes is amended to read:

16.339 **(2)** (a) From the appropriation under s. 20.505 (7) ~~(dm)~~ (fm), the department may award a grant 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 223. 16.352 (2) (a) of the statutes is amended to read:

16.352 **(2)** (a) From the appropriations under s. 20.505 (7) (fm) and ~~(gm)~~ (h), the department shall award grants to eligible applicants for the purpose of supplementing the operating budgets of agencies and shelter facilities that have or anticipate a need for additional funding because of the renovation or expansion of an existing shelter facility, the development of an existing building into a shelter facility, the expansion of shelter services for homeless persons, or an inability to obtain adequate funding to continue the provision of an existing level of services.

SECTION 224. 16.352 (2) (b) (intro.) of the statutes is amended to read:

16.352 **(2)** (b) (intro.) The department shall allocate funds from the appropriations under s. 20.505 (7) (fm) and ~~(gm)~~ (h) for temporary shelter for homeless individuals and families as follows:

SECTION 226. 16.40 (14) of the statutes is amended to read:

16.40 **(14)** COMMITTEES. Perform administrative services required to properly account for the finances of committees created by law or executive order. The governor may authorize each committee to make expenditures from the appropriation under s. 20.505 ~~(3) (a)~~ (4) (ba) not exceeding $2,000 per fiscal year. The governor shall report such authorized expenditures to the joint committee on finance at the next quarterly meeting of the committee. If the governor desires to authorize expenditures of more than $2,000 per fiscal year by a committee, the governor shall submit to the joint committee on finance for its approval a complete budget for all expenditures made or to be made by the committee. The budget may cover a period encompassing more than one fiscal year or biennium during the governor's term of office. If the joint committee on finance approves a budget authorizing expenditures of more than $2,000 per fiscal year by such a committee, the governor may authorize the expenditures to be made within the limits of the appropriation under s. 20.505 ~~(3) (a)~~ (4) (ba) in accordance with the approved budget during the period covered by the budget. If after the joint committee on finance approves a budget for such a committee the governor desires to authorize expenditures in excess of the authorized expenditures under the approved budget, the governor shall submit a modified budget for the committee to the joint committee on finance. If the joint committee on finance approves a modified budget, the governor may authorize additional expenditures to be made within the limits of the appropriation under s. 20.505 ~~(3) (a)~~ (4) (ba) in accordance with the modified budget during the period covered by the modified budget.

SECTION 226c. 16.40 (15) of the statutes is repealed.

SECTION 227. 16.40 (17) of the statutes is amended to read:

16.40 **(17)** INTERSTATE BODIES. Perform administrative services required to properly account for dues and

related expenses for state participation in national or regional interstate governmental bodies specified in s. 20.505 ~~(3) (a)~~ (4) (ba) or determined by the governor.

Vetoed In Part

SECTION 227m. 16.40 (20m) of the statutes is created to read:

16.40 **(20m)** ANTICIPATED OPERATING AND DEBT SERVICE COSTS; BUILDING PROJECTS. Provide the building commission with a statement of the amount of the anticipated annual operating costs or the amount of any increased annual operating costs, plus the amount of any increased annual debt service costs, generated by each proposed state building project requiring enumeration in the authorized state building program in the first full year following completion of the project, and the amount of such costs to be funded from each revenue source under s. 20.001 (2).

SECTION 227p. 16.40 (23) of the statutes is created to read:

16.40 **(23)** UNIVERSITY OF WISCONSIN−GREEN BAY PROGRAMMING. Provide funding from the appropriation under s. 20.505 (1) (km) to finance programming at the University of Wisconsin−Green Bay that is jointly developed by the Oneida Tribe and the University of Wisconsin−Green Bay.

Vetoed In Part

SECTION 227q. 16.40 (23m) of the statutes is created to read:

16.40 **(23m)** PURCHASING CARD REBATES. Authorize any state agency to use purchasing cards for purchases that do not exceed $5,000. If the state receives any rebates from a purchasing card issuer for purchases made with a purchasing card, the department shall deposit the rebate in the fund from which the appropriation is made for payment of the obligation incurred as a result of the purchase.

SECTION 227r. 16.40 (24) of the statutes is created to read:

16.40 **(24)** GRANTS TO WISCONSIN PATIENT SAFETY INSTITUTE, INC. Annually, provide grants to the Wisconsin Patient Safety Institute, Inc., for collection, analysis, and dissemination of information about patient safety and training of health care providers and their employees directed toward improving patient safety. The department shall ensure that no grant moneys provided under this subsection are expended for the purpose of entertainment, foreign travel, or payments to persons not providing goods or services to the Wisconsin Patient Safety Institute, Inc. In this subsection, "health care provider" means any of the following:

(a) A nurse licensed under ch. 441.

(b) A chiropractor licensed under ch. 446.

(c) A dentist licensed under ch. 447.

(d) A physician, physician assistant, or respiratory care practitioner licensed or certified under subch. II of ch. 448.

(e) A physical therapist licensed under subch. III of ch. 448.

(f) A podiatrist licensed under subch. IV of ch. 448.

(g) A dietitian certified under subch. V of ch. 448.

(h) An athletic trainer licensed under subch. VI of ch. 448.

(i) An occupational therapist or occupational therapy assistant licensed under subch. VII of ch. 448.

(j) An optometrist licensed under ch. 449.

(k) A pharmacist licensed under ch. 450.

(L) An acupuncturist certified under ch. 451.

(m) A psychologist licensed under ch. 455.

(n) A massage therapist or bodyworker issued a license of registration under subch. XI of ch. 440.

SECTION 228. 16.41 (4) of the statutes is amended to read:

16.41 **(4)** In this section, "authority" means a body created under ch. 231, 233 ~~or~~, 234, or 237.

SECTION 229b. 16.417 (1) (b) of the statutes is amended to read:

16.417 **(1)** (b) "Authority" means a body created under ch. 231, 232, 233, 234 ~~or~~, 235 or 237.

SECTION 230. 16.43 of the statutes is amended to read:

16.43 Budget compiled. The secretary shall compile and submit to the governor or the governor−elect and to each person elected to serve in the legislature during the next biennium, not later than November 20 of each even−numbered year, a compilation giving all of the data required by s. 16.46 to be included in the state budget report, except the recommendations of the governor and the explanation thereof. The secretary shall not include in the compilation any provision for the development or implementation of an information technology development project for an executive branch agency that is not consistent with the strategic plan of the agency, as approved under s. 22.13.

SECTION 231. 16.46 (5m) of the statutes is created to read:

16.46 **(5m)** A statement of estimated general purpose revenue receipts and expenditures in the biennium following the succeeding biennium based on recommendations in the budget bill or bills. The statement shall contain all of the following:

(a) For the 2nd year of the succeeding biennium, a comparison of the following:

1. The amount of moneys projected to be deposited in the general fund during the fiscal year that are designated as "Revenues and Transfers" in the summary in s. 20.005 (1), as published in the biennial budget bill or bills, less the amount designated as the "Opening Balance" in the summary, and adjusted by any one−time deposit of revenues in the general fund.

2. The amount of moneys designated as "Total Expenditures" in the summary in s. 20.005 (1), as published in the biennial budget bill or bills, adjusted by any one−time expenditure of general purpose revenue in excess of $5,000,000.

(b) An estimate of the cost of any provision in the biennial budget bill or bills that would, without the enactment of subsequent legislation, increase general purpose revenue expenditures or that would decrease the amount of revenues deposited in the general fund in the biennium following the succeeding biennium.

(c) 1. An estimate of the increase in general purpose revenue spending that will be required in the biennium following the succeeding biennium for all of the following:

a. General equalization school aids.

b. Appropriations to the department of corrections.

c. The medical assistance program under subch. IV of ch. 49.

d. The amount designated as "Compensation Reserves" in the summary under s. 20.005 (1), as printed in the revised schedule that is approved under s. 20.004 (2) for that fiscal biennium.

e. Public debt contracted under subchs. I and IV of ch. 18.

2. For the purpose of making the calculation under subd. 1., the secretary shall assume that the increase in general purpose revenue spending between the succeeding biennium and the biennium following the succeeding biennium for each of the items identified in subd. 1. a. to 1. e. is the same as that between the current biennium and the succeeding biennium for these items, as proposed in the biennial budget bill or bills.

(d) An estimate of the difference between the amount of tax revenues that will be deposited in the general fund in the biennium following the succeeding biennium and the amount of tax revenues that are deposited in the general fund in the succeeding biennium. For the purpose of making this calculation, the secretary shall:

1. Assume that the amount of tax revenues that are deposited in the general fund in the succeeding biennium is the amount designated as "Taxes" in the summary in s. 20.005 (1), as published in the biennial budget bill or bills.

2. Assume that the annual increase in tax revenues that are deposited in the general fund in each fiscal year of the biennium following the succeeding biennium is the average of the annual increase for each of the 10 preceding fiscal years.

3. Adjust the estimate of the amount of tax revenues that are deposited in the general fund in the biennium following the succeeding biennium by any provision in the biennial budget bill or bills that would affect the amount of tax revenues that are deposited in the general fund in the biennium.

(e) 1. A comparison of the following:

a. The amount of moneys that are designated as "Revenues and Transfers" in the summary in s. 20.005 (1), as published in the biennial budget bill or bills, and that are available for appropriation in the 2nd year of the succeeding biennium.

b. An amount that equals the sum of the amount of moneys designated as "Total Expenditures" in the summary in s. 20.005 (1), as published in the biennial budget bill or bills, for the 2nd year of the succeeding biennium and the amount required to fund the increase in general purpose revenue spending in the biennium following the succeeding biennium for each of the items identified in par. (c) 1. a. to 1. e.

2. The secretary shall present this comparison in the format used for the statement of the condition of the general fund in the statement prepared under s. 20.005 (1).

(f) A summary of the amount of additional general purpose revenues that will be available in the biennium following the succeeding biennium for increased expenditures or tax reductions, other than the amount calculated in par. (d).

SECTION 232. 16.46 (9) of the statutes is created to read:

16.46 **(9)** A comparison of the state's budgetary surplus or deficit according to generally accepted accounting principles, as reported in any audited financial report prepared by the department for the most recent fiscal year, and the estimated change in the surplus or deficit based on recommendations in the biennial budget bill or bills. For the purpose of this calculation, the secretary shall increase or decrease the surplus or deficit by the amount designated as "Gross Balances" that appears in the 2nd year of the biennium in the summary in s. 20.005 (1), as published in the biennial budget bill or bills.

SECTION 234. 16.50 (1) (b) of the statutes is amended to read:

16.50 **(1)** (b) This subsection does not apply to appropriations under ss. 20.255 (2) (ac) ~~and (q)~~, 20.835, and 20.865 (4).

SECTION 235. 16.50 (3) of the statutes is amended to read:

16.50 **(3)** LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except the legislature or the courts, may increase the pay of any employee, expend money or incur any obligation except in accordance with the estimate that is submitted to the secretary as provided in sub. (1) and approved by the secretary or the governor. No change in the number of full−time equivalent positions authorized through the biennial budget process or other legislative act may be made without the approval of the joint committee on finance, except for position changes made by the governor under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics Board under s. 16.505 (2n) or by the board of regents of the University of Wisconsin System under s. 16.505 (2m) or (2p). The secretary may withhold, in total or in part, the funding for any position, as defined in s. 230.03 (11), as well as the funding for part−time or limited term employees until such time as the secretary determines that the filling of the position or the expending of funds is consistent with s. 16.505 and with the intent of the leg-

islature as established by law or in budget determinations, or the intent of the joint committee on finance in creating or abolishing positions under s. 13.10, the intent of the governor in creating or abolishing positions under s. 16.505 (1) (c) or (2) or the intent of the board of regents of the University of Wisconsin System in creating or abolishing positions under s. 16.505 (2m) or (2p). Until the release of funding occurs, recruitment or certification for the position may not be undertaken. The secretary shall submit a quarterly report to the joint committee on finance of any position changes made by the governor under s. 16.505 (1) (c). No pay increase may be approved unless it is at the rate or within the pay ranges prescribed in the compensation plan or as provided in a collective bargaining agreement under subch. V of ch. 111. At the request of the secretary of employment relations, the secretary of administration may authorize the temporary creation of pool or surplus positions under any source of funds if the secretary of employment relations determines that temporary positions are necessary to maintain adequate staffing levels for high turnover classifications, in anticipation of attrition, to fill positions for which recruitment is difficult. Surplus or pool positions authorized by the secretary shall be reported quarterly to the joint committee on finance in conjunction with the report required under s. 16.54 (8).

SECTION 236. 16.50 (7) (b) of the statutes is amended to read:

16.50 **(7)** (b) Following such notification, the governor shall submit a bill containing his or her recommendations for correcting the imbalance between projected revenues and authorized expenditures, including a recommendation as to whether moneys should be transferred from the budget stabilization fund to the general fund. If the legislature is not in a floorperiod at the time of the secretary's notification, the governor shall call a special session of the legislature to take up the matter of the projected revenue shortfall and the governor shall submit his or her bill for consideration at that session.

SECTION 239. 16.505 (1) (intro.) of the statutes is amended to read:

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

SECTION 240m. 16.505 (2m) of the statutes is amended to read:

16.505 **(2m)** The board of regents of the University of Wisconsin System may create or abolish a full−time equivalent position or portion thereof from revenues appropriated under s. 20.285 (1) (gs), (h), (ip), (iz), (j), (kc), (m), (n), or (u) or (3) (iz) or (n) and may create or abolish a full−time equivalent position or portion thereof from revenues appropriated under s. 20.285 (1) (im) that are generated from increased enrollment and from courses for which the academic fees or tuition charged equals the full cost of offering the courses. No later than the last day of the month following completion of each calendar quarter, the board of regents shall report to the department and the cochairpersons of the joint committee on finance concerning the number of full−time equivalent positions created or abolished by the board under this subsection during the preceding calendar quarter and the source of funding for each such position.

SECTION 242. 16.505 (2p) of the statutes is created to read:

16.505 **(2p)** (a) Subject to par. (b), the board of regents of the University of Wisconsin System may create or abolish a full−time equivalent academic staff or faculty position or portion thereof from revenues appropriated under s. 20.285 (1) (a). Annually, no later than the September 30 following completion of the fiscal year, the board of regents shall report to the department and the cochairpersons of the joint committee on finance concerning the number of full−time equivalent positions created or abolished by the board under this subsection during the preceding fiscal year.

(b) The board of regents may not create or abolish any position under par. (a) until the board and the department have entered into a memorandum of understanding that establishes a methodology for identifying and accounting for the cost of funding any positions that are created, including any amounts that the board may include in a certification to the department under s. 20.928 (1). The board and the department shall enter into the memorandum of understanding no later than September 1, 2002.

(c) Notwithstanding s. 20.928 (1), in certifying the sum of moneys needed to pay any costs associated with a position that is created under par. (a), the board of regents may only certify the sum that is permitted under the memorandum of understanding entered into under par. (b).

(d) Notwithstanding s. 16.42 (1), in submitting information under s. 16.42 for the biennial budget bill or bills, the board of regents may only include that portion of the cost of funding the positions created under par. (a) that is permitted under the memorandum of understanding entered into under par. (b).

SECTION 245. 16.518 of the statutes is created to read:

16.518 Transfers to the budget stabilization fund and the cash building projects fund. (1) In this section, "summary" means the amount shown in the summary in s. 20.005 (1), as published in the biennial budget act or acts.

(2) Annually, the secretary shall calculate the difference between the amount of moneys projected to be deposited in the general fund during the fiscal year that are designated as "Taxes" in the summary and the amount of such moneys actually deposited in the general fund during the fiscal year.

(3) (a) Subject to par. (b), if the amount of moneys projected to be deposited in the general fund during the fiscal year that are designated as "Taxes" in the summary is less than the amount of such moneys actually deposited in the general fund during the fiscal year, the secretary shall annually transfer from the general fund to the budget stabilization fund 50% of the amount calculated under sub. (2).

(b) 1. If the balance of the budget stabilization fund on June 30 of the fiscal year is at least equal to 5% of the estimated expenditures from the general fund during the fiscal year, as reported in the summary, the secretary may not make the transfer under par. (a).

2. If the amount transferred under par. (a) would cause the general fund balance on June 30 of the fiscal year to be less than the general fund balance that is required under s. 20.003 (4) for that fiscal year, the secretary shall reduce the amount transferred under par. (a) to the amount that would cause the general fund balance to be equal to the minimum general fund balance that is required under s. 20.003 (4) for that fiscal year.

Vetoed In Part

(4) If the amount of moneys projected to be deposited in the general fund during the fiscal year that are designated as "Taxes" in the summary is less than the amount of such moneys actually deposited in the general fund during the fiscal year, annually the secretary shall calculate the difference between the amount calculated under sub. (2) and the amount transferred to the budget stabilization fund under sub. (3). If the difference between the amounts is at least $115,000,000, the secretary shall transfer from the general fund to the cash building projects fund the amount that exceeds $115,000,000.

SECTION 246. 16.519 of the statutes is created to read:

16.519 Fund transfers relating to tobacco settlement agreement. (1) In this section, "tobacco settlement agreement" means the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998.

(3) If the state has not received in fiscal year 2001−02 at least $6,032,300 under the tobacco settlement agreement, because the secretary, under s. 16.63, has sold the state's right to receive any of the payments under the tobacco settlement agreement, the secretary shall transfer from the general fund to the tobacco control fund an amount equal to $6,032,300 less any payments received under the tobacco settlement agreement and deposited in the tobacco control fund in that fiscal year.

(4) If the state has not received in fiscal year 2002−03 at least $15,345,100 under the tobacco settlement agreement, because the secretary, under s. 16.63, has sold the state's right to receive any of the payments under the tobacco settlement agreement, the secretary shall transfer from the general fund to the tobacco control fund an amount equal to $15,345,100 less any payments received under the tobacco settlement agreement and deposited in the tobacco control fund in that fiscal year.

Vetoed In Part

SECTION 248t. 16.52 (6) (a) of the statutes is amended to read:

16.52 **(6)** (a) Except as authorized in s. 16.74, all purchase orders, contracts, or printing orders for any agency as defined in s. 16.70 (1) shall, before any liability is incurred thereon, be submitted to the secretary for his or her approval as to legality of purpose and sufficiency of appropriated and allotted funds therefor. In all cases the date of the contract or order governs the fiscal year to which the contract or order is chargeable, unless the secretary determines that the purpose of the contract or order is to prevent lapsing of appropriations or to otherwise circumvent budgetary intent. Upon such approval, the secretary shall immediately encumber all contracts or orders, and indicate the fiscal year to which they are chargeable, except that, for contracts for services funded from the appropriation under s. 20.435 (2) (bj), the secretary may encumber less than the amount of the contract if it is expected that billing for that contract may be submitted in the next fiscal year.

SECTION 249. 16.52 (7) of the statutes is amended to read:

16.52 **(7)** PETTY CASH ACCOUNT. With the approval of the secretary, each agency which is authorized to maintain a contingent fund under s. 20.920 may establish a petty cash account from its contingent fund. The procedure for operation and maintenance of petty cash accounts and the character of expenditures therefrom shall be prescribed by the secretary. In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in ch. 231, 233 ~~or~~, 234, or 237.

SECTION 250. 16.52 (10) of the statutes is amended to read:

16.52 **(10)** DEPARTMENT OF PUBLIC INSTRUCTION. The provisions of sub. (2) with respect to refunds and sub. (5) (a) with respect to reimbursements for the prior fiscal year shall not apply to the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and (q)~~.

SECTION 253. 16.528 (1) (a) of the statutes is amended to read:

16.528 **(1)** (a) "Agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in ch. 231, 233 ~~or~~, 234, or 237.

SECTION 254. 16.53 (2) of the statutes is amended to read:

16.53 **(2)** IMPROPER INVOICES. If an agency receives an improperly completed invoice, the agency shall notify the sender of the invoice within 10 working days after it receives the invoice of the reason it is improperly completed. In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in ch. 231, 233 ~~or~~, 234, or 237.

SECTION 255. 16.53 (14) of the statutes is created to read:

16.53 **(14)** REVIEW OF PROPOSED INCORPORATIONS AND ANNEXATIONS. The department may prescribe and collect a fee for review of any petition for incorporation of a municipality under s. 66.0203 or any petition for annexation of municipal territory under s. 66.0217. The fee shall be paid by the person or persons filing the petition for incorporation or by the person or persons filing the notice of the proposed annexation.

Vetoed In Part

SECTION 255p. 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 in the fiscal year in which the funds are allocated under s. 49.175.

SECTION 256. 16.54 (9) (a) 1. of the statutes is amended to read:

16.54 **(9)** (a) 1. "Agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in ch. 231, 233 ~~or~~, 234, or 237.

SECTION 257. 16.54 (13) of the statutes is created to read:

16.54 **(13)** (a) If the state receives any interest payments from the federal government relating to the timing of transfers of federal grant funds for programs that are funded with moneys from the general fund and that are covered in an agreement between the federal department of the treasury and the state under the federal Cash Management Improvement Act of 1990, as amended, the payments, less applicable administrative costs, shall be deposited in 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 transfers of federal grant funds for programs that are funded with moneys from the general fund and that are covered in an agreement between the federal department of the treasury and the state under the federal Cash Management Improvement Act of 1990, as amended, the secretary shall notify the cochairpersons of the joint committee on finance, in writing, that the state is required to pay an interest payment. The notice shall contain an accounting of the amount of interest that the state is required to pay.

SECTION 258. 16.545 (9) of the statutes is amended to read:

16.545 **(9)** To ~~process applications for grants from the federal government upon request of any agency~~ initiate contacts with the federal government for the purpose of facilitating participation by agencies, as defined in s. 16.70 (1), in federal aid programs, to assist those agencies in applying for such aid, and to facilitate influencing the federal government to make policy changes that will be beneficial to this state. The department may assess ~~to~~ an agency ~~for whom it processes an application~~ to which it provides services under this subsection a fee for the expenses incurred by the department in ~~performing this service~~ providing those services.

SECTION 259. 16.61 (2) (af) of the statutes is amended to read:

16.61 **(2)** (af) "Form" has the meaning specified in s. ~~16.97~~ 22.01 (5p).

SECTION 260. 16.61 (3n) of the statutes is amended to read:

16.61 **(3n)** EXEMPT FORMS. The board may not receive or investigate complaints about the forms specified in s. ~~16.971~~ 22.03 (2m).

SECTION 264. 16.62 (2) of the statutes is amended to read:

16.62 **(2)** The department may establish user charges for records storage and retrieval services, with any mon-

eys collected to be credited to the appropriation account under s. 20.505 (1) (im) or ~~(kd)~~ (kb). Such charges shall be structured to encourage efficient utilization of the services.

SECTION 265. 16.62 (3) of the statutes is amended to read:

16.62 **(3)** The department may establish user fees for the services of the public records board. Any moneys collected shall be credited to the appropriation account under s. 20.505 (1) ~~(kd)~~ (kb).

SECTION 266. 16.63 of the statutes is created to read:

16.63 Sale of state's rights to tobacco settlement agreement payments. (1) In this section:

(a) "Purchaser" means any person who has purchased the state's right to receive any of the payments under the tobacco settlement agreement.

(b) "Tobacco settlement agreement" means the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998.

(c) "Tobacco settlement revenues" means the right to receive settlement payments arising from or pursuant to the tobacco settlement agreement and all direct or indirect proceeds of that right.

(2) The secretary may sell for cash or other consideration the state's right to receive any of the payments under the tobacco settlement agreement.

(3) The secretary may organize one or more nonstock corporations under ch. 181 or limited liability companies under ch. 183 for any purpose related to the sale of the state's right to receive any of the payments under the tobacco settlement agreement and may take any action necessary to facilitate and complete the sale.

(3m) 1. If the secretary sells the state's right to receive any of the payments under the tobacco settlement agreement, the secretary shall require, as a condition of the sale, that the purchaser notify the secretary if any bonds or other obligations are issued that are secured by any of the payments and provide the secretary with all information on the distribution of the bond or obligation proceeds.

2. The secretary shall submit a report to the joint committee on finance that includes all of the information provided to the secretary by the purchaser under subd. 1.

(4) (a) Tobacco settlement revenues may not be deemed proceeds of any property which is not tobacco settlement revenues.

(b) Except as otherwise provided in this subsection, the creation, perfection, and enforcement of security interests in tobacco settlement revenues are governed by ch. 409. Notwithstanding ch. 409, with regard to creating, perfecting, and enforcing a valid security interest in tobacco settlement revenues:

1. If this state or the Wisconsin health and educational facilities authority is the debtor in the transaction, the proper place to file the required financing statement to perfect the security interest is the department of financial institutions.

2. The required financing statement shall include a description of collateral that describes the collateral as general intangibles consisting of the right to receive settlement payments arising from or pursuant to the tobacco settlement agreement and all proceeds of that right. The required financing statement may include any additional description of collateral that is legally sufficient under the laws of this state.

3. The tobacco settlement revenues are general intangibles for purposes of ch. 409.

4. A security interest perfected under this paragraph is enforceable against the debtor, any assignee or grantee, and all third parties, including creditors under any lien obtained by judicial proceedings, subject only to the rights of any third parties holding security interests in the tobacco settlement revenues previously perfected under this paragraph. Unless the applicable security agreement provides otherwise, a perfected security interest in the tobacco settlement revenues is a continuously perfected security interest in all tobacco settlement revenues existing on the date of the agreement or arising after the date of the agreement. A security interest perfected under this paragraph has priority over any other lien created by operation of law or otherwise, which subsequently attaches to the tobacco settlement revenues.

5. The priority of a security interest created under this paragraph is not affected by the commingling of proceeds arising from the tobacco settlement revenues with other amounts.

(c) The sale, assignment, and transfer of tobacco settlement revenues are governed by this paragraph. All of the following apply to a sale, assignment, or transfer under this paragraph:

1. The sale, assignment, or transfer is an absolute transfer of, and not a pledge of or secured transaction relating to, the seller's right, title, and interest in, to, and under the tobacco settlement revenues, if the documents governing the transaction expressly state that the transaction is a sale or other absolute transfer. After such a transaction, the tobacco settlement revenues are not subject to any claims of the seller or the seller's creditors, other than creditors holding a prior security interest in the tobacco settlement revenues perfected under par. (b).

2. The characterization of the sale, assignment, or transfer as an absolute transfer under subd. 1. and the corresponding characterization of the purchaser's property interest is not affected by any of the following factors:

a. Commingling of amounts arising with respect to the tobacco settlement revenues with other amounts.

b. The retention by the seller of a partial or residual interest, including an equity interest, in the tobacco settlement revenues, whether direct or indirect, or whether subordinate or otherwise.

c. The sale, assignment, or transfer of only a portion of the tobacco settlement revenues or an undivided interest in the tobacco settlement revenues.

d. Any recourse that the purchaser or its assignees may have against the seller.

e. Whether the seller is responsible for collecting payments due under the tobacco settlement revenues or for otherwise enforcing any of the tobacco settlement revenues or retains legal title to the tobacco settlement revenues for the purpose of these collection activities.

f. The treatment of the sale, assignment, or transfer for tax purposes.

3. The sale, assignment, or transfer is perfected automatically as against third parties, including any third parties with liens created by operation of law or otherwise, upon attachment under ch. 409.

4. Nothing in this subsection precludes consideration of the factors listed in subd. 2. a. to e. in determining whether the sale, assignment, or transfer is a sale for tax purposes. The characterization of the sale, assignment, or transfer as an absolute transfer under subd. 1. may not be considered in determining whether the sale, assignment, or transfer is a sale for tax purposes.

(5) If the secretary sells the state's right to receive any of the payments under the tobacco settlement agreement, the state pledges to and agrees with any purchaser or subsequent transferee of the state's right to receive any of the payments under the tobacco settlement agreement that the state will not limit or alter its powers to fulfill the terms of the tobacco settlement agreement, nor will the state in any way impair the rights and remedies provided under the tobacco settlement agreement. The state also pledges to and agrees with any purchaser or subsequent transferee of the state's right to receive any of the payments under the tobacco settlement agreement that the state will pay all costs and expenses in connection with any action or proceeding brought by or on behalf of the purchaser or any subsequent transferee related to the state's not fulfilling the terms of the tobacco settlement agreement. The secretary may include this pledge and agreement of the state in any contract that is entered into by the secretary under this section.

(6) If the secretary sells the state's right to receive any of the payments under the tobacco settlement agreement, the state pledges to and agrees with any purchaser or subsequent transferee of the state's right to receive any of the payments under the tobacco settlement agreement that the state will not limit or alter the powers of the secretary under this section until any contract that is entered into under this section is fully performed, unless adequate provision is made by law for the protection of the rights and remedies of the purchaser or any subsequent transferee under the contract. The secretary may include this pledge and agreement of the state in any contract that is entered into by the secretary under this section.

(8) This subsection and subs. (8m) and (9) shall govern all civil claims, suits, proceedings, and actions brought against the state relating to the sale of the state's right to receive any of the payments under the tobacco settlement agreement. If the state fails to comply with this section or the terms of any agreement relating to the sale of the state's right to receive any of the payments under the tobacco settlement agreement, an action to compel compliance may be commenced against the state.

(8m) If the recovery of a money judgment against the state is necessary to give the plaintiff in an action under sub. (8) complete relief, a claim for the money damages may be joined with the claim commenced under sub. (8).

(9) Sections 16.007, 16.53, and 775.01 do not apply to claims against the state under sub. (8) or (8m). If there is a final judgment against the state in such an action, the judgment shall be paid as provided in s. 775.04 together with interest at the rate of 10% per year from the date such payment was judged to have been due until the date of payment of the judgment.

SECTION 267. 16.70 (2) of the statutes is amended to read:

16.70 **(2)** "Authority" means a body created under ch. 231, 232, 233 ~~or~~, 234, 235, or 237.

SECTION 267m. 16.70 (3) of the statutes is amended to read:

16.70 **(3)** "Contractual services" includes all services, materials to be furnished by a service provider in connection with services, and any limited trades work involving less than ~~$20,000~~ $30,000 to be done for or furnished to the state or any agency.

SECTION 268. 16.70 (4m) of the statutes is created to read:

16.70 **(4m)** "Information technology" has the meaning given in s. 22.01 (6).

SECTION 269. 16.70 (15) of the statutes is created to read:

16.70 **(15)** "Telecommunications" has the meaning given in s. 22.01 (10).

SECTION 270. 16.701 of the statutes is renumbered 16.701 (1).

SECTION 271. 16.701 (2) of the statutes is created to read:

16.701 **(2)** The department may permit prospective vendors to provide product or service information through the service established under sub. (1). The department may prescribe fees or establish fees through a competitive process for the use of the service under this subsection.

SECTION 272. 16.7015 of the statutes is amended to read:

16.7015 Bidders list. The department ~~or any agency to which the department delegates purchasing authority under s. 16.71 (1)~~ may maintain a bidders list ~~which~~. Any agency to which the department delegates purchasing

authority under s. 16.71 (1) may maintain a bidders list if authorized by the delegation. The bidders list shall include the names and addresses of all persons who request to be notified of bids or competitive sealed proposals, excluding those to be awarded under s. 16.75 (1) (c) or (2m) (c), that are solicited by the department or other agency for the procurement of materials, supplies, equipment or contractual services under this subchapter. Any list maintained by the department may include the names and addresses of any person who requests to be notified of bids or competitive sealed proposals ~~to be~~ that are solicited by any agency. The department or other agency shall notify each person on its list of all ~~requests for~~ bids or competitive sealed proposals that are solicited by the department or other agency. The department or other agency may remove any person from its list for cause.

SECTION 273. 16.71 (1) of the statutes is amended to read:

16.71 **(1)** Except as otherwise required under this section and s. 16.78 or as authorized in s. 16.74, the department shall purchase and may delegate to special designated agents the authority to purchase all necessary materials, supplies, equipment, all other permanent personal property and miscellaneous capital, and contractual services and all other expense of a consumable nature for all agencies. In making any delegation, the department shall require the agent to adhere to all requirements imposed upon the department in making purchases under this subchapter. All materials, services and other things and expense furnished to any agency and interest paid under s. 16.528 shall be charged to the proper appropriation of the agency to which furnished.

SECTION 274. 16.71 (1m) of the statutes is created to read:

16.71 **(1m)** The department shall not delegate to any executive branch agency, other than the board of regents of the University of Wisconsin System, the authority to enter into any contract for materials, supplies, equipment, or contractual services relating to information technology or telecommunications prior to review and approval of the contract by the chief information officer. No executive branch agency, other than the board of regents of the University of Wisconsin System, may enter into any such contract without review and approval of the contract by the chief information officer.

SECTION 275. 16.71 (2m) of the statutes is created to read:

16.71 **(2m)** The department of administration shall delegate authority to make all purchases for the department of electronic government to the department of electronic government. This delegation may not be withdrawn, but the department of electronic government may elect to make any purchase through the department of administration.

SECTION 275m. 16.71 (2s) of the statutes is created to read: **Vetoed In Part**

16.71 **(2s)** The department shall delegate authority to the ethics board to make purchases authorized under s. 22.03 (2) (n).

SECTION 276. 16.71 (4) of the statutes is amended to read:

16.71 **(4)** ~~The~~ With the approval of the department of electronic government, the department of administration shall delegate authority to the technology for educational achievement in Wisconsin board to make purchases of educational technology equipment for use by school districts, cooperative educational service agencies and public educational institutions in this state, upon request of the board.

SECTION 277. 16.71 (6) of the statutes is created to read:

16.71 **(6)** The department may assess any agency or municipality to which it provides services under this subchapter for the cost of the services provided to the agency or municipality. The department may also identify savings that the department determines to have been realized by an agency to which it provides services under this subchapter and may assess the agency for not more than the amount of the savings identified by the department.

SECTION 278. 16.72 (2) (a) of the statutes is amended to read:

16.72 **(2)** (a) The department of administration shall prepare standard specifications, as far as possible, for all state purchases. By "standard specifications" is meant a specification, either chemical or physical or both, prepared to describe in detail the article which the state desires to purchase, and trade names shall not be used. On the formulation, adoption and modification of any standard specifications, the department of administration shall also seek and be accorded without cost, the assistance, advice and cooperation of other agencies and officers. Each specification adopted for any commodity shall, insofar as possible, satisfy the requirements of any and all agencies which use it in common. Any specifications for the purchase of materials, supplies, equipment, or contractual services for information technology or telecommunications purposes are subject to the approval of the chief information officer.

SECTION 279. 16.72 (2) (b) of the statutes is amended to read:

16.72 **(2)** (b) Except as provided in par. (a) and ss. 16.25 (4) (b), 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 280. 16.72 (2) (d) of the statutes is amended to read:

16.72 **(2)** (d) Except as permitted in ~~s.~~ ss. 16.75 (6) (am) and 16.751, to the extent possible, the department and any other designated purchasing agent under s. 16.71 (1) shall write specifications for the purchase of materials, supplies, commodities, equipment and contractual services so as to permit their purchase from prison industries, as created under s. 303.01 (1).

SECTION 281. 16.72 (4) (a) of the statutes is amended to read:

16.72 **(4)** (a) Except as provided in ~~s.~~ ss. 16.71 and 16.74 or as otherwise provided in this subchapter and the rules promulgated under s. 16.74 and this subchapter, all supplies, materials, equipment and contractual services shall be purchased for and furnished to any agency only upon requisition to the department. The department shall prescribe the form, contents, number and disposition of requisitions and shall promulgate rules as to time and manner of submitting such requisitions for processing. No agency or officer may engage any person to perform contractual services without the specific prior approval of the department for each such engagement. Purchases of supplies, materials, equipment or contractual services by the department of electronic government, the legislature, the courts or legislative service or judicial branch agencies do not require approval under this paragraph.

SECTION 282. 16.72 (8) of the statutes is amended to read:

16.72 **(8)** The ~~division of information technology services of the~~ department may purchase educational technology materials, supplies, equipment or contractual services from orders placed with the department by the technology for educational achievement in Wisconsin board on behalf of school districts, cooperative educational service agencies, technical college districts and the board of regents of the University of Wisconsin System.

SECTION 282m. 16.73 (6) of the statutes is created to read:

16.73 **(6)** The department shall administer a program to facilitate purchases of large equipment that is needed by municipalities. The department shall purchase large equipment as a part of the program. The department may, by rule, prescribe requirements for participation in the program and for participation in specific purchases under the program.

SECTION 285. 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, 16.964 (8), 50.05 (7) (f), and 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 286. 16.75 (1) (a) 3. of the statutes is amended to read:

16.75 **(1)** (a) 3. Bids may be received only in accordance with such specifications as are adopted by the department as provided in this subsection. Any or all bids may be rejected. ~~Each~~ Whenever sealed bids are invited, each bid, with the name of the bidder, shall be entered on a record, and each record with the successful bid indicated shall, after the award or letting of the contract, be opened to public inspection. Where a low bid is rejected, a complete written record shall be compiled and filed, giving the reason in full for such action. Any waiver of sealed, advertised bids as provided in sub. (2m) or (6) shall be entered on a record kept by the department and open to public inspection.

SECTION 287. 16.75 (1) (b) of the statutes is amended to read:

16.75 **(1)** (b) When the estimated cost exceeds $25,000, the department shall invite bids to be submitted. The department shall either solicit sealed bids to be opened publicly at a specified date and time, or shall solicit bidding by auction to be conducted electronically at a specified date and time. Whenever bids are invited, due notice inviting bids shall be published as a class 2 notice, under ch. 985~~, and the bids~~ or posted on the Internet at a site determined or approved by the department. The bid opening or auction shall ~~not be opened until~~ occur at least 7 days ~~from~~ after the date of the last ~~day of publication~~ insertion of the notice or at least 7 days after the date of posting on the Internet. The ~~official advertisement~~ notice shall specify whether sealed bids are invited or bids will be accepted by auction, and shall give a clear description of the materials, supplies, equipment, or ~~service~~ contractual services to be purchased, the amount of ~~the~~ any bond, share draft, check, or other draft to be submitted as surety with the bid or prior to the auction, and the date ~~of~~ and time that the public opening or the auction will be held.

SECTION 288. 16.75 (1) (cm) of the statutes is created to read:

16.75 **(1)** (cm) If bids are solicited by auction, the award may be made in accordance with simplified competitive procedures established by the department for such transactions.

SECTION 289. 16.75 (2) (a) of the statutes is amended to read:

16.75 **(2)** (a) When the department of administration believes that it is to the best interests of the state to purchase certain patented or proprietary articles, other than printing and stationery, it may purchase said articles without the usual statutory procedure~~. All~~ but all equipment shall be purchased from the lowest and best bidder as determined by the bids and a comparison of ~~the~~ any detailed specifications submitted with the bids, and after due ~~advertisement as hereinbefore provided~~ notice, whenever notice is required under this section. Where the low bid or bids are rejected, a complete written record shall be compiled and filed, giving the reasons in full for such action.

SECTION 290. 16.75 (2m) (b) of the statutes is amended to read:

16.75 **(2m)** (b) When the estimated cost exceeds $25,000, the department ~~shall publish a class 2 notice under ch. ch 985 inviting~~ may invite competitive sealed proposals by publishing a class 2 notice under ch. 985 or by posting notice on the Internet at a site determined or approved by the department. The ~~advertisement~~ notice shall describe the materials, supplies, equipment, or ~~service~~ contractual services to be purchased, the intent to ~~solicit~~ make the procurement by solicitation of proposals rather than by solicitation of bids, any requirement for surety and the date the proposals will be opened, which shall be at least 7 days after the date of the last insertion of the notice or at least 7 days after the date of posting on the Internet.

SECTION 291. 16.75 (3t) (a) of the statutes is amended to read:

16.75 **(3t)** (a) In this subsection, "form" has the meaning given under s. ~~16.97~~ 22.01 (5p).

SECTION 292. 16.75 (3t) (c) (intro.) of the statutes is amended to read:

16.75 **(3t)** (c) (intro.) The department of corrections shall periodically provide to the department of administration a current list of all materials, supplies, equipment or contractual services, excluding commodities, that are supplied by prison industries, as created under s. 303.01. The department of administration shall distribute the list to all designated purchasing agents under s. 16.71 (1). ~~Prior~~ Except as otherwise provided in sub. (6) (am), prior to seeking bids or competitive sealed proposals with respect to the purchase of any materials, supplies, equipment or contractual services enumerated in the list, the department of administration or any other designated purchasing agent under s. 16.71 (1) shall offer prison industries the opportunity to supply the materials, supplies, equipment or contractual services if the department of corrections is able to provide them at a price comparable to one which may be obtained through competitive bidding or competitive sealed proposals and is able to conform to the specifications, provided the specifications are written in accordance with s. 16.72 (2) (d). If the department of administration or other purchasing agent is unable to determine whether the price of prison industries is comparable, it may solicit bids or competitive proposals before awarding the order or contract. This paragraph does not apply to the printing of the following forms:

SECTION 293. 16.75 (6) (am) 1. of the statutes is repealed.

SECTION 294. 16.75 (6) (am) 2. of the statutes is renumbered 16.75 (6) (am) and amended to read:

16.75 **(6)** (am) Subsections (1) and (3t) do not apply to ~~major~~ procurements by the department of electronic government. Annually not later than October 1, the department of electronic government shall report to the department of administration, in the form specified by the secretary, concerning all procurements by the department of electronic government during the preceding fiscal year that were not made in accordance with the requirements of subs. (1) and (3t).

SECTION 295. 16.75 (6) (c) of the statutes is amended to read:

16.75 **(6)** (c) If the secretary determines that it is in the best interest of this state to do so, he or she may, with the approval of the governor, waive the requirements of subs. (1) to (5) and may purchase supplies, material, equipment, or contractual services, other than printing and stationery, from a private source other than a source specified in par. (b). Except as provided in sub. (2g) (c), if the cost of the purchase is expected to exceed $25,000, the department shall first publish a class 2 notice under ch. 985 or post a notice on the Internet at the site determined or approved by the department under sub. (1) (b) describing the materials, supplies, equipment, or contractual services to be purchased, stating the intent to make the purchase from a private source without soliciting bids or competitive sealed proposals and stating the date on which the contract or purchase order will be awarded. The date of the award shall be at least 7 days after the date of the last insertion or the date of posting on the Internet.

SECTION 296. 16.751 (1) of the statutes is repealed.

SECTION 297. 16.751 (2) of the statutes is renumbered 16.751 and amended to read:

16.751 Information technology purchases by investment board. The requirements of ss. 16.72 (2) (b) and (d) and 16.75 (1) (a) 1. and (2m) (g) do not apply to procurements authorized to be made by the investment board under s. 16.78 (1) for information technology purposes.

SECTION 298. 16.752 (12) (i) of the statutes is amended to read:

16.752 **(12)** (i) Paragraph (a) does not apply to ~~major~~ procurements~~, as defined in s. 16.75 (6) (am)~~ by the department of electronic government.

SECTION 299. 16.765 (1) of the statutes is amended to read:

16.765 **(1)** Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, and the Bradley Center Sports and Entertainment Corporation shall include in all contracts executed by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation as defined in s. 111.32 (13m) or national origin and, except with respect to sexual orientation, obligating the contractor to take affirmative action to ensure equal employment opportunities.

SECTION 300. 16.765 (2) of the statutes is amended to read:

16.765 **(2)** Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, and the Bradley Center Sports and Entertainment Corporation shall include the following provision in every contract executed by them: "In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the contractor further agrees to take affirmative action to ensure equal employment opportunities. The contractor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause".

SECTION 301. 16.765 (4) of the statutes is amended to read:

16.765 **(4)** Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, and the Bradley Center Sports and Entertainment Corporation shall take appropriate action to revise the standard government contract forms under this section.

SECTION 302. 16.765 (5) of the statutes is amended to read:

16.765 **(5)** The head of each contracting agency and the boards of directors of the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, and the Bradley Center Sports and Entertainment Corporation shall be primarily responsible for obtaining compliance by any contractor with the nondiscrimination and affirmative action provisions prescribed by this section, according to procedures recommended by the department. The department shall make recommendations to the contracting agencies and the boards of directors of the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, and the Bradley Center Sports and Entertainment Corporation for improving and making more effective the nondiscrimination and affirmative action provisions of contracts. The department shall promulgate such rules as may be necessary for the performance of its functions under this section.

SECTION 303. 16.765 (6) of the statutes is amended to read:

16.765 **(6)** The department may receive complaints of alleged violations of the nondiscrimination provisions of such contracts. The department shall investigate and determine whether a violation of this section has occurred. The department may delegate this authority to the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, or the Bradley Center Sports and Entertainment Corporation for processing in accordance with the department's procedures.

SECTION 304. 16.765 (7) (intro.) of the statutes is amended to read:

16.765 **(7)** (intro.) When a violation of this section has been determined by the department, the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, or the Bradley Center Sports and Entertainment Corporation, the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, or the Bradley Center Sports and Entertainment Corporation shall:

SECTION 305. 16.765 (7) (d) of the statutes is amended to read:

16.765 **(7)** (d) Direct the violating party to take immediate steps to prevent further violations of this section and to report its corrective action to the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, or the Bradley center sports and entertainment corporation.

SECTION 306. 16.765 (8) of the statutes is amended to read:

16.765 **(8)** If further violations of this section are committed during the term of the contract, the contracting agency, the Fox River Navigational System Authority, or the Bradley Center Sports and Entertainment Corporation may permit the violating party to complete the contract, after complying with this section, but thereafter the contracting agency, the Fox River Navigational System Authority, or the Bradley Center Sports and Entertainment Corporation shall request the department to place the name of the party on the ineligible list for state contracts, or the contracting agency, the Fox River Navigational System Authority, or the Bradley Center Sports

and Entertainment Corporation may terminate the contract without liability for the uncompleted portion or any materials or services purchased or paid for by the contracting party for use in completing the contract.

SECTION 307. 16.78 of the statutes is amended to read:

16.78 Purchases from ~~division of information technology services~~ department of electronic government. (1) Every agency other than the board of regents of the University of Wisconsin system and an agency making purchases under s. 16.74 shall ~~purchase all computer~~ make all purchases of materials, supplies, equipment, and contractual services relating to information technology or telecommunications from the ~~division of information technology services in the~~ department of ~~administration~~ electronic government, unless the ~~division~~ department of electronic government requires the agency to purchase the materials, supplies, equipment, or contractual services pursuant to a master contract established under s. 22.05 (2) (h), or grants written authorization to the agency to procure the materials, supplies, equipment, or contractual services under s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment, or contractual services from another agency or to provide the materials, supplies, equipment, or contractual services to itself. The board of regents of the University of Wisconsin system may ~~purchase computer services from the division of information technology services~~ make purchases of materials, supplies, equipment, and contractual services relating to information technology or telecommunications from the department of electronic government.

(2) Sections 16.705 to 16.767 and 16.77 (1) do not apply to the purchase of ~~computer~~ materials, supplies, equipment, or contractual services by any agency from the ~~division of information technology services~~ department of electronic government under sub. (1).

SECTION 308. 16.80 of the statutes is renumbered 22.19.

SECTION 310. 16.838 (1) (b) of the statutes is amended to read:

16.838 **(1)** (b) "Authority" means a body created under ch. 231, 232, 233, 234 ~~or~~, 235, or 237.

SECTION 311. 16.84 (14) of the statutes is amended to read:

16.84 **(14)** Provide interagency mail delivery service for agencies, as defined in s. 16.70 (1). The department may charge agencies for this service. Any moneys collected shall be credited to the appropriation account under s. 20.505 (1) ~~(kd)~~ (kb).

SECTION 312. 16.845 (1) of the statutes is amended to read:

16.845 **(1)** RULE; PENALTY. Except as elsewhere expressly prohibited, the managing authority of any facility owned by the state or by the University of Wisconsin Hospitals and Clinics Authority or leased from the state by the Fox River Navigational System Authority may permit its use for free discussion of public questions, or for civic, social, recreational or athletic activities. No such use shall be permitted if it would unduly burden the managing authority or interfere with the prime use of such facility. The applicant for use shall be liable to the state ~~or~~, to the Fox River Navigational System Authority, or to the University of Wisconsin Hospitals and Clinics Authority for any injury done to its property, for any expense arising out of any such use and for such sum as the managing authority may charge for such use. All such sums payable to the state shall be paid into the general fund and credited to the appropriation account for the operation of the facility used. The managing authority may permit such use notwithstanding the fact that a reasonable admission fee may be charged to the public. Whoever does or attempts to do an act for which a permit is required under this section without first obtaining the permit may be fined not more than $100 or imprisoned not more than 30 days or both. This subsection applies only to those facilities for which a procedure for obtaining a permit has been established by the managing authority.

SECTION 313. 16.847 (1) (a) of the statutes is repealed.

SECTION 314. 16.847 (2) to (7) of the statutes are repealed.

SECTION 315. 16.847 (8) (a) of the statutes is renumbered 16.847 (8) and amended to read:

16.847 **(8)** REPAYMENT AGREEMENTS. ~~As a condition of receiving a loan under sub. (6), an agency shall enter into an agreement to repay the loan from utility expenses saved by the energy efficiency project. The agreement shall specify the annual repayment amount and the appropriation to which the loan shall be repaid. Annually, the~~ The department may annually transfer ~~the specified repayment amount from an appropriation described in the agreement to the same account in~~ repayments under agreements to obtain loans from the energy efficiency fund ~~from which the loan was made~~ under s. 16.847 (6), 1999 stats., from the appropriations specified in the agreements to the general fund. The amount of each annual repayment shall equal the amount of annual savings in utility expenses realized as a result of the energy efficiency project that was funded by a loan. The department shall determine the amount of annual savings in utility expenses ~~saved~~ realized as a result of an energy efficiency project.

SECTION 316. 16.847 (8) (b) of the statutes is repealed.

SECTION 317. 16.847 (9) of the statutes is repealed.

SECTION 318. 16.85 (1) of the statutes is amended to read:

16.85 **(1)** To take charge of and supervise all engineering or architectural services or construction work as defined in s. 16.87 performed by, or for, the state, or any

department, board, institution, commission or officer thereof, including nonprofit−sharing corporations organized for the purpose of assisting the state in the construction and acquisition of new buildings or improvements and additions to existing buildings as contemplated under ss. 13.488, 36.09 and 36.11, except the engineering, architectural and construction work of the department of transportation, the engineering service performed by the department of commerce, department of revenue, public service commission, department of health and family services and other departments, boards and commissions when the service is not related to the maintenance, and construction and planning of the physical properties of the state~~, and energy efficiency projects of the energy efficiency program under s. 16.847. The department shall adopt the architectural and engineering design proposed by the state fair park board for any project to be constructed for the board, if the design and specifications conform to applicable laws, rules, codes and regulations~~. The department shall not authorize construction work for any state office facility in the city of Madison after May 11, 1990, unless the department first provides suitable space for a day care center primarily for use by children of state employees.

SECTION 319. 16.85 (2) of the statutes is amended to read:

16.85 **(2)** To furnish engineering, architectural, project management and other building construction services whenever requisitions therefor are presented to the department by any agency. The department may deposit moneys received from the provision of these services in the account under s. 20.505 (1) (kc) or in the general fund as general purpose revenue — earned. In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in ch. 231, 233 ~~or~~, 234, or 237.

SECTION 319m. 16.85 (6) of the statutes is amended to read:

16.85 **(6)** To approve the appointment of a principal engineer or architect for departments, boards and commissions and when such continuous service is needed. No such engineer or architect shall be employed without the written approval of the secretary. ~~This subsection does not apply to the state fair park board.~~

Vetoed In Part

SECTION 319s. 16.85 (10m) of the statutes is created to read:

16.85 **(10m)** In connection with the planning process for the long−range state building program under sub. (10), to investigate the potential to incorporate and use distributed generation units in any state building project that is expected to involve an expenditure of $5,000,000 or more. In conducting its investigation, the department shall consider the cost effectiveness of such use, the potential for such use to increase statewide power generation capacity, and the potential for cost savings to be realized by the state from such use. The department shall report the results of its investigation, together with its recommendations and the reasons therefor, to the building commission prior to consideration of the project by the commission. In this subsection, "distributed generation unit" means any form of energy generation that may be used by electric consumers for the generation of electric power.

Vetoed In Part

SECTION 321. 16.85 (16) of the statutes is created to read:

16.85 **(16)** To review and approve the design and specifications of any rehabilitation or repair project of the Fox River Navigational System Authority on state−owned land, to approve the decision to proceed with the project, and to periodically review the progress of the project during construction to assure compliance with the approved design and specifications.

Vetoed In Part

SECTION 321j. 16.854 (1) (a) of the statutes is amended to read:

16.854 **(1)** (a) "Minority business" ~~has the meaning given in s. 560.036 (1) (e)~~ means a business that is certified by the department of commerce under s. 560.036 (2).

Vetoed In Part

SECTION 321m. 16.855 (19) of the statutes is amended to read:

16.855 **(19)** As the work progresses under any contract for construction the department, from time to time, shall grant to the contractor an estimate of the amount and proportionate value of the work done, which shall entitle the contractor to receive the amount thereof, less the retaining, from the proper fund. On all construction projects, the retainage shall be an amount equal to ~~10%~~ 5% of said estimate until 50% of the work has been completed. At 50% completion, no additional amounts shall be retained, and partial payments shall be made in full to the contractor unless the architect or engineer certifies that the job is not proceeding satisfactorily. At 50% completion or any time thereafter when the progress of the work is not satisfactory, additional amounts may be retained but in no event shall the total retainage be more than ~~10%~~ 5% of the value of the work completed. Upon substantial completion of the work, an amount retained may be paid to the contractor. For the purposes of this section, estimates may include any fabricated or manufactured materials and components specified, previously paid for by contractor and delivered to the work or properly stored and suitable for incorporation in the work embraced in the contract. This subsection does not apply to contracts awarded under s. 16.858.

SECTION 322. 16.865 (8) of the statutes is amended to read:

16.865 **(8)** Annually in each fiscal year, allocate as a charge to each agency a proportionate share of the estimated costs attributable to programs administered by the agency to be paid from the appropriation under s. 20.505 (2) (k). The department may charge premiums to agencies to finance costs under this subsection and pay the costs from the appropriation on an actual basis. The department shall deposit all collections under this subsection in the appropriation account under s. 20.505 (2) (k). Costs assessed under this subsection may include judgments, investigative and adjustment fees, data processing and staff support costs, program administration costs, litigation costs and the cost of insurance contracts under sub. (5). In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in ch. 231, 232, 233, 234 ~~or~~, 235, or 237.

SECTION 322e. 16.87 (2) of the statutes is amended to read:

16.87 **(2)** A contract for engineering services or architectural services or a contract involving an expenditure of ~~$2,500~~ $10,000 or more for construction work, or ~~$20,000~~ $30,000 or more for limited trades work, to be done for or furnished to the state or a department, board, commission or officer of the state is exempt from the requirements of ss. 16.705 and 16.75. The department shall attempt to ensure that 5% of the total amount expended under this section in each fiscal year is paid to minority businesses, as defined under s. 16.75 (3m) (a).

SECTION 322g. 16.87 (3) of the statutes is amended to read:

16.87 **(3)** Except as provided in sub. (4), a contract under sub. (2) is not valid or effectual for any purpose until it is endorsed in writing and approved by the secretary or the secretary's designated assistant and, if the contract involves an expenditure over ~~$30,000~~ $60,000, approved by the governor. Except as provided in sub. (4), no payment or compensation for work done under any contract involving $2,500 or more, except a highway contract, may be made unless the written claim is audited and approved by the secretary or the secretary's designee. Any change order to a contract requiring approval under this subsection requires the prior approval by the secretary or the secretary's designated assistant and, if the change order involves an expenditure over ~~$30,000~~ $60,000, the approval of the governor.

SECTION 322i. 16.87 (5) of the statutes is repealed.

SECTION 322m. 16.95 (16) of the statutes is created to read:

16.95 **(16)** Require public utilities to provide the department with energy billing and use data regarding public schools, if the department determines that the data would facilitate any effort by the department to administer or provide energy assistance for public schools, including any effort to direct energy assistance to public schools with the highest energy costs.

SECTION 324. 16.957 (2) (a) (intro.) of the statutes is amended to read:

16.957 **(2)** (a) *Low−income programs.* (intro.) After holding a hearing, establish programs to be administered by the department for awarding grants from the appropriation under s. 20.505 ~~(10)~~ (3) (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:

SECTION 325. 16.957 (2) (b) 1. of the statutes is amended to read:

16.957 **(2)** (b) 1. Subject to subd. 2., after holding a hearing, establish programs for awarding grants from the appropriation under s. 20.505 ~~(10)~~ (3) (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)~~ (3) (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)~~ (3) (s) is awarded in grants under this subd. 1. b.

Vetoed In Part

SECTION 327n. 16.964 (1) (i) of the statutes is created to read:

16.964 **(1)** (i) From the appropriations under s. 20.505 (6) (kp) and (p), allocate $250,000 annually to the department of transportation for the purpose of awarding grants under s. 85.53.

SECTION 328g. 16.964 (4) of the statutes is amended to read:

16.964 **(4)** 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 s. 20.505 (6) (kp), the local unit of government shall provide matching funds equal to at least 10%. This subsection does not apply to grants made to improve the enforcement of laws regarding controlled substances commonly known as club drugs, including ecstasy, and to educate the public regarding the nature and impact of those controlled sub-

stances and the criminal penalties that apply to possessing, manufacturing, distributing, or delivering them unlawfully.

SECTION 332. 16.965 (2) of the statutes is amended to read:

16.965 **(2)** From the ~~appropriation~~ appropriations under ~~s.~~ ss. 20.505 (1) (cm) and (if), 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. The department shall establish a deadline for receipt of applications. Immediately following the deadline, all applications received by the department are open to public inspection. 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~~ 66.1001 (2).

Vetoed In Part

SECTION 342m. 16.966 (5) of the statutes is created to read:

Vetoed In Part

16.966 **(5)** Notwithstanding s. 16.705 (1), the department shall enter into a contract for the operation and maintenance of the land information system under s. 16.967 (6m).

SECTION 342n. 16.966 (5) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 343m. 16.967 (6) of the statutes, as affected by 1997 Wisconsin Act 27, section 141am, is amended to read:

16.967 **(6)** REPORTS. By March 31~~, 1990, and biennially thereafter~~ of each year, the department of administration, the department of agriculture, trade and consumer protection, the department of commerce, the department of health and family services, the department of natural resources, the department of tourism, the department of revenue, the department of transportation, the board of regents of the University of Wisconsin System, the public service commission and the board of curators of the historical society shall each submit to the board a plan to integrate land information to enable such information to be readily translatable, retrievable and geographically referenced for use by any state, local governmental unit or public utility. The plans shall include the information that will be needed by local governmental units to prepare comprehensive plans containing the planning elements required under s. 66.1001 (2). Upon receipt of this information, the board shall integrate the information to enable the information to be used to meet land information data needs. The integrated information shall be readily translatable, retrievable, and geographically referenced to enable members of the public to use the information.

SECTION 343p. 16.967 (6) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

Vetoed In Part

16.967 **(6)** REPORTS. By March 31 of each year, the department of administration, the department of agriculture, trade and consumer protection, the department of commerce, the department of forestry, the department of health and family services, the department of natural resources, the department of tourism, the department of revenue, the department of transportation, the board of regents of the University of Wisconsin System, the public service commission and the board of curators of the historical society shall each submit to the board a plan to integrate land information to enable such information to be readily translatable, retrievable and geographically referenced for use by any state, local governmental unit or public utility. The plans shall include the information that will be needed by local governmental units to prepare comprehensive plans containing the planning elements required under s. 66.1001 (2). Upon receipt of this information, the board shall integrate the information to enable the information to be used to meet land information data needs. The integrated information shall be readily translatable, retrievable, and geographically referenced to enable members of the public to use the information.

SECTION 343r. 16.967 (6m) of the statutes is created to read:

Vetoed In Part

16.967 **(6m)** STATE LAND INFORMATION SYSTEM. The board shall promulgate rules governing the creation and maintenance of a state land information system.

SECTION 343t. 16.967 (7) (a) 5. of the statutes is created to read:

16.967 **(7)** (a) 5. To support technological developments and improvements for the purpose of providing Internet−accessible housing assessment and sales data.

SECTION 345. Subchapter VII (title) of chapter 16 [precedes 16.97] of the statutes is amended to read:

CHAPTER 16

SUBCHAPTER VII

~~INFORMATION~~ EDUCATIONAL TECHNOLOGY

SECTION 346. 16.97 (intro.) of the statutes is renumbered 22.01 (intro.) and amended to read:

22.01 Definitions. (intro.) In this ~~subchapter~~ chapter:

SECTION 347. 16.97 (1) to (9) of the statutes are renumbered 22.01 (1) to (9).

SECTION 348. 16.97 (10) of the statutes is renumbered 16.97 and amended to read:

16.97 Definition. ~~"Telecommunications" means the electronic movement of information in any form from one point to another~~ In this subchapter, "telecommunications" has the meaning given in s. 22.01 (10).

SECTION 349. 16.971 (title) of the statutes is renumbered 22.03 (title).

SECTION 350. 16.971 (1) of the statutes is repealed.

SECTION 351. 16.971 (1m) of the statutes is renumbered 22.03 (2) (a) and amended to read:

22.03 **(2)** (a) ~~The department shall ensure~~ Ensure that an adequate level of information technology services is made available to all agencies by providing systems analysis and application programming services to augment agency resources, as requested. The department shall also ensure that executive branch agencies, other than the board of regents of the University of Wisconsin System, make effective and efficient use of the information technology resources of the state. The department shall, in cooperation with agencies, establish policies, procedures and planning processes, for the administration of information technology services, which executive branch agencies shall follow. The policies, procedures and processes shall address the needs of agencies, other than the board of regents of the University of Wisconsin System, to carry out their functions. The department shall monitor adherence to these policies, procedures and processes.

SECTION 352. 16.971 (2) (intro.) of the statutes is renumbered 22.03 (2) (intro.) and amended to read:

22.03 **(2)** (intro.) The ~~division~~ department shall:

SECTION 353. 16.971 (2) (a) of the statutes is renumbered 22.03 (2) (ae) and amended to read:

22.03 **(2)** (ae) Except as provided in sub. (2m), review and approve, modify or reject all forms approved by a records and forms officer for jurisdiction, authority, standardization of design and nonduplication of existing forms. Unless the ~~division~~ department rejects for cause or modifies the form within 20 working days after receipt, it is considered approved. The ~~division's~~ department's rejection of any form is appealable to the public records board. If the head of an agency certifies to the ~~division~~ department that the form is needed on a temporary basis, approval by the ~~division~~ department is not required.

SECTION 354. 16.971 (2) (am) to (k) of the statutes are renumbered 22.03 (2) (am) to (k).

SECTION 355. 16.971 (2) (L) to (m) of the statutes are renumbered 22.03 (2) (L) to (m) and amended to read:

22.03 **(2)** (L) Require each executive branch agency, other than the board of regents of the University of Wisconsin System, to adopt~~, revise biennially,~~ and submit ~~for its approval,~~ to the department, in a form specified by the department, no later than March 1 of each year, a strategic plan for the utilization of information technology to carry out the functions of the agency~~. As a part of each plan, the division shall require each executive branch agency to address the business needs of the agency and to identify all proposed information technology development projects that serve those business needs, the priority for undertaking such projects and the justification for each project, including the anticipated benefits of the project. Each plan shall identify any changes in the functioning of the agency under the plan. The division shall consult with the joint committee on information policy and technology in providing guidance for and scheduling of planning by executive branch agencies~~ in the succeeding fiscal year for review and approval under s. 22.13.

(Lm) No later than 60 days after enactment of each biennial budget act, require each executive branch agency, other than the board of regents of the University of Wisconsin System, that receives funding under that act for an information technology development project to file with the ~~division~~ department an amendment to its strategic plan for the utilization of information technology under par. (L). The amendment shall identify each information technology development project for which funding is provided under that act and shall specify, in a form prescribed by the ~~secretary~~ chief information officer, the benefits that the agency expects to realize from undertaking the project.

(m) Assist in coordination and integration of the plans of executive branch agencies relating to information technology approved under par. (L) and, using these plans and the statewide long−range telecommunications plan under s. ~~16.99~~ 22.41 (2) (a), formulate and revise biennially a consistent statewide strategic plan for the use and application of information technology. The ~~division~~ department shall, no later than September 15 of each even−numbered year, submit the statewide strategic plan to the cochairpersons of the joint committee on information policy and technology and the governor.

SECTION 355m. 16.971 (2) (n) of the statutes is renumbered 22.03 (2) (n) and amended to read: **Vetoed In Part**

22.03 **(2)** (n) Maintain an information technology resource center to provide appropriate technical assistance and training to small agencies. If funding is made available to the ethics board under this paragraph, the department shall permit the ethics board to utilize the funding to procure technical assistance or training from any source .

SECTION 356. 16.971 (2m) of the statutes is renumbered 22.03 (2m).

SECTION 357ab. 16.971 (3) of the statutes is renumbered 22.03 (3) and amended to read:

22.03 **(3)** (a) The ~~secretary~~ chief information officer shall notify the joint committee on finance in writing of

the proposed acquisition of any information technology resource that the department considers major or that is likely to result in a substantive change of service, and that was not considered in the regular budgeting process and is to be financed from general purpose revenues or corresponding revenues in a segregated fund. If the cochairpersons of the committee do not notify the ~~secretary~~ chief information officer that the committee has scheduled a meeting for the purpose of reviewing the proposed acquisition within 14 working days after the date of the ~~secretary's~~ officer's notification, the department may approve acquisition of the resource. If, within 14 working days after the date of the ~~secretary's~~ officer's notification, the cochairpersons of the committee notify the ~~secretary~~ officer that the committee has scheduled a meeting for the purpose of reviewing the proposed acquisition, the department shall not approve acquisition of the resource unless the acquisition is approved by the committee.

(b) The ~~secretary~~ chief information officer shall promptly notify the joint committee on finance in writing of the proposed acquisition of any information technology resource that the department considers major or that is likely to result in a substantive change in service, and that was not considered in the regular budgeting process and is to be financed from program revenues or corresponding revenues from program receipts in a segregated fund.

SECTION 358. 16.971 (4) of the statutes is renumbered 22.03 (4).

SECTION 358m. 16.971 (6) of the statutes is renumbered 22.03 (6).

SECTION 359. 16.971 (9) of the statutes is renumbered 22.03 (9) and amended to read:

22.03 **(9)** In conjunction with the public defender board, the director of state courts, the departments of corrections and justice and district attorneys, the ~~division~~ department of electronic government 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~~ 20.530 (1) (ja), (kp) and (kq). The ~~division~~ department of electronic government shall annually report to the legislature under s. 13.172 (2) concerning the ~~division's~~ department's efforts to improve and increase the efficiency of integration of justice information systems.

SECTION 360. 16.971 (11) of the statutes is renumbered 22.03 (11) and amended to read:

22.03 **(11)** The ~~division~~ department may charge executive branch agencies for information technology development and management services provided to them by the ~~division~~ department under this section.

SECTION 361. 16.973 (title) of the statutes is renumbered 22.05 (title) and amended to read:

22.05 (title) **Powers of the ~~division of information technology services~~ department.**

SECTION 362. 16.973 (1) (intro.) and (b) to (d) of the statutes are renumbered 22.05 (1) (intro.) and (b) to (d).

SECTION 363. 16.973 (1) (a) of the statutes is renumbered 22.05 (1) (ag).

SECTION 364. 16.973 (2) (intro.) and (a) to (d) of the statutes are renumbered 22.05 (2) (intro.) and (a) to (d) and amended to read:

22.05 **(2)** (intro.) The ~~division of information technology services~~ department may:

(a) Provide such telecommunications services to agencies as the ~~division~~ department considers to be appropriate.

(b) Provide such computer services and telecommunications services to local governmental units and the broadcasting corporation and provide such telecommunications services to qualified private schools, postsecondary institutions, museums and zoos, as the ~~division~~ department considers to be appropriate and as the ~~division~~ department can efficiently and economically provide. The ~~division~~ department may exercise this power only if in doing so it maintains the services it provides at least at the same levels that it provides prior to exercising this power and it does not increase the rates chargeable to users served prior to exercise of this power as a result of exercising this power. The ~~division~~ department may charge local governmental units, the broadcasting corporation, and qualified private schools, postsecondary institutions, museums and zoos, for services provided to them under this paragraph in accordance with a methodology determined by the ~~secretary~~ chief information officer. Use of telecommunications services by a qualified private school or postsecondary institution shall be subject to the same terms and conditions that apply to a municipality using the same services. The ~~division~~ department shall prescribe eligibility requirements for qualified museums and zoos to receive telecommunications services under this paragraph.

(c) Provide such supercomputer services to agencies, local governmental units and entities in the private sector as the ~~division~~ department considers to be appropriate and as the ~~division~~ department can efficiently and economically provide. The ~~division~~ department may exercise this power only if in doing so it maintains the services it provides at least at the same levels that it provides prior to exercising this power and it does not increase the rates chargeable to users served prior to exercise of this power as a result of exercising this power. The ~~division~~ department may charge agencies, local governmental units and entities in the private sector for services provided to them under this paragraph in accordance with a methodology determined by the ~~secretary~~ chief information officer.

(d) Undertake such studies, contract for the performance of such studies, and appoint such councils and committees for advisory purposes as the ~~division~~ department considers appropriate to ensure that the ~~division's~~

department's plans, capital investments and operating priorities meet the needs of ~~state government and of~~ agencies ~~and of~~ local governmental units and entities in the private sector served by the ~~division~~ department. The ~~division~~ department may compensate members of any council or committee for their services and may reimburse such members for their actual and necessary expenses incurred in the discharge of their duties.

SECTION 365. 16.973 (2) (e) of the statutes is renumbered 22.05 (2) (e).

SECTION 366. 16.974 (intro.) of the statutes is amended to read:

16.974 Duties of the ~~division of information technology services~~ department. (intro.) The ~~division of information technology services~~ department shall:

SECTION 367. 16.974 (1) of the statutes is renumbered 22.07 (1) and amended to read:

22.07 **(1)** Provide or contract with a public or private entity to provide computer services to agencies. The ~~division~~ department may charge agencies for services provided to them under this subsection in accordance with a methodology determined by the ~~secretary~~ chief information officer.

SECTION 368. 16.974 (3) of the statutes is renumbered 22.07 (3).

SECTION 369. 16.974 (4) to (6) of the statutes are renumbered 22.07 (4) to (6) and amended to read:

22.07 **(4)** Ensure responsiveness to the needs of agencies for delivery of high−quality information technology processing services on an efficient and economical basis, while not unduly affecting the privacy of individuals who are the subjects of the information being processed by the ~~division~~ department.

(5) Utilize all feasible technical means to ensure the security of all information submitted to the ~~division~~ department for processing by agencies, local governmental units and entities in the private sector.

(6) With the advice of the ethics board, adopt and enforce standards of ethical conduct applicable to its paid consultants which are similar to the standards prescribed in subch. III of ch. 19, except that the ~~division~~ department shall not require its paid consultants to file statements of economic interests.

SECTION 370. 16.974 (7) (a) of the statutes is renumbered 16.974 (1) and amended to read:

16.974 **(1)** Coordinate with the technology for educational achievement in Wisconsin board to provide secured correctional facilities, as defined in s. 44.70 (3r), school districts and cooperative educational service agencies with telecommunications access under s. 44.73 and contract with telecommunications providers to provide such access.

SECTION 371b. 16.974 (7) (b) to (d) of the statutes are renumbered 16.974 (2) to (4), and 16.974 (4), as renumbered, is amended to read:

16.974 **(4)** 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~~ Educational Services Program for the Deaf and Hard of Hearing with telecommunications access under s. 44.73 and contract with telecommunications providers to provide such access. **Vetoed In Part**

SECTION 372. 16.975 of the statutes is renumbered 22.11 and amended to read:

22.11 Access to information. The ~~division of information technology services~~ department shall withhold from access under s. 19.35 (1) all information submitted to the ~~division~~ department by agencies, authorities, units of the federal government, local governmental units or entities in the private sector for the purpose of processing. The ~~division~~ department may not process such information without the consent of the agency, authority, unit or other entity which submitted the information and may not withhold such information from the agency, authority, unit or other entity or from any other person authorized by the agency, authority, unit or entity to have access to the information. The agency, authority, unit or other entity submitting the information remains the custodian of the information while it is in the custody of the ~~division~~ department and access to such information by that agency, authority, unit or entity or any other person shall be determined by that agency, authority, unit or other entity and in accordance with law.

SECTION 373. 16.979 of the statutes is renumbered 16.006.

SECTION 374. Subchapter IX (title) of chapter 16 [precedes 16.99] of the statutes is repealed.

SECTION 375. 16.99 (title) of the statutes is renumbered 22.41 (title).

SECTION 376. 16.99 (1) of the statutes is repealed.

SECTION 377. 16.99 (2) (intro.) and (a) of the statutes are renumbered 22.41 (2) (intro.) and (a) and amended to read:

22.41 **(2)** (intro.) POWERS AND DUTIES. (intro.) The department shall ensure maximum utility, cost−benefit and operational efficiency of all telecommunications systems and activities of this state, and those which interface with cities, counties, villages, towns, other states and the federal government. The department, with the assistance and cooperation of all other ~~departments~~ agencies, shall:

(a) Develop and maintain a statewide long−range telecommunications plan, which will serve as a major element for budget preparation, as guidance for technical implementation and as a means of ensuring the maximum use of shared systems by ~~departments~~ agencies when this would result in operational or economic improvements or both. **Vetoed In Part**

SECTION 378. 16.99 (2) (b) to (e) of the statutes are renumbered 22.41 (2) (b) to (e).

SECTION 379. 16.99 (2) (f) of the statutes is renumbered 22.41 (2) (f) and amended to read:

22.41 **(2)** (f) Perform the functions of agency telecommunications officer for those ~~departments~~ agencies with no designated focal point for telecommunications planning, coordination, technical review and procurement.

SECTION 380. 16.99 (3) of the statutes is renumbered 22.41 (3).

SECTION 381. 17.15 (4) of the statutes is repealed.

SECTION 382. 17.27 (1r) of the statutes is repealed.

SECTION 382b. 18.561 (5) of the statutes is amended to read:

18.561 **(5)** REDEMPTION FUND. The proportion which shall be set aside for the payment of the principal and interest 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 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 enterprise obligations giving rise to it and premium, if any, due upon redemption of any such obligations, and for other obligations that are secured by the property or income, or both, of the enterprise or program. 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.

SECTION 382e. 18.562 (3) of the statutes is amended to read:

18.562 **(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, and for other obligations that are secured by any fees, penalties, or excise taxes deposited in the special fund. 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.

SECTION 382h. 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 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 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, or to make deposits to reserve funds, except that moneys which represent premium or accrued interest received on the issuance of evidences shall be credited to the appropriate redemption fund.

SECTION 382L. 18.57 (2) of the statutes is amended to read:

18.57 **(2)** Moneys in such funds may be expended, pursuant to appropriations, only for the purposes and in the amounts for which borrowed, for the payment of the principal of and interest on related revenue obligations, to make deposits to reserve funds, and for expenses incurred in issuing such obligations.

SECTION 382p. 18.57 (3) of the statutes is amended to read:

18.57 **(3)** Moneys in such 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) ~~(dg)~~ (b) or in environmental improvement fund investment instruments permitted in s. 281.59 (2m). All such investments shall be the exclusive property of such fund and all earnings on or income from investments shall be credited to such fund and shall become available for any of the purposes under sub. (2) and for the payment of interest on related revenue obligations.

SECTION 382r. 18.59 (2) of the statutes is amended to read:

18.59 **(2)** All original revenue−obligation bond anticipation notes~~, or any renewal, shall mature within 5 years from the date of issue of the original notes. The notes~~ shall be named revenue−bond anticipation notes and shall recite on their face that they are payable solely from the proceeds of revenue−obligation bonds to be issued under this subchapter. The aggregate amount of such notes outstanding including interest to accrue shall not exceed the aggregate principal amount of the bonds in anticipation of the sale of which they are issued. The rate of interest borne by the notes shall not exceed any maxi-

mum rate of interest authorized to be borne by the bonds. No lien shall be created or attached with respect to any property of the state as a consequence of the issuance of such notes except as provided in sub. (4).

SECTION 382u. 18.59 (3) of the statutes is repealed.

SECTION 382wd. 19.32 (1d) (b) of the statutes is repealed.

SECTION 382we. 19.32 (1d) (c) of the statutes is amended to read:

19.32 **(1d)** (c) A ~~secure mental health unit or~~ facility ~~established~~ or unit for the institutional care of sexually violent persons specified under s. 980.065 ~~(2)~~.

SECTION 382wf. 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 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 facility, specified under s. 980.065, for the institutional care of sexually violent persons.

SECTION 383. 19.36 (4) of the statutes is amended to read:

19.36 **(4)** COMPUTER PROGRAMS AND DATA. A computer program, as defined in s. ~~16.971~~ 22.03 (4) (c), is not subject to examination or copying under s. 19.35 (1), but the material used as input for a computer program or the material produced as a product of the computer program is subject to the right of examination and copying, except as otherwise provided in s. 19.35 or this section.

SECTION 385. 19.42 (10) (o) of the statutes is created to read:

19.42 **(10)** (o) The chief executive officer and members of the board of directors of the Fox River Navigational System Authority.

SECTION 386m. 19.42 (13) (d) of the statutes is repealed.

SECTION 388. 19.42 (13) (n) of the statutes is created to read:

19.42 **(13)** (n) The chief executive officer and members of the board of directors of the Fox River Navigational System Authority.

SECTION 389e. 19.62 (2) of the statutes is created to read:

19.62 **(2)** "Internet protocol address" means an identifier for a computer or device on a transmission control protocol−Internet protocol network.

SECTION 389m. 19.68 of the statutes is created to read:

Vetoed In Part

19.68 Collection of personally identifiable information from Internet users. No state authority that maintains an Internet site may use that site to obtain personally identifiable information from any person who visits that site without the consent of the person from whom the information is obtained. This section does not apply to acquisition of Internet protocol addresses.

SECTION 390d. 20.001 (3) (c) of the statutes is amended to read:

20.001 **(3)** (c) *Continuing appropriations.* Continuing appropriations, indicated by the abbreviation "C" in s. 20.005, are appropriations which are expendable until fully depleted or repealed by subsequent action of the legislature. The amount of a sum certain continuing appropriation for a given fiscal year consists of the unencumbered balance in the appropriation account at the end of the previous fiscal year, if any, together with any moneys appropriated under s. 20.005 for that fiscal year. The amount of a continuing appropriation ~~from program revenues or segregated revenues from program receipts~~ other than a sum certain appropriation consists of the unencumbered balance in the appropriation account at the end of the previous fiscal year, if any, together with any revenues received during the fiscal year that are directed by law to be credited to the appropriation account. Dollar amounts shown in the schedule under s. 20.005 for a continuing appropriation ~~from program revenues or segregated revenues from program receipts~~ other than a sum certain appropriation represent the most reliable estimates of the amounts which will be expended during any fiscal year. Except as provided in ss. 20.002 (11) and 20.903 (2), expenditures made in accordance with ch. 16 under a continuing appropriation ~~from program revenues or segregated revenues from program receipts~~ other than a sum certain appropriation are limited only by the available revenues from which the appropriation is made. Continuing appropriations are indicated in ss. 20.115 to 20.875 by the introductory phrase, "as a continuing appropriation~~",~~," "all moneys received from," or "all moneys transferred from~~".~~."

SECTION 391. 20.002 (11) (d) 7. of the statutes is amended to read:

20.002 **(11)** (d) 7. The fish and wildlife account within the conservation fund ~~under s. 25.29 (3)~~.

SECTION 392m. 20.003 (4) (d) of the statutes is amended to read:

20.003 **(4)** (d) For fiscal year 2002−03, ~~1.4%~~ the percentage that would cause the estimated general fund balance on June 30 of that fiscal year to equal $90,000,000 . **Vetoed In Part**

SECTION 392p. 20.003 (6) of the statutes is created to read: **Vetoed In Part**

20.003 **(6)** RESTRICTION ON GENERAL FUND SUPPORTED BORROWING. No bill may be enacted by the legislature if the bill would cause the level of general fund supported borrowing that is authorized in any fiscal biennium, excluding borrowing for the purpose of refunding previous borrowing, to exceed an amount equal to 3.5% of the amount designated as "Estimated Taxes" for the

first fiscal year of the fiscal biennium in the summary under s. 20.005 (1), as published in the biennial budget act or acts.

Vetoed In Part

SECTION 393. 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, 2001, and ending on June 30, 2003, is summarized as follows: [See Figure 20.005 (1) following]

Figure: 20.005 (1)

GENERAL FUND SUMMARY

	2001−02	2002−03
Opening Balance, July 1	$ 197,829,200	$ 248,478,300
Revenues		
Estimated Taxes	$10,661,210,000	$11,131,517,500
Departmental Revenues		
Tobacco Settlement	155,526,000	157,602,800
Tobacco Securitization	450,000,000	−0−
Other	229,090,300	205,937,300
Total Available	$11,693,655,500	$11,743,535,900
Appropriations, Transfers and Reserves		
Gross Appropriations	$11,560,746,200	$11,730,056,600
Compensation Reserves	27,900,000	82,500,000
Transfer to Tobacco Control Fund	6,032,300	15,345,100
Less Estimated Lapses	−149,501,300	−176,797,000
Total Appropriations	$11,445,177,200	$11,651,104,700
Balances		
Gross Balance	$ 248,478,300	$ 92,431,200
Less Required Statutory Balance	−139,063,800	−90,000,000
Net Balance, June 30	$ 109,414,500	$ 2,431,200

SUMMARY OF APPROPRIATIONS — ALL FUNDS

	2001−02	2002−03
General Purpose Revenue	$11,560,746,200	$11,730,056,600
Federal Revenue		
Program	4,766,889,000	4,843,682,800
Segregated	716,680,000	745,123,600
	$ 5,483,569,000	$ 5,588,806,400
Program Revenue		
State	2,290,819,300	2,352,453,200

	2001−02	2002−03
Service	726,034,800	729,051,400
	$ 3,016,854,100	$ 3,081,504,600
Segregated Revenue		
State	2,979,478,500	2,740,259,600
Local	72,865,300	72,206,200
Service	160,654,400	165,381,100
	$ 3,212,998,200	$ 2,977,846,900
GRAND TOTAL	$23,274,167,500	$23,378,214,500

SUMMARY OF COMPENSATION RESERVES — ALL FUNDS

	2001−02	2002−03
General Purpose Revenue	$ 27,900,000	$ 82,500,000
Federal Revenue	7,565,700	22,503,500
Program Revenue	20,465,700	60,593,100
Segregated Revenue	4,765,300	14,108,600
TOTAL	$ 60,696,700	$ 179,705,200

LOTTERY FUND SUMMARY

	2001−02	2002−03
Gross Revenue	$ 403,719,100	$ 402,943,000
Expenses		
Prizes	$ 230,258,200	$ 229,867,000
Administrative Expenses	63,363,300	63,685,000
	$ 293,621,500	$ 293,552,000
Net Proceeds	$ 110,097,600	$ 109,391,000
Total Available for Property Tax Relief		
Opening Balance	$ 9,324,400	$ 8,074,400
Net Proceeds	110,097,600	109,391,000
Interest Earnings	2,335,000	2,455,000
Gaming−Related Revenue	2,477,300	1,995,900
	$ 124,234,300	$ 121,916,300
Property Tax Relief	$ 116,159,900	$ 113,857,400

	2001−02	2002−03
Gross Closing Balance	$ 8,074,400	$ 8,058,900
Reserve	$ 8,074,400	$ 8,058,900
Net Closing Balance	$ −0−	$ −0−

SECTION 394. 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
2001−03 FISCAL BIENNIUM

Source and Purpose	Amount
GENERAL OBLIGATIONS	
Administration	
Black Point Estate	$ −1,600,000
Agriculture, Trade and Consumer Protection	
Soil and water	7,000,000
Building Commission	
Other public purposes	339,331,500
Housing state agencies	33,120,500
Project contingencies	8,819,100
Capital equipment acquisitions	10,469,000
Refunding bonds	75,000,000
Corrections	
Correctional facilities	90,015,600
Educational Communications Board	
Educational communications facilities	14,200,000
Environmental Improvement Program	
Clean water fund program	85,000,000
Health and Family Services	
Mental health facilities	2,617,200

Source and Purpose	Amount
HR Academy, Inc.	
Youth and Family Center	1,500,000
Medical College of Wisconsin	
Biomedical research and technology incubator	25,000,000
Military Affairs	
Armories and military facilities	2,004,600
Natural Resources	
Nonpoint source grants	19,000,000
Urban nonpoint source cost sharing	4,700,000
Municipal flood control	9,000,000
Environmental repair	5,000,000
Segregated revenue supported dam safety projects	250,000
Pollution abatement and sewage collection facilities	−8,956,400
SEG supported facilities	7,199,800
SEG Environmental segregated fund supported administrative facilities	3,719,500
Stewardship 2000	112,000,000
Racine County	
Discovery Place Museum	1,000,000
State Fair Park	
Board facilities	9,700,000
Self−amortizing facilities	40,000,000
State Historical Society	
Wisconsin History Center	131,500,000
Technology for Educational Achievement in Wisconsin Board	
Public library educational technology infrastructure financial assistance − wiring	−7,000,000
Transportation	
Rail acquisitions and improvements	4,500,000
Harbor improvements	3,000,000
Local roads for jobs preservation	−8,000,000
University of Wisconsin System	
Academic facilities	195,297,200
Self−amortizing facilities	218,068,400

Source and Purpose	Amount
Veterans Affairs	
Self−amortizing mortgage loans	100,340,000
Self−amortizing facilities	13,579,900
TOTAL General Obligations	$ 1,546,375,900
REVENUE OBLIGATIONS	
Commerce	
PECFA	$ 72,000,000
Environmental Improvement Program	
Clean water fund program	100,600,000
Transportation	
Major highway projects	305,982,000
TOTAL Revenue Obligations	$ 478,582,000
GRAND TOTAL Bonding Authority Modifications	$ 2,024,957,900

Figure: 20.005 (2) (b)

GENERAL OBLIGATION AND BUILDING CORPORATION DEBT SERVICE FISCAL YEARS 2001−02 AND 2002−03

STATUTE, AGENCY AND PURPOSE	SOURCE	2001−02	2002−03
20.115 Agriculture, trade and consumer protection, department of			
(2) (d) Principal repayment and interest	GPR	$ 18,800	$ 18,800
(7) (b) Principal repayment and interest, conservation enhancement reserve	GPR	209,600	2,305,700
(7) (f) Principal repayment and interest; soil and water	GPR	266,600	434,300
20.190 State fair park board			
(1) (c) Housing facilities principal repayment, interest and rebates	GPR	892,800	891,200
(1) (d) Principal repayment and interest	GPR	224,700	545,400
20.225 Educational communications board			
(1) (c) Principal repayment and interest	GPR	923,800	1,096,100
20.245 Historical society			
(1) (e) Principal repayment, interest and rebates	GPR	1,365,000	1,262,900
20.250 Medical College of Wisconsin			
(1) (c) Principal repayment, interest and rebates	GPR	−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	2001−02	2002−03
(1) (e) Principal repayment and interest	GPR	158,600	158,700
20.255 Public instruction, department of			
(1) (d) Principal repayment and interest	GPR	1,184,600	1,084,800
20.275 Technology for educational achievement in Wisconsin board			
(1) (er) Principal, interest and rebates; general purpose revenue − public library boards	GPR	33,400	249,600
(1) (es) Principal, interest and rebates; general purpose revenue − school boards	GPR	2,747,000	4,038,000
20.285 University of Wisconsin System			
(1) (d) Principal repayment and interest	GPR	94,580,700	90,940,900
(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	25,036,200	32,739,900
(2) (c) Principal repayment and interest − safe drinking water loan program	GPR	1,265,400	1,957,500
20.370 Natural resources, department of			
(7) (aa) Resource acquisition and development − principal repayment and interest	GPR	19,967,400	27,468,500
(7) (ac) Principal repayment and interest − recreational boating bonds	GPR	−0−	−0−
(7) (ba) Debt service − remedial action	GPR	−0−	−0−
(7) (ca) Principal repayment and interest − nonpoint source grants	GPR	3,223,300	3,637,300
(7) (cb) Principal repayment and interest − pollution abatement bonds	GPR	64,613,000	59,618,400
(7) (cc) Principal repayment and interest − combined sewer overflow; pollution abatement	GPR	17,313,600	17,157,100
(7) (cd) Principal repayment and interest − municipal clean drinking water grants	GPR	845,900	830,800
(7) (ce) Principal repayment and interest − nonpoint source	GPR	146,200	146,900
(7) (cf) Principal repayment and interest − urban nonpoint source cost−sharing	GPR	323,600	544,400
(7) (da) Principal repayment and interest − municipal flood control and riparian restoration cost−sharing	GPR	−0−	−0−
(7) (ea) Administrative facilities − principal repayment and interest	GPR	533,100	630,100
20.395 Transportation, department of			
(6) (af) Principal repayment and interest, local roads for job preservation, state funds	GPR	59,700	173,900
20.410 Corrections, department of			
(1) (e) Principal repayment and interest	GPR	66,375,600	72,628,400

STATUTE, AGENCY AND PURPOSE	SOURCE	2001−02	2002−03
(1) (ec) Prison industries principal, interest and rebates	GPR	−0−	−0−
(3) (e) Principal repayment and interest	GPR	4,270,200	4,269,600
20.435 Health and family services, department of			
(2) (ee) Principal repayment and interest	GPR	12,094,600	12,146,100
(6) (e) Principal repayment and interest	GPR	74,700	68,400
20.465 Military affairs, department of			
(1) (d) Principal repayment and interest	GPR	3,111,100	2,882,100
20.485 Veterans affairs, department of			
(1) (f) Principal repayment and interest	GPR	1,403,300	1,327,900
20.855 Miscellaneous appropriations			
(8) (a) Dental clinic and education facility; principal repayment, interest and rebates	GPR	112,000	764,200
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	3,797,200	3,754,100
(3) (a) Principal repayment and interest	GPR	27,757,700	42,055,300
(3) (b) Principal repayment and interest	GPR	121,900	413,900
(3) (bm) Principal repayment, interest and rebates; HR academy, inc.	GPR	−0−	−0−
(3) (bp) Principal repayment, interest and rebates	GPR	6,000	40,800
(3) (bq) Principal repayment, interest and rebates; discovery place museum	GPR	−0−	−0−
(3) (br) Principal repayment, interest and rebates	GPR	51,900	86,200
(3) (e) Principal repayment, interest and rebates; parking ramp	GPR	−0−	−0−
TOTAL General Purpose Revenue Debt Service		$355,109,200	$388,368,200
20.190 State Fair Park Board			
(1) (j) State fair principal repayment; interest and rebates	PR	$ 2,413,300	$ 2,970,500
20.225 Educational communications board			
(1) (i) Program revenue facilities; principal repayment, interest and rebates	PR	−0−	−0−
20.245 Historical society			
(1) (j) Self−amortizing facilities; principal repayment, interest and rebates	PR	3,400	73,600
20.275 Technology for educational achievement in Wisconsin board			
(1) (h) Principal, interest and rebates; program revenue − schools	PR	2,418,300	2,421,800
(1) (hb) Principal, interest and rebates; program revenue − public library boards	PR	23,800	23,800

STATUTE, AGENCY AND PURPOSE	SOURCE	2001−02	2002−03
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−S	30,408,200	32,339,100
(1) (ke) Lease rental payments	PR−S	−0−	−0−
(1) (km) Aquaculture demonstration facility; principal repayment and interest	PR−S	−0−	−0−
20.370 Natural Resources, department of			
(7) (ag) Land acquisition; principal repayment and interest	PR	−0−	−0−
20.410 Corrections, department of			
(1) (ko) Prison industries principal repayment, interest and rebates	PR−S	309,600	567,900
20.485 Veterans Affairs, department of			
(1) (go) Self−amortizing housing facilities; principal repayment and interest	PR	390,800	934,300
20.505 Administration, department of			
(5) (g) Principal repayment, interest and rebates; parking	PR	1,253,400	1,252,400
(5) (kc) Principal repayment, interest and rebates	PR	13,583,500	12,945,000
20.867 Building commission			
(3) (g) Principal repayment, interest and rebates; program revenues	PR	−0−	−0−
(3) (h) Principal repayment, interest and rebates	PR	−0−	−0−
(3) (i) Principal repayment, interest and rebates; capital equipment	PR	−0−	−0−
TOTAL Program Revenue Debt Service		$ 50,804,300	$ 53,528,400
20.320 Environmental improvement program			
(1) (t) Principal repayment and interest − clean water fund program bonds	SEG	$ 10,200,000	$ 6,000,000
(1) (u) Principal repayment and interest − clean water fund program revenue obligation repayment	SEG	−0−	−0−
20.370 Natural resources, department of			
(7) (aq) Resource acquisition and development − principal repayment and interest	SEG	236,800	232,600
(7) (ar) Dam repair and removal − principal repayment and interest	SEG	335,400	387,700
(7) (at) Recreation development − principal repayment and interest	SEG	−0−	−0−
(7) (au) State forest acquisition and development − principal repayment and interest	SEG	8,000,000	−0−
(7) (bq) Principal repayment and interest − remedial action	SEG	2,400,000	2,700,000
(7) (eq) Administrative facilities − principal repayment and interest	SEG	1,586,800	1,312,400

STATUTE, AGENCY AND PURPOSE	SOURCE	2001−02	2002−03	
(7) (er) Administrative facilities − principal repayment and interest; environmental fund	SEG	69,800	157,500	
20.375 Forestry, department of				**Vetoed In Part**
(3) (tn) Administrative facilities − principal repayment and interest	SEG	−0−	522,300	
(3) (u) State forest acquisition and development − principal repayment and interest	SEG	−0−	4,000,000	
20.395 Transportation, department of				
(6) (aq) Principal repayment and interest, transportation facilities, state funds	SEG	5,024,600	4,929,800	
(6) (ar) Principal repayment and interest, buildings, state funds	SEG	282,800	255,100	
20.485 Veterans affairs, department of				
(3) (t) Debt service	SEG	78,144,900	84,078,700	
(4) (qm) Repayment of principal and interest	SEG	84,100	83,600	
20.867 Building commission				
(3) (q) Principal repayment and interest; segregated revenues	SEG	−0−	−0−	
TOTAL Segregated Revenue Debt Service		$106,365,200	$104,659,700	
GRAND TOTAL All Debt Service		$512,278,700	$546,556,300	

SECTION 395. 20.005 (3) of the statutes is repealed and recreated to read:

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

Figure: 20.005 (3)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
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	2,484,200	2,484,200
Meat and poultry inspection	GPR	A	2,959,200	2,959,200
Trade and consumer protection	GPR	A	2,967,400	2,967,400
NET APPROPRIATION			8,410,800	8,410,800
(c) Automobile repair regulation	GPR	A	308,000	308,000
(d) Payments to ethanol producers	GPR	A	−0−	1,100,000
(g) Related services	PR	A	25,500	25,500
(gb) Food regulation	PR	A	3,939,900	3,939,900
(gf) Fruit and vegetable inspection	PR	C	1,381,600	1,381,600
(gh) Public warehouse regulation	PR	A	89,700	89,700

Statute, Agency and Purpose		Source	Type	2001−02	2002−03	
(gm)	Dairy trade regulation	PR	A	381,300	130,500	
(h)	Grain inspection and certification	PR	C	2,884,500	2,894,900	
(hm)	Ozone−depleting refrigerants and products regulation	PR	A	369,000	369,000	
(i)	Sale of supplies	PR	A	32,000	32,000	
(j)	Weights and measures inspection	PR	A	731,000	731,000	
(jb)	Consumer protection, information, and education	PR	A	175,000	175,000	
(k)	Payments to ethanol producers	PR−S	A	−0−	1,900,000	
(m)	Federal funds	PR−F	C	3,439,000	3,439,000	
(q)	Dairy, grain, and vegetable security	SEG	A	588,100	828,500	
(r)	Unfair sales act	SEG	A	160,300	160,300	
(s)	Weights and measures; petroleum inspection fund	SEG	A	481,600	481,600	
(u)	Recyclable and nonrecyclable products regulation	SEG	A	−0−	−0−	
(v)	Agricultural producer security; bonds	SEG	S	350,000	350,000	
(w)	Agricultural producer security; payments	SEG	S	2,000,000	2,000,000	
(wb)	Agricultural producer security; bond proceeds	SEG	C	−0−	−0−	
	(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			8,718,800	9,818,800	
	PROGRAM REVENUE			13,448,500	15,108,100	
	FEDERAL			(3,439,000)	(3,439,000)	
	OTHER			(10,009,500)	(9,769,100)	
	SERVICE			(−0−)	(1,900,000)	
	SEGREGATED FUNDS			3,580,000	3,820,400	
	OTHER			(3,580,000)	(3,820,400)	
	TOTAL−ALL SOURCES			25,747,300	28,747,300	
(2)	Animal health services					
(a)	General program operations	GPR	A	27,600	42,100	
	Animal health services	GPR	A	1,932,800	1,932,800	
	NET APPROPRIATION			1,960,400	1,974,900	
(b)	Animal disease indemnities	GPR	S	108,600	108,600	
(c)	Financial assistance for paratuberculosis testing	GPR	A	500,000 250,000	500,000 250,000	**Vetoed In Part**
(d)	Principal repayment and interest	GPR	S	18,800	18,800	
(g)	Related services	PR	C	45,000	45,000	
(h)	Sale of supplies	PR	A	30,300	30,300	
(ha)	Inspection, testing and enforcement	PR	C	245,800	245,800	
(j)	Dog licenses, rabies control and related services	PR	A	258,900 123,400	394,500 123,400	**Vetoed In Part**
(m)	Federal funds	PR−F	C	164,700	164,700	
	(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			2,587,800	2,602,300	
	PROGRAM REVENUE			744,700	880,300	
	FEDERAL			(164,700)	(164,700)	
	OTHER			(580,000)	(715,600)	
	TOTAL−ALL SOURCES			3,332,500	3,482,600	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(3)	MARKETING SERVICES				
(a)	General program operations	GPR	A	−0−	−0−
	Agricultural services	GPR	A	2,404,500	2,404,500
	NET APPROPRIATION			2,404,500	2,404,500
(g)	Related services	PR	A	−0−	−0−
(i)	Marketing orders and agreements	PR	C	76,600	76,600
(j)	Stray voltage program	PR	A	307,500	307,500
(ja)	Marketing services and materials	PR	C	302,000	302,000
(jm)	Stray voltage program; rural electric cooperatives	PR	A	20,700	20,700
(L)	Something special from Wisconsin promotion	PR	A	30,500	30,500
(m)	Federal funds	PR−F	C	460,700	460,700
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			2,404,500	2,404,500
	PROGRAM REVENUE			1,198,000	1,198,000
	FEDERAL			(460,700)	(460,700)
	OTHER			(737,300)	(737,300)
	TOTAL−ALL SOURCES			3,602,500	3,602,500
(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
(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
(q)	Grants for agriculture in the classroom program	SEG	A	100,000	100,000
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,295,000	1,295,000
	SEGREGATED FUNDS			100,000	100,000
	OTHER			(100,000)	(100,000)
	TOTAL−ALL SOURCES			1,395,000	1,395,000
(7)	AGRICULTURAL RESOURCE MANAGEMENT				
(a)	General program operations	GPR	A	1,721,500	1,725,200
(b)	Principal repayment and interest, conservation enhancement reserve	GPR	S	209,600	2,305,700
(c)	Soil and water resource management program	GPR	C	5,875,700	5,875,700
(d)	Drainage board grants	GPR	A	500,000	500,000
(e)	Agricultural chemical cleanup program; general fund	GPR	B	−0−	−0−
(f)	Principal repayment and interest, soil and water	GPR	S	266,600	434,300
(g)	Agricultural impact statements	PR	C	179,900	179,900
(ga)	Related services	PR	C	103,600	103,600
(gm)	Seed testing and labeling	PR	C	65,800	65,800
(h)	Fertilizer research assessments	PR	C	160,500	160,500
(ha)	Liming material research funds	PR	C	25,000	25,000

Statute, Agency and Purpose		Source	Type	2001−02	2002−03	
(i)	Drainage district internet site	PR	A	200,000	10,000	**Vetoed In Part**
(ja)	Plant protection	PR	C	168,200	181,600	
(k)	Agricultural resource management services	PR−S	C	468,200	468,200	
(m)	Federal funds	PR−F	C	2,213,900	2,213,900	
(qc)	Plant protection; conservation fund	SEG	A	1,330,000	1,351,000	
(qd)	Soil and water management; environmental fund	SEG	A	4,876,100	4,876,100	
(r)	General program operations; agrichemical management	SEG	A	5,280,100	5,286,800	
(rm)	Pest management for schools	SEG	A	136,400	88,000	**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	3,738,600	3,738,600	
	(7) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			8,573,400	10,840,900	
	PROGRAM REVENUE			3,585,100	3,408,500	
	FEDERAL			(2,213,900)	(2,213,900)	
	OTHER			(903,000)	(726,400)	
	SERVICE			(468,200)	(468,200)	
	SEGREGATED FUNDS			15,921,600	15,900,900	
	OTHER			(15,921,600)	(15,900,900)	
	TOTAL−ALL SOURCES			28,080,100	30,150,300	
(8)	CENTRAL ADMINISTRATIVE SERVICES					
(a)	General program operations	GPR	A	4,844,100	4,844,100	
(g)	Gifts and grants	PR	C	25,000	25,000	
(gm)	Enforcement cost recovery	PR	A	25,000	25,000	
(h)	Sale of material and supplies	PR	C	52,000	52,000	
(ha)	General laboratory related services	PR	C	422,700	422,700	
(hm)	Restitution	PR	C	−0−	−0−	
(i)	Related services	PR	A	100,000	100,000	
(j)	Electronic processing	PR	C	−0−	−0−	
(jm)	Telephone solicitation regulation	PR	C	230,900	230,900	
(k)	Computer system equipment, staff and services	PR	A	2,411,100	2,039,100	
(kL)	Central services	PR−S	C	714,500	714,500	
(km)	General laboratory services	PR−S	B	2,543,800	2,532,800	
(ks)	State services	PR−S	C	40,100	40,100	
(m)	Federal funds	PR−F	C	40,000	40,000	
(pz)	Indirect cost reimbursements	PR−F	C	613,400	613,400	
	(8) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			4,844,100	4,844,100	
	PROGRAM REVENUE			7,218,500	6,835,500	
	FEDERAL			(653,400)	(653,400)	
	OTHER			(3,266,700)	(2,894,700)	
	SERVICE			(3,298,400)	(3,287,400)	
	TOTAL−ALL SOURCES			12,062,600	11,679,600	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
	20.115 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			28,423,600	31,805,600
	PROGRAM REVENUE			26,194,800	27,430,400
	FEDERAL			(6,931,700)	(6,931,700)
	OTHER			(15,496,500)	(14,843,100)
	SERVICE			(3,766,600)	(5,655,600)
	SEGREGATED FUNDS			19,601,600	19,821,300
	OTHER			(19,601,600)	(19,821,300)
	TOTAL−ALL SOURCES			74,220,000	79,057,300
20.143	**Commerce, department of**				
(1)	ECONOMIC AND COMMUNITY DEVELOPMENT				
(a)	General program operations	GPR	A	5,253,600	5,251,100
(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	5,953,800	5,953,800
(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−
(d)	High−technology business development corporation	GPR	A	250,000	250,000
(dr)	Main street program	GPR	A	470,100	470,100
(e)	Technology−based economic development	GPR	A	210,300	210,300
(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)	New economy for Wisconsin program	GPR	A	762,100	762,100
(fm)	Minority business projects; grants and loans	GPR	B	279,200	279,200
(fy)	Women's business incubator grant	GPR	B	−0−	−0−
(g)	Gifts, grants and proceeds	PR	C	626,500	626,500
(gc)	Business development assistance center	PR	C	−0−	−0−
(gm)	Wisconsin development fund, administration of grants and loans	PR	C	65,100	66,200
(h)	Economic development operations	PR	A	−0−	−0−
(hm)	Certified capital companies	PR	C	−0−	−0−
(ie)	Wisconsin development fund, repayments	PR	C	4,050,000	4,050,000
(if)	Mining economic development grants and loans; repayments	PR	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(ig)	Gaming economic development and diversification; repayments	PR	B	−0−	−0−
(im)	Minority business projects; repayments	PR	C	477,200	317,200
(in)	Business development initiative loan repayments	PR	C	60,000	60,000
(ir)	Rural economic development loan repayments	PR	C	120,100	120,100
(jc)	Physician and dentist and health care prov loan assistance pgm; penalties	PR	C	−0−	−0−
(jL)	Health care provider loan assistance program; local contributions	PR	C	−0−	−0−
(jm)	Physician and dentist loan assistance program; local contributions	PR	C	−0−	−0−
(k)	Sale of materials or services	PR−S	C	78,200	86,300
(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	199,700	199,700
(kf)	American Indian economic development; technical assistance	PR−S	A	90,000	94,000
(kg)	American Indian economic liaison and gaming grants specialist and pgm mktg	PR−S	A	249,500	249,500
(kh)	American Indian economic development; liaison−grants	PR−S	A	25,000	25,000
(kj)	Gaming economic development and diversification; grants and loans	PR−S	B	2,238,700	3,238,700
(ko)	Manufacturing extension center grants	PR−S	A	500,000	500,000
(kr)	Physician and dental and health care prov loans	PR−S	B	438,700	488,700
(kt)	Funds transferred from other state agencies	PR−S	C	1,500,000	−0−
(L)	Recycling market development; repayments	PR	C	2,000,000	2,000,000
(m)	Federal aid, state operations	PR−F	C	1,443,100	1,443,100
(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	273,200	273,200
(qm)	Brownfields grant program; environmental fund	SEG	A	7,000,000	7,000,000
(r)	Mining economic development grants and loans	SEG	C	−0−	−0−
(st)	Recycling market development board; operations	SEG	A	65,800	65,800
(t)	Forestry education grant program	SEG	C	100,000	100,000
(tm)	Recycling market development board; contracts and assistance	SEG	B	−0−	−0−
(x)	Industrial building construction loan fund	SEG	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			14,605,600	14,603,100
	PROGRAM REVENUE			48,561,800	47,965,000
	FEDERAL			(35,843,100)	(35,843,100)
	OTHER			(7,398,900)	(7,240,000)
	SERVICE			(5,319,800)	(4,881,900)
	SEGREGATED FUNDS			7,439,000	7,439,000
	OTHER			(7,439,000)	(7,439,000)
	TOTAL−ALL SOURCES			70,606,400	70,007,100
(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−
(j)	Safety and buildings operations	PR	A	17,205,400	17,220,700
(ka)	Interagency agreements	PR−S	C	105,200	105,200
(ks)	Data processing	PR−S	C	−0−	−0−
(L)	Fire dues distribution	PR	C	8,475,000	8,600,000
(La)	Fire prevention and fire dues administration	PR	A	648,800	648,800
(Lm)	Petroleum storage remedial action fees	PR	A	116,100	116,100
(m)	Federal funds	PR−F	C	634,600	634,600
(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	6,942,700	6,942,700
(sa)	Administration of mobile homes	SEG	A	83,400	83,400
(t)	Petroleum inspection fund − revenue obligation repayment	SEG	S	−0−	−0−
(v)	Petroleum storage environmental remedial action; awards	SEG	B	75,000,000	68,000,000
(w)	Petroleum storage environmental remedial action; administration	SEG	A	3,149,500	3,126,200
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			3,500,000	3,500,000
	PROGRAM REVENUE			27,228,100	27,368,400
	FEDERAL			(634,600)	(634,600)
	OTHER			(26,488,300)	(26,628,600)
	SERVICE			(105,200)	(105,200)
	SEGREGATED FUNDS			85,175,600	78,152,300
	OTHER			(85,175,600)	(78,152,300)
	TOTAL−ALL SOURCES			115,903,700	109,020,700
(4)	EXECUTIVE AND ADMINISTRATIVE SERVICES				
(a)	General program operations	GPR	A	1,739,900	1,743,000

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(g)	Gifts, grants and proceeds	PR	C	12,000	12,000
(k)	Sale of materials or services	PR−S	C	42,200	42,200
(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−
(kd)	Administrative services	PR−S	A	4,007,800	4,007,800
(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	317,500	319,300
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,739,900	1,743,000
	PROGRAM REVENUE			4,379,500	4,381,300
	FEDERAL			(317,500)	(319,300)
	OTHER			(12,000)	(12,000)
	SERVICE			(4,050,000)	(4,050,000)
	TOTAL−ALL SOURCES			6,119,400	6,124,300
	20.143 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			19,845,500	19,846,100
	PROGRAM REVENUE			80,169,400	79,714,700
	FEDERAL			(36,795,200)	(36,797,000)
	OTHER			(33,899,200)	(33,880,600)
	SERVICE			(9,475,000)	(9,037,100)
	SEGREGATED FUNDS			92,614,600	85,591,300
	OTHER			(92,614,600)	(85,591,300)
	TOTAL−ALL SOURCES			192,629,500	185,152,100
20.144	**Financial institutions, department of**				
(1)	SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REG. AND OTHER FUNCTIONS				
(a)	Losses on public deposits	GPR	S	−0−	−0−
(g)	General program operations	PR	A	13,058,500	13,058,500
(h)	Gifts, grants, settlements and publications	PR	C	65,000	65,000
(i)	Investor education fund	PR	A	100,000	100,000
(u)	State deposit fund	SEG	S	−0−	−0−
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			−0−	−0−
	PROGRAM REVENUE			13,223,500	13,223,500
	OTHER			(13,223,500)	(13,223,500)
	SEGREGATED FUNDS			−0−	−0−
	OTHER			(−0−)	(−0−)
	TOTAL−ALL SOURCES			13,223,500	13,223,500
(2)	OFFICE OF CREDIT UNIONS				
(g)	General program operations	PR	A	1,897,300	1,920,100
(m)	Credit union examinations, federal funds	PR−F	C	−0−	−0−
	(2) PROGRAM TOTALS				
	PROGRAM REVENUE			1,897,300	1,920,100

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
FEDERAL			(−0−)	(−0−)
OTHER			(1,897,300)	(1,920,100)
TOTAL−ALL SOURCES			1,897,300	1,920,100
20.144 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
PROGRAM REVENUE			15,120,800	15,143,600
FEDERAL			(−0−)	(−0−)
OTHER			(15,120,800)	(15,143,600)
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			15,120,800	15,143,600
20.145 Insurance, office of the commissioner of				
(1) SUPERVISION OF THE INSURANCE INDUSTRY				
(g) General program operations	PR	A	11,997,800	12,268,300
(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	3,842,700	4,042,400
(m) Federal funds	PR−F	C	−0−	−0−
(1) PROGRAM TOTALS				
PROGRAM REVENUE			15,840,500	16,310,700
FEDERAL			(−0−)	(−0−)
OTHER			(11,997,800)	(12,268,300)
SERVICE			(3,842,700)	(4,042,400)
TOTAL−ALL SOURCES			15,840,500	16,310,700
(2) PATIENTS COMPENSATION FUND				
(q) Interest earned on future medical expenses	SEG	S	−0−	−0−
(u) Administration	SEG	A	830,600	836,100
(um) Peer review council	SEG	A	116,800	120,000
(v) Specified responsibilities, inv. board payments and future medical expenses	SEG	C	54,697,400	54,697,400
(2) PROGRAM TOTALS				
SEGREGATED FUNDS			55,644,800	55,653,500
OTHER			(55,644,800)	(55,653,500)
TOTAL−ALL SOURCES			55,644,800	55,653,500
(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND				
(u) Administration	SEG	A	726,100	751,500
(v) Specified payments, fire dues and reinsurance	SEG	C	15,734,600	17,821,000
(3) PROGRAM TOTALS				
SEGREGATED FUNDS			16,460,700	18,572,500
OTHER			(16,460,700)	(18,572,500)
TOTAL−ALL SOURCES			16,460,700	18,572,500
(4) STATE LIFE INSURANCE FUND				
(u) Administration	SEG	A	636,100	594,900
(v) Specified payments and losses	SEG	C	2,980,000	2,980,000
(4) PROGRAM TOTALS				
SEGREGATED FUNDS			3,616,100	3,574,900

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03	
OTHER			(3,616,100)	(3,574,900)	
TOTAL−ALL SOURCES			3,616,100	3,574,900	
20.145 DEPARTMENT TOTALS					
PROGRAM REVENUE			15,840,500	16,310,700	
FEDERAL			(−0−)	(−0−)	
OTHER			(11,997,800)	(12,268,300)	
SERVICE			(3,842,700)	(4,042,400)	
SEGREGATED FUNDS			75,721,600	77,800,900	
OTHER			(75,721,600)	(77,800,900)	
TOTAL−ALL SOURCES			91,562,100	94,111,600	
20.155 Public service commission					
(1) REGULATION OF PUBLIC UTILITIES					
(g) Utility regulation	PR	A	13,168,400	13,169,700	
(h) Holding company and nonutility affiliate regulation	PR	C	609,200	609,200	
(j) Intervenor financing	PR	A	750,000	750,000	
(L) Stray voltage program	PR	A	202,600	202,600	
(Lb) Gifts for stray voltage program	PR	C	−0−	−0−	
(Lm) Consumer education and awareness	PR	C	−0−	−0−	
(m) Federal funds	PR−F	C	137,400	137,400	
(n) Indirect costs reimbursement	PR−F	C	25,000	25,000	
(q) Universal telecommunications service	SEG	A	6,900,000 6,880,000	6,900,000 6,880,000	**Vetoed In Part**
(r) Nuclear waste escrow fund	PR−S	C	−0−	−0−	
(1) PROGRAM TOTALS					
PROGRAM REVENUE			14,892,600	14,893,900	
FEDERAL			(162,400)	(162,400)	
OTHER			(14,730,200)	(14,731,500)	
SERVICE			(−0−)	(−0−)	
SEGREGATED FUNDS			6,900,000	6,900,000	
OTHER			(6,900,000)	(6,900,000)	
TOTAL−ALL SOURCES			21,792,600	21,793,900	
(2) OFFICE OF THE COMMISSIONER OF RAILROADS					
(g) Railroad regulation and general program operations	PR	A	547,200	557,700	
(m) Railroad regulation; federal funds	PR−F	C	−0−	−0−	
(2) PROGRAM TOTALS					
PROGRAM REVENUE			547,200	557,700	
FEDERAL			(−0−)	(−0−)	
OTHER			(547,200)	(557,700)	
TOTAL−ALL SOURCES			547,200	557,700	
20.155 DEPARTMENT TOTALS					
PROGRAM REVENUE			15,439,800	15,451,600	
FEDERAL			(162,400)	(162,400)	
OTHER			(15,277,400)	(15,289,200)	
SERVICE			(−0−)	(−0−)	
SEGREGATED FUNDS			6,900,000	6,900,000	
OTHER			(6,900,000)	(6,900,000)	
TOTAL−ALL SOURCES			22,339,800	22,351,600	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
20.165	**Regulation and licensing, department of**					
(1)	PROFESSIONAL REGULATION					
(g)	General program operations	PR	A	9,889,600	9,849,300	
(gm)	Applicant investigation reimbursement	PR	C	133,800	133,800	
(h)	Technical assistance; nonstate agencies and organizations	PR	C	−0−	−0−	
(i)	Examinations; general program operations	PR	C	1,518,900	1,518,900	
(k)	Technical assistance; state agencies	PR−S	C	−0−	−0−	
(m)	Federal funds	PR−F	C	−0−	−0−	
(q)	Cemetery and mausoleum trustee disbursements	SEG	S	−0−	−0−	**Vetoed In Part**
	20.165 DEPARTMENT TOTALS					
	PROGRAM REVENUE			11,542,300	11,502,000	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(11,542,300)	(11,502,000)	
	SERVICE			(−0−)	(−0−)	
	SEGREGATED FUNDS			−0−	−0−	
	OTHER			(−0−)	(−0−)	
	TOTAL−ALL SOURCES			11,542,300	11,502,000	
20.190	**State fair park board**					
(1)	STATE FAIR PARK					
(c)	Housing facilities principal repayment, interest and rebates	GPR	S	892,800	891,200	
(d)	Principal repayment and interest	GPR	S	224,700	545,400	
(h)	State fair operations	PR	C	13,577,700	13,603,200	
(i)	State fair capital expenses	PR	C	224,000	224,000	
(j)	State fair principal repayment, interest and rebates	PR	S	2,413,300	2,970,500	
(jm)	Gifts and grants	PR	C	−0−	−0−	
(m)	Federal funds	PR−F	C	−0−	−0−	
	20.190 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			1,117,500	1,436,600	
	PROGRAM REVENUE			16,215,000	16,797,700	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(16,215,000)	(16,797,700)	
	TOTAL−ALL SOURCES			17,332,500	18,234,300	
	Commerce FUNCTIONAL AREA TOTALS					
	GENERAL PURPOSE REVENUES			49,386,600	53,088,300	
	PROGRAM REVENUE			180,522,600	182,350,700	
	FEDERAL			(43,889,300)	(43,891,100)	
	OTHER			(119,549,000)	(119,724,500)	
	SERVICE			(17,084,300)	(18,735,100)	
	SEGREGATED FUNDS			194,837,800	190,113,500	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(194,837,800)	(190,113,500)	
	SERVICE			(−0−)	(−0−)	
	LOCAL			(−0−)	(−0−)	
	TOTAL−ALL SOURCES			424,747,000	425,552,500	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03

Education

20.215 Arts board

(1)	SUPPORT OF ARTS PROJECTS				
(a)	General program operations	GPR	A	353,100	353,100
(b)	State aid for the arts	GPR	A	1,240,500	1,240,500
(c)	Portraits of governors	GPR	A	−0−	−0−
(d)	Challenge grant program	GPR	A	819,800	819,800
(e)	High point fund	GPR	A	−0−	−0−
(f)	Wisconsin regranting program	GPR	A	150,000	150,000
(fm)	Portage county arts alliance	GPR	A	−0−	−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−
(j)	Support of arts programs	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	355,900	355,900
(o)	Federal grants; aids to individuals and organizations	PR−F	C	225,000	225,000
	20.215 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			2,563,400	2,563,400
	PROGRAM REVENUE			626,100	626,100
	FEDERAL			(580,900)	(580,900)
	OTHER			(20,000)	(20,000)
	SERVICE			(25,200)	(25,200)
	TOTAL−ALL SOURCES			3,189,500	3,189,500

20.220 Wisconsin artistic endowment foundation

(1)	WISCONSIN ARTISTIC ENDOWMENT FOUNDATION				
(a)	Education and marketing	GPR	C	−0−	−0−
(q)	General program operations	SEG	A	−0−	−0−
(r)	Support of the arts	SEG	C	−0−	−0−
	20.220 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			−0−	−0−
	SEGREGATED FUNDS			−0−	−0−
	OTHER			(−0−)	(−0−)
	TOTAL−ALL SOURCES			−0−	−0−

20.225 Educational communications board

(1)	INSTRUCTIONAL TECHNOLOGY				
(a)	General program operations	GPR	A	3,841,600	3,844,400
(b)	Energy costs	GPR	A	409,700	411,500
(c)	Principal repayment and interest	GPR	S	923,800	1,096,100
(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	1,611,400	1,614,000
(g)	Gifts, grants, contracts and leases	PR	C	8,344,800	8,406,000

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(h)	Instructional material	PR	A	311,600	311,600
(i)	Program revenue facilities; principal repayment, interest, and rebates	PR	S	−0−	−0−
(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	1,031,800	1,171,800
	20.225 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			7,141,500	7,321,000
	PROGRAM REVENUE			9,760,000	9,961,200
	FEDERAL			(1,031,800)	(1,171,800)
	OTHER			(8,656,400)	(8,717,600)
	SERVICE			(71,800)	(71,800)
	TOTAL−ALL SOURCES			16,901,500	17,282,200
20.235	**Higher educational aids board**				
(1)	STUDENT SUPPORT ACTIVITIES				
(b)	Tuition grants	GPR	B	21,564,600	22,103,700
(cg)	Nursing student loans	GPR	A	−0−	−0−
(cm)	Nursing student loan program	GPR	A	−0−	450,000
(cr)	Minority teacher loans	GPR	A	250,800	262,100
(cu)	Teacher education loan program	GPR	A	250,000	275,000
(cx)	Loan pgm for teachers & orient & mobility instructors of vis imp pupils	GPR	A	100,000	100,000
(d)	Dental education contract	GPR	A	1,342,100	1,517,100
(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	4,503,800	4,503,800
(fe)	Wisconsin higher education grants; University of Wisconsin system students	GPR	B	19,750,800	20,639,600
(ff)	Wisconsin higher education grants; technical college students	GPR	B	13,631,000	14,074,000
(fg)	Minority undergraduate retention grants program	GPR	B	724,300	756,900
(fj)	Handicapped student grants	GPR	B	123,800	123,800
(fy)	Academic excellence higher education scholarship program	GPR	S	2,917,000	2,917,000
(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	787,600
(km)	Wisconsin higher education grants; tribal college students	PR−S	B	400,000	404,000
(no)	Federal aid; aids to individuals and organizations	PR−F	C	875,800	875,800
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			65,158,200	67,723,000

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
	PROGRAM REVENUE			2,055,600	2,067,400
	FEDERAL			(875,800)	(875,800)
	OTHER			(−0−)	(−0−)
	SERVICE			(1,179,800)	(1,191,600)
	TOTAL−ALL SOURCES			67,213,800	69,790,400
(2)	ADMINISTRATION				
(aa)	General program operations	GPR	A	802,200	802,200
(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	76,200	76,200
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			802,200	802,200
	PROGRAM REVENUE			1,000	1,000
	FEDERAL			(−0−)	(−0−)
	OTHER			(1,000)	(1,000)
	SEGREGATED FUNDS			76,200	76,200
	OTHER			(76,200)	(76,200)
	TOTAL−ALL SOURCES			879,400	879,400
	20.235 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			65,960,400	68,525,200
	PROGRAM REVENUE			2,056,600	2,068,400
	FEDERAL			(875,800)	(875,800)
	OTHER			(1,000)	(1,000)
	SERVICE			(1,179,800)	(1,191,600)
	SEGREGATED FUNDS			76,200	76,200
	OTHER			(76,200)	(76,200)
	TOTAL−ALL SOURCES			68,093,200	70,669,800
20.245	**Historical society**				
(1)	HISTORY SERVICES				
(a)	General program operations	GPR	A	7,120,100	7,120,100
(ag)	General program operations; historic sites and museum services	GPR	A	3,001,600	3,001,600
(c)	Energy costs	GPR	A	402,700	389,900
(e)	Principal repayment, interest, and rebates	GPR	S	1,365,000	1,262,900
(g)	Admissions, sales and other receipts	PR	C	3,524,300	3,484,300
(h)	Gifts and grants	PR	C	351,100	316,700
(hm)	Power's Bluff county park	PR	A	15,000	−0−

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(hr)	Native tribal history	PR	A	25,000	−0−	
(j)	Self−amortizing facilities; principal repayment, interest and rebates	PR	S	3,400	73,600	
(km)	Northern great lakes center	PR−S	A	189,800	189,800	
(ks)	General program operations − service funds	PR−S	C	1,518,600	1,518,600	
(m)	General program operations; federal funds	PR−F	C	950,800	949,500	
(pz)	Indirect cost reimbursements	PR−F	C	95,000	95,000	
(q)	Endowment principal	SEG	C	490,500	490,500	
(y)	Northern great lakes center; interpretive programming	SEG	A	35,200	35,200	
	20.245 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			11,889,400	11,774,500	
	PROGRAM REVENUE			6,673,000	6,627,500	
	FEDERAL			(1,045,800)	(1,044,500)	
	OTHER			(3,918,800)	(3,874,600)	
	SERVICE			(1,708,400)	(1,708,400)	
	SEGREGATED FUNDS			525,700	525,700	
	OTHER			(525,700)	(525,700)	
	TOTAL−ALL SOURCES			19,088,100	18,927,700	
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	
(c)	Principal repay, int & rebates; biomedical research & technology incubator	GPR	S	−0−	−0−	
(e)	Principal repayment and interest	GPR	S	158,600	158,700	
(k)	Tobacco−related illnesses	PR−S	C	500,000	500,000	
	20.250 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			7,635,600	7,635,700	
	PROGRAM REVENUE			500,000	500,000	
	SERVICE			(500,000)	(500,000)	
	TOTAL−ALL SOURCES			8,135,600	8,135,700	
20.255	**Public instruction, department of**					
(1)	EDUCATIONAL LEADERSHIP					
(a)	General program operations	GPR	A	12,502,400 11,779,400	12,747,400 11,974,400	**Vetoed In Part**
(b)	General program operations; program for the deaf and center for the blind	GPR	A	10,434,900	10,434,900	**Vetoed In Part**
(c)	Energy costs; program for the deaf and center for the blind	GPR	A	444,100	373,100	**Vetoed In Part**
(d)	Principal repayment and interest	GPR	S	1,184,600	1,084,800	
(dw)	Pupil assessment	GPR	A	5,240,000	6,167,700	
(g)	Student activity therapy	PR	A	6,500	6,500	
(gb)	Program for the deaf and center for the blind; nonresident fees	PR	C	50,000	50,000	**Vetoed In Part**
(gh)	Program for the deaf and center for the blind; hospitalization	PR	C	−0−	−0−	**Vetoed In Part**

Statute, Agency and Purpose		Source	Type	2001−02	2002−03	
(gL)	Program for the deaf and center for the blind; leasing of space	PR	C	40,000	40,000	**Vetoed In Part**
(gs)	Program for the deaf and center for the blind; services	PR	C	27,000	27,000	**Vetoed In Part**
(gt)	Program for the deaf and center for the blind; pupil transportation	PR	A	850,000	850,000	**Vetoed In Part**
(hf)	Administrative leadership academy	PR	A	−0−	−0−	
(hg)	Personnel certific., teacher supply, info. and analysis and teacher improv.	PR	A	3,000,000	3,130,000	
(hm)	Services for drivers	PR	A	236,900	236,900	
(i)	Publications	PR	A	573,900	573,900	
(im)	Library products and services	PR	C	660,700	660,700	
(jg)	School lunch handling charges	PR	A	15,007,500	15,011,100	
(jm)	Professional services center charges	PR	A	180,000	180,000	
(jr)	Gifts, grants and trust funds	PR	C	510,000	510,000	
(js)	State−owned housing maintenance	PR	A	7,500	7,500	
(jz)	School district boundary appeal proceedings	PR	C	10,500	10,500	
(kd)	Alcohol and other drug abuse program	PR−S	A	781,600	781,600	
(ke)	Funds transferred from other state agencies; program operations	PR−S	C	3,529,000	1,662,400	
(km)	State agency library processing center	PR−S	A	80,000	80,000	
(ks)	Data processing	PR−S	C	2,386,700	2,386,700	
(me)	Federal aids; program operations	PR−F	C	20,419,800	19,779,400	
(pz)	Indirect cost reimbursements	PR−F	C	1,446,000	1,446,000	
	(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			29,806,000	30,807,900	
	PROGRAM REVENUE			49,803,600	47,430,200	
	FEDERAL			(21,865,800)	(21,225,400)	
	OTHER			(21,160,500)	(21,294,100)	
	SERVICE			(6,777,300)	(4,910,700)	
	TOTAL−ALL SOURCES			79,609,600	78,238,100	
(2)	AIDS FOR LOCAL EDUCATIONAL PROGRAMMING					
(ac)	General equalization aids	GPR	S	4,066,569,600 4,051,569,600	4,122,645,900 4,106,645,900	**Vetoed In Part**
(ad)	Supplemental aid	GPR	A	125,000	125,000	
(am)	Interest on delayed school aid payment	GPR	S	−0−	700,000	**Vetoed In Part**
(b)	Aids for special education and school age parents programs	GPR	A	315,681,400	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	4,116,000	4,214,800	
(cc)	Bilingual−bicultural education aids	GPR	A	8,291,400	8,291,400	
(cf)	Alternative education grants	GPR	A	5,000,000	5,000,000	
(cg)	Tuition payments; full−time open enrollment transfer payments	GPR	A	8,803,700	9,741,000	
(cm)	Grants for school breakfast programs	GPR	C	1,055,400	1,055,400	
(cn)	Aids for school lunches and nutritional improvement	GPR	A	4,371,100	4,371,100	
(cp)	Wisconsin school day milk program	GPR	A	710,600	710,600	

Statute, Agency and Purpose		Source	Type	2001−02	2002−03	
(cr)	Aid for pupil transportation	GPR	A	17,742,500	17,742,500	
(cs)	Aid for debt service	GPR	A	300,000	300,000	
(cu)	Achievement guarantee contracts	GPR	A	71,190,600	90,290,600	
(cv)	Achievement guarantee contracts; supplement	GPR	A	4,739,000	4,739,000	
(cw)	Aid for transportation; youth options program	GPR	A	20,000	20,000	
(cy)	Aid for transportation; open enrollment	GPR	A	500,000	500,000	
(dm)	Grants for alcohol & other drug abuse prevention & intervention programs	GPR	A	4,520,000	4,520,000	
(do)	Grants for preschool to grade 5 programs	GPR	A	7,353,700	7,353,700	
(eh)	Head start supplement	GPR	A	3,712,500	3,712,500	
(em)	Driver education; local assistance	GPR	A	4,345,600	4,304,700	
(fg)	Aid for cooperative educational service agencies	GPR	A	300,000	300,000	
(fk)	Grant program for peer review and mentoring	GPR	A	500,000	500,000	
(fm)	Charter schools	GPR	S	13,428,600	18,307,300	
(fu)	Milwaukee parental choice program	GPR	S	58,679,700	67,131,700	
(k)	Funds transferred from other state agencies; local aids	PR−S	C	8,352,600	8,352,600	
(kd)	Aid for alcohol and other drug abuse programs	PR−S	A	1,498,600	1,498,600	
(kh)	Head start supplement	PR−S	C	3,712,500	3,712,500	
(kj)	Grant to Beloit college	PR	A	50,000	50,000	
(kL)	Special counselor grants	PR	A	50,000	−0−	
(km)	Alternative school American Indian language and culture education aid	PR−S	A	220,000	220,000	
(kn)	Fed. funds transf. from dept. of workforce devel.; after−school care grants	PR	C	−0−	150,000	**Vetoed In Part**
(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	358,167,700	357,367,700	
(s)	School library aids	SEG	C	27,000,000	28,500,000	
	(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			4,605,556,400	4,695,758,600	
	PROGRAM REVENUE			373,461,400	372,761,400	
	FEDERAL			(358,167,700)	(357,367,700)	
	OTHER			(100,000)	(200,000)	
	SERVICE			(15,193,700)	(15,193,700)	
	SEGREGATED FUNDS			27,000,000	28,500,000	
	OTHER			(27,000,000)	(28,500,000)	
	TOTAL−ALL SOURCES			5,006,017,800	5,097,020,000	
(3)	Aids to libraries, individuals and organizations					
(c)	National teacher certification	GPR	S	119,000	220,000	
(d)	Elks and Easter Seals center for respite and recreation	GPR	A	50,000	50,000	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(e)	Aid to public library systems	GPR	A	14,749,800	14,999,800 14,749,800	**Vetoed In Part**
(ea)	Library service contracts	GPR	A	1,144,600 1,047,300	1,172,600 1,047,300	**Vetoed In Part**
(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	1,975,000 1,525,000	1,975,000 1,677,500	**Vetoed In Part**
(mm)	Federal funds; local assistance	PR−F	C	1,210,200	1,210,200	
(ms)	Federal funds; individuals and organizations	PR−F	C	38,394,500	38,394,500	
(q)	Periodical and reference information databases	SEG	A	1,773,500	1,850,200	
	(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			18,238,400	18,617,400	
	PROGRAM REVENUE			39,604,700	39,604,700	
	FEDERAL			(39,604,700)	(39,604,700)	
	SEGREGATED FUNDS			1,773,500	1,850,200	
	OTHER			(1,773,500)	(1,850,200)	
	TOTAL−ALL SOURCES			59,616,600	60,072,300	
	20.255 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			4,653,600,800	4,745,183,900	
	PROGRAM REVENUE			462,869,700	459,796,300	
	FEDERAL			(419,638,200)	(418,197,800)	
	OTHER			(21,260,500)	(21,494,100)	
	SERVICE			(21,971,000)	(20,104,400)	
	SEGREGATED FUNDS			28,773,500	30,350,200	
	OTHER			(28,773,500)	(30,350,200)	
	TOTAL−ALL SOURCES			5,145,244,000	5,235,330,400	
20.275	**Technology for educational achievement in Wisconsin board**					
(1)	EDUCATIONAL TECHNOLOGY					
(a)	General program operations	GPR	A	663,100	639,700	
(d)	Pioneering partners grants	GPR	A	−0−	−0−	
(er)	Principal, interest & rebates; general purpose rev. − public library boards	GPR	S	33,400	249,600	
(es)	Principal, interest and rebates; general purpose revenue − schools	GPR	S	2,747,000	4,038,000	
(et)	Educational technology training & technical assistance grants	GPR	B	4,000,000	4,000,000	
(f)	Educational technology block grants	GPR	A	35,000,000	35,000,000	
(g)	Gifts and grants	PR	C	52,700	52,700	
(h)	Principal, interest and rebates; program revenue − schools	PR	C	2,418,300	2,421,800	
(hb)	Principal, interest & rebates; program revenue − public library boards	PR	C	23,800	23,800	
(i)	Grants to libraries	PR	A	−0−	−0−	
(im)	Educational technology block grants; supplemental	PR	C	1,500,000	−0−	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(jm)	Educational technology block grants; foundation funds	PR	C	−0−	−0−	
(js)	Educ. tech. block grants; Wisc. advncd. telecomm. foundation assessments	PR	C	−0−	−0−	
(k)	Funds received from other state agencies	PR−S	C	567,200	68,100	
(L)	Equipment purchases and leases	PR	C	−0−	−0−	
(m)	Federal aid	PR−F	C	344,000	344,000	
(mp)	Federal e−rate aid	PR−F	C	4,040,000	3,200,000	
(q)	Computer training	SEG	A	175,000	175,000	
(s)	Telecommunications access; school districts; grant	SEG	B	8,393,300	9,613,700	
(t)	Telecommunications access; private and technical colleges and libraries	SEG	B	3,978,000	4,670,000	
(tm)	Telecommunications access; private schools	SEG	B	908,100	1,340,600	
(tu)	Telecommunications access; state schools	SEG	B	64,900	70,000	
(tw)	Telecommunications access; secured correctional facilities	SEG	B	251,100	233,400	
	20.275 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			42,443,500	43,927,300	
	PROGRAM REVENUE			8,946,000	6,110,400	
	FEDERAL			(4,384,000)	(3,544,000)	
	OTHER			(3,994,800)	(2,498,300)	
	SERVICE			(567,200)	(68,100)	
	SEGREGATED FUNDS			13,770,400	16,102,700	
	OTHER			(13,770,400)	(16,102,700)	
	TOTAL−ALL SOURCES			65,159,900	66,140,400	
20.285	**University of Wisconsin system**					
(1)	UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE					
(a)	General program operations	GPR	A	826,685,000 824,685,000	860,614,500 856,614,500	**Vetoed In Part** **Vetoed In Part**
(ab)	Student aid	GPR	A	1,347,400	1,347,400	
(am)	Distinguished professorships	GPR	A	759,100	759,100	
(as)	Industrial and economic development research	GPR	A	1,602,400	1,602,400	
(b)	Area health education centers	GPR	A	1,158,200	1,158,200	
(bm)	Fee remissions	GPR	A	30,000	30,000	
(c)	Energy costs	GPR	A	51,765,000	50,082,300	
(cm)	Educational technology	GPR	A	6,483,400	6,483,400	
(d)	Principal repayment and interest	GPR	S	94,580,700	90,940,900	
(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	−0−	−0−	
(em)	Schools of business	GPR	A	1,557,100	1,557,100	
(eo)	Extension outreach	GPR	A	337,800	337,800	
(ep)	Extension local planning program	GPR	A	84,000	84,000	
(er)	Grants for study abroad	GPR	A	1,000,000	1,000,000	

Statute, Agency and Purpose		Source	Type	2001−02	2002−03	
(fc)	Department of family medicine and practice	GPR	A	7,863,900	7,863,900	
(fd)	State laboratory of hygiene; general program operations	GPR	A	7,671,300	7,671,300	
(fh)	State laboratory of hygiene; principal repayment and interest	GPR	S	−0−	−0−	
(fj)	Veterinary diagnostic laboratory	GPR	A	4,355,400	4,355,400	
(fm)	Laboratories	GPR	A	4,217,300	4,217,300	
(fs)	Farm safety program grants	GPR	A	20,000	20,000	
(ft)	Wisconsin humanities council	GPR	A	75,000	75,000	
(fx)	Alcohol and other drug abuse prevention and intervention	GPR	A	57,800	57,800	
(g)	Physical plant service departments	PR	C	355,000	355,000	
(ga)	Surplus auxiliary funds	PR	C	−0−	−0−	
(gr)	Center for urban land economics research	PR	A	175,000	175,000	
(gs)	Charter school operator payments	PR	C	−0−	−0−	
(h)	Auxiliary enterprises	PR	C	425,665,300	443,500,500	
(ha)	Stores	PR	C	3,402,800	3,402,800	
(hm)	Extension outreach	PR	C	130,000	130,000	
(i)	State laboratory of hygiene	PR	C	18,475,100	18,475,100	
(ia)	State laboratory of hygiene, drivers	PR	C	1,011,800	1,163,800	
(ih)	State laboratory of hygiene; principal repayment and interest	PR	S	−0−	−0−	
(im)	Academic student fees	PR	C	509,373,600	516,746,200	
(ip)	Extension student fees	PR	C	11,961,600	11,961,600	
(iz)	General operations receipts	PR	C	80,473,600	81,324,600	
(j)	Gifts and donations	PR	C	323,015,200	348,906,400	
(ja)	Gifts; student loans	PR	C	5,457,600	5,457,600	
(je)	Veterinary diagnostic laboratory; fees	PR	C	2,667,200	2,669,600	
(jm)	Distinguished professorships	PR	C	384,200	384,200	
(jp)	License plate scholarship programs	PR	C	126,500	126,500	
(k)	Funds transferred from other state agencies	PR−S	C	524,000 500,000	24,000	**Vetoed In Part**
(ka)	Sale of real property	PR	C	−0−	−0−	
(kb)	Great Lakes studies	PR−S	A	33,100	33,100	
(kc)	Charter school	PR−S	C	−0−	−0−	
(kd)	Principal repayment, interest and rebates	PR−S	S	30,408,200	32,339,100	
(ke)	Lease rental payments	PR−S	S	−0−	−0−	
(kf)	Outdoors skills training	PR−S	A	46,100	46,100	
(kg)	Veterinary diagnostic laboratory; state agencies	PR	C	37,100	37,100	
(kj)	Grazing education grants	PR	A	100,000	100,000	**Vetoed In Part**
(km)	Aquaculture demonstration facility; principal repayment and interest	PR−S	A	−0−	−0−	
(kn)	Aquaculture demonstration facility; operational costs	PR−S	A	−0−	250,000	
(kp)	Student−related activities	PR−S	C	−0−	−0−	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(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	145,500	102,800	
(Lm)	Laboratories	PR	A	4,405,400	4,405,400	
(Ls)	Schools of business	PR	A	607,900	607,900	
(m)	Federal aid	PR−F	C	364,450,900	364,450,900	
(ma)	Federal aid; loans and grants	PR−F	C	199,534,900	199,534,900	
(n)	Federal indirect cost reimbursement	PR−F	C	72,445,900	72,445,900	
(q)	Telecommunications services	SEG	A	1,054,800	1,054,800	
(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	400,000	400,000	
(s)	Pest management program in school districts	SEG	A	92,000	−0−	**Vetoed In Part**
(tb)	Extension recycling education	SEG	A	336,900	336,900	**Vetoed In Part**
(tm)	Solid waste research and experiments	SEG	A	154,900	154,900	
(u)	Trust fund income	SEG	C	23,760,100	23,760,100	
(w)	Trust fund operations	SEG	C	−0−	−0−	
	(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,011,650,800	1,040,257,800	
	PROGRAM REVENUE			2,056,413,500	2,110,156,100	
	FEDERAL			(636,431,700)	(636,431,700)	
	OTHER			(1,387,824,900)	(1,439,929,300)	
	SERVICE			(32,156,900)	(33,795,100)	
	SEGREGATED FUNDS			25,878,700	25,786,700	
	OTHER			(25,878,700)	(25,786,700)	
	TOTAL−ALL SOURCES			3,093,943,000	3,176,200,600	
(3)	UNIVERSITY SYSTEM ADMINISTRATION					
(a)	General program operations	GPR	A	9,696,700	9,696,700	
(iz)	General operations receipts	PR	C	143,700	143,700	
(n)	Federal indirect cost reimbursement	PR−F	C	1,370,800	1,370,800	
	(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			9,696,700	9,696,700	
	PROGRAM REVENUE			1,514,500	1,514,500	
	FEDERAL			(1,370,800)	(1,370,800)	
	OTHER			(143,700)	(143,700)	
	TOTAL−ALL SOURCES			11,211,200	11,211,200	
(4)	MINORITY AND DISADVANTAGED PROGRAMS					
(a)	Minority and disadvantaged programs	GPR	A	9,788,400	9,788,400	
(b)	Graduate student financial aid	GPR	A	4,503,300	4,705,900	
(dd)	Lawton minority undergraduate grants program	GPR	A	2,756,700	2,880,800	
	(4) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			17,048,400	17,375,100	
	TOTAL−ALL SOURCES			17,048,400	17,375,100	
(5)	UNIVERSITY OF WISCONSIN−MADISON INTERCOLLEGIATE ATHLETICS					
(a)	General program operations	GPR	A	−0−	−0−	
(h)	Auxiliary enterprises	PR	A	45,659,100	44,883,700	
(i)	Nonincome sports	PR	C	312,400	325,100	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(j)	Gifts and grants	PR	C	3,763,600	4,405,600	
	(5) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			−0−	−0−	
	PROGRAM REVENUE			49,735,100	49,614,400	
	OTHER			(49,735,100)	(49,614,400)	
	TOTAL−ALL SOURCES			49,735,100	49,614,400	
(6)	UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY					
(a)	Services received from authority	GPR	A	4,174,700	4,174,700	
(g)	Services provided to authority	PR	C	36,000,000	36,000,000	
	(6) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			4,174,700	4,174,700	
	PROGRAM REVENUE			36,000,000	36,000,000	
	OTHER			(36,000,000)	(36,000,000)	
	TOTAL−ALL SOURCES			40,174,700	40,174,700	
	20.285 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			1,042,570,600	1,071,504,300	
	PROGRAM REVENUE			2,143,663,100	2,197,285,000	
	FEDERAL			(637,802,500)	(637,802,500)	
	OTHER			(1,473,703,700)	(1,525,687,400)	
	SERVICE			(32,156,900)	(33,795,100)	
	SEGREGATED FUNDS			25,878,700	25,786,700	
	OTHER			(25,878,700)	(25,786,700)	
	TOTAL−ALL SOURCES			3,212,112,400	3,294,576,000	
20.292	**Technical college system, board of**					
(1)	TECHNICAL COLLEGE SYSTEM					
(a)	General program operations	GPR	A	3,487,100	3,487,100	
(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−	
(cm)	Capacity building program	GPR	A	3,000,000	2,000,000	
(cs)	Assistive technology	GPR	A	−0−	300,000	**Vetoed In Part**
(d)	State aid for technical colleges; statewide guide	GPR	A	118,415,000	118,415,000	
(dc)	Incentive grants	GPR	C	8,638,100 7,888,100	8,638,100 7,888,100	**Vetoed In Part**
(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	−0−	−0−	
(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	6,600,000	4,200,000	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(er)	Grants for additional course sections	GPR	A	2,950,000 2,450,000	2,950,000 2,450,000	**Vetoed In Part**
(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	−0−	−0−	
(g)	Text materials	PR	A	123,000	123,000	
(gm)	Fire schools; state operations	PR	A	284,200	284,200	
(gr)	Fire schools; local assistance	PR	A	500,000	500,000	
(gt)	Telecommunications retraining	PR	C	−0−	−0−	
(h)	Gifts and grants	PR	C	20,600	20,600	
(hm)	Truck driver training	PR−S	C	−0−	616,000	
(i)	Conferences	PR	C	85,900	85,900	
(j)	Personnel certification	PR	A	204,000	204,000	
(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	776,100	776,100	
(L)	Services for district boards	PR	A	156,900	156,900	
(m)	Federal aid, state operations	PR−F	C	3,046,100	3,046,100	
(n)	Federal aid, local assistance	PR−F	C	26,674,300	26,674,300	
(o)	Federal aid, aids to individuals and organizations	PR−F	C	800,000	800,000	
(pz)	Indirect cost reimbursements	PR−F	C	196,000	196,000	
(q)	Agricultural education consultant	GPR	A	60,500	60,500	

20.292 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	149,834,000	146,734,000
PROGRAM REVENUE	36,312,000	36,928,000
FEDERAL	(30,716,400)	(30,716,400)
OTHER	(1,404,800)	(1,404,800)
SERVICE	(4,190,800)	(4,806,800)
TOTAL−ALL SOURCES	186,146,000	183,662,000

Education

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES	5,983,639,200	6,105,169,300
PROGRAM REVENUE	2,671,406,500	2,719,902,900
FEDERAL	(1,096,075,400)	(1,093,933,700)
OTHER	(1,512,960,000)	(1,563,697,800)
SERVICE	(62,371,100)	(62,271,400)
SEGREGATED FUNDS	69,024,500	72,841,500
FEDERAL	(−0−)	(−0−)
OTHER	(69,024,500)	(72,841,500)
SERVICE	(−0−)	(−0−)
LOCAL	(−0−)	(−0−)
TOTAL−ALL SOURCES	8,724,070,200	8,897,913,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
Environmental Resources				
20.320 Environmental improvement program				
(1) CLEAN WATER FUND PROGRAM OPERATIONS				
(a) Environmental aids — clean water fund program	GPR	A	−0−	−0−
(c) Principal repayment and interest — clean water fund program	GPR	S	25,036,200	32,739,900
(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	10,200,000	6,000,000
(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			25,036,200	32,739,900
SEGREGATED FUNDS			10,200,000	6,000,000
FEDERAL			(−0−)	(−0−)
OTHER			(10,200,000)	(6,000,000)
TOTAL−ALL SOURCES			35,236,200	38,739,900
(2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS				
(c) Principal repayment and interest — safe drinking water loan program	GPR	S	1,265,400	1,957,500
(s) Safe drinking water loan programs financial assistance	SEG	S	−0−	−0−
(x) Safe drinking water loan programs financial assistance; federal	SEG−F	C	−0−	−0−
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,265,400	1,957,500
SEGREGATED FUNDS			−0−	−0−
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			1,265,400	1,957,500
(3) PRIVATE SEWAGE SYSTEM PROGRAM				
(q) Private sewage system loans	SEG	C	−0−	−0−
(3) PROGRAM TOTALS				
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
20.320 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			26,301,600	34,697,400
SEGREGATED FUNDS			10,200,000	6,000,000
FEDERAL			(−0−)	(−0−)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
	OTHER			(10,200,000)	(6,000,000)	
	TOTAL−ALL SOURCES			36,501,600	40,697,400	
20.360	**Lower Wisconsin state riverway board**					
(1)	CONTROL OF LAND DEVELOPMENT AND USE IN THE LOWER WISCONSIN STATE RIVERWAY					
(g)	Gifts and grants	PR	C	−0−	−0−	
(q)	General program operations — conservation fund	SEG	A	153,800	153,800	
	20.360 DEPARTMENT TOTALS					
	PROGRAM REVENUE			−0−	−0−	
	OTHER			(−0−)	(−0−)	
	SEGREGATED FUNDS			153,800	153,800	
	OTHER			(153,800)	(153,800)	
	TOTAL−ALL SOURCES			153,800	153,800	
20.370	**Natural resources, department of**					
(1)	LAND					
(cq)	Forestry — reforestation	SEG	C	100,000	−0−	
(cr)	Forestry — recording fees	SEG	C	50,000	−0−	
(cs)	Forestry — forest fire emergencies	SEG	C	−0−	−0−	
(ct)	Timber sales contracts − repair and reimbursement costs	SEG	C	−0−	−0−	
(cu)	Forestry − forestry education curriculum	SEG	A	300,000	−0−	
(cv)	Forestry − public education	SEG	C	125,000	−0−	
(ea)	Parks — general program operations	GPR	A	5,926,000	5,776,000	
(eq)	Parks and forests − operation and maintenance	SEG	S	−0−	−0−	
(er)	Parks and forests − recycling activities	SEG	A	−0−	−0−	
(es)	Parks and forests — operation and maintenance; beaches	SEG	A	150,000	150,000	**Vetoed In Part**
(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	250,500	250,500	
(fe)	Endangered resources — general fund	GPR	S	500,000	500,000	
(fs)	Endangered resources — voluntary payments; sales, leases and fees	SEG	C	1,137,800	1,137,800	
(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	100,600	100,600	
(hr)	Pheasant restoration	SEG	C	486,600	486,600	
(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−	
(jk)	Trout management	PR	A	20,000	150,000 20,000	**Vetoed In Part**

	Statute, Agency and Purpose	Source	Type	2001−02	2002−03	
(jr)	Rental property and equipment — maintenance and replacement	SEG	C	−0−	−0−	
(kk)	Wild crane study	PR	A	30,000 20,000	30,000	Vetoed In Part
(kq)	Taxes and assessments — conservation fund	SEG	A	300,000	201,000	
(Lk)	Reintroduction of whooping cranes	PR	A	44,700	44,700	
(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	214,500	214,500	
(Lt)	Wildlife management	SEG	A	153,400	−0−	
(Lu)	Wild animals and plants	SEG	A	−0−	−0−	Vetoed In Part
(ma)	General program operations — state funds	GPR	A	611,200	611,200	
(mg)	General program operations — endangered resources	PR	C	−0−	−0−	
(mi)	General program operations — private and public sources	PR	C	596,700	359,600	
(mk)	General program operations — service funds	PR−S	C	804,600	804,600	
(mq)	General program operations — state snowmobile trails and areas	SEG	A	84,400	74,400	
(mr)	General program operations — park and forest trails	SEG	A	100,000	100,000	
(ms)	General program operations — state all−terrain vehicle projects	SEG	A	60,000	52,900	
(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	4,583,200	1,966,200	
	Wildlife management	SEG	A	9,329,400 9,305,400	9,262,500 9,238,500	Vetoed In Part
	Forestry	SEG	A	35,345,200	−0−	
	Southern forests	SEG	A	4,245,500	−0−	
	Parks and recreation	SEG	A	8,741,900	8,839,800	
	Facilities and lands	SEG	A	6,111,000	3,561,500	
	NET APPROPRIATION			68,356,200 68,332,200	23,630,000 23,606,000	Vetoed In Part
(mv)	General program operations — forestry funds	SEG	A	−0−	4,245,500	Vetoed In Part
(mx)	General program operations — federal forestry funds	SEG−F	C	−0−	127,400	
(my)	General program operations — federal funds	SEG−F	C	−0−	−0−	
	Wildlife management	SEG−F	C	3,625,300	3,625,300	
	Forestry	SEG−F	C	651,400	−0−	
	Southern forests	SEG−F	C	127,400	−0−	
	Parks and recreation	SEG−F	C	610,100	610,100	
	Endangered resources	SEG−F	C	548,100	548,100	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
Facilities and lands	SEG−F	C	1,699,200	1,699,200
NET APPROPRIATION			7,261,500	6,482,700
(mz) Forest fire emergencies — federal funds	SEG−F	C	−0−	−0−
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			7,287,700	7,137,700
PROGRAM REVENUE			1,596,600	1,489,500
OTHER			(691,400)	(584,300)
SERVICE			(905,200)	(905,200)
SEGREGATED FUNDS			79,495,700	37,519,100
FEDERAL			(7,261,500)	(6,610,100)
OTHER			(72,234,200)	(30,909,000)
TOTAL−ALL SOURCES			88,380,000	46,146,300
(2) AIR AND WASTE				
(bg) Air management — stationary sources	PR	A	9,140,200	9,140,200
(bi) Air management — asbestos management	PR	C	344,400	344,400
(bq) Air management — vapor recovery administration	SEG	A	71,000	71,000
(br) Air management — mobile sources	SEG	A	1,302,900	1,302,900
(cf) Air management − motor veh. emission inspection & maint. prog., state funds	GPR	A	68,200	68,200
(cg) Air management — recovery of ozone−depleting refrigerants	PR	A	133,100	133,100
(ch) Air management — emission analysis	PR	C	−0−	−0−
(ci) Air management — permit review and enforcement	PR	A	1,498,200	1,498,200
(cL) Air management − air waste management−incinerator operator certification	PR	C	−0−	−0−
(dg) Solid waste management — solid and hazardous waste disposal administration	PR	C	2,718,400	2,739,100
(dh) Solid waste management−remediated property	PR	C	895,200	895,200
(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−
(du) Solid waste management − site specific remediation	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	294,000	294,000
(dy) Solid waste mgt. — corrective action; proofs of financial responsibility	SEG	C	−0−	−0−

Statute, Agency and Purpose		Source	Type	2001−02	2002−03	
(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	124,600	124,600	
(fq)	Indemnification agreements	SEG	S	−0−	−0−	
(gh)	Mining — mining regulation and administration	PR	A	320,500	320,500	
(gr)	Solid waste management — mining programs	SEG	C	−0−	−0−	
(hq)	Recycling; administration	SEG	A	1,094,800	877,300	
(ma)	General program operations — state funds	GPR	A	2,817,200	2,817,200	
(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	5,886,200	5,812,200	
(mq)	General program operations − environmental fund	SEG	A	4,447,100 4,204,700	4,511,600 4,204,700	**Vetoed In Part**
(mu)	Petroleum inspection fd. suppl. to env. fd.; env. repair and well comp.	SEG	A	1,049,400	1,049,400	
(my)	General program operations — environmental fund; federal funds	SEG−F	C	741,400	729,000	
	(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			2,885,400	2,885,400	
	PROGRAM REVENUE			21,036,200	20,982,900	
	FEDERAL			(5,886,200)	(5,812,200)	
	OTHER			(15,050,000)	(15,070,700)	
	SERVICE			(100,000)	(100,000)	
	SEGREGATED FUNDS			12,446,500	12,281,100	
	FEDERAL			(741,400)	(729,000)	
	OTHER			(11,705,100)	(11,552,100)	
	TOTAL−ALL SOURCES			36,368,100	36,149,400	
(3)	ENFORCEMENT AND SCIENCE					
(ad)	Law enforcement − car killed deer; general fund	GPR	A	314,600	314,600	
(ak)	Law enforcement − snowmobile enforcement and safety training; service funds	PR−S	A	809,900	809,900	
(aq)	Law enforcement — snowmobile enforcement and safety training	SEG	A	193,900	193,900	
(ar)	Law enforcement — boat enforcement and safety training	SEG	A	2,222,500	2,224,100	
(as)	Law enforcement — all−terrain vehicle enforcement	SEG	A	355,900	356,000	
(at)	Education and safety programs	SEG	C	174,700	174,700	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(au)	Hunter education and bow hunter education	SEG	A	171,200	171,200	
(aw)	Law enforcement — car kill deer	SEG	A	314,600	314,600	
(bg)	Enforcement — stationary sources	PR	A	81,800	81,800	
(dg)	Environmental impact — consultant services; printing and postage costs	PR	C	−0−	−0−	
(dh)	Environmental impact — power projects	PR	C	27,100	27,100	
(di)	Environmental consulting costs — federal power projects	PR	A	−0−	−0−	
(fj)	Environmental quality − lab. certification	PR	A	572,200	572,200	
(is)	Lake research; voluntary contributions	SEG	C	70,000	70,000	
(ma)	General program operations — state funds	GPR	A	4,847,800	4,847,800	
(mi)	General program operations — private and public sources	PR	C	386,900	386,900	
(mk)	General program operations — service funds	PR−S	C	518,500	518,500	
(mm)	General program operations — federal funds	PR−F	C	420,300	420,300	
(mq)	General program operations — environmental fund	SEG	A	1,170,800	1,170,800	
(mr)	Recycling; enforcement and research	SEG	A	111,700	111,700	
(ms)	General program operations − pollution prevention	SEG	A	58,800	58,800	
(mt)	General program operations, nonpoint source — environmental fund	SEG	A	386,900	386,900	
(mu)	General program operations — state funds	SEG	A	17,063,700	15,963,100	
(mv)	Aquatic and terrestrial resources inventory	SEG	A	129,800	129,800	
(my)	General program operations — federal funds	SEG−F	C	5,572,300	5,574,500	
	(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			5,162,400	5,162,400	
	PROGRAM REVENUE			2,816,700	2,816,700	
	FEDERAL			(420,300)	(420,300)	
	OTHER			(1,068,000)	(1,068,000)	
	SERVICE			(1,328,400)	(1,328,400)	
	SEGREGATED FUNDS			27,996,800	26,900,100	
	FEDERAL			(5,572,300)	(5,574,500)	
	OTHER			(22,424,500)	(21,325,600)	
	TOTAL−ALL SOURCES			35,975,900	34,879,200	
(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 − management activities	SEG	A	2,487,200 2,441,200	2,541,900 2,486,900	**Vetoed In Part**

Statute, Agency and Purpose		Source	Type	2001−02	2002−03	
(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−	
(ax)	Water resources management — computer accessible information	SEG	A	−0−	−0−	**Vetoed In Part**
(bg)	Water regulation and zoning − computer access fees	PR	C	50,000	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	714,800	714,800	
(bj)	Storm water management − fees	PR	A	683,100	708,100	
(bL)	Wastewater management − fees	PR	C	232,400	232,400	
(br)	Water reg. & zoning — dam safety & wetland mapping; conservation fund	SEG	A	501,700	501,700	
(kk)	Fishery resources for ceded territories	PR−S	A	114,500	114,500	
(ku)	Great Lakes trout and salmon	SEG	C	1,150,400	1,150,400	
(kv)	Trout habitat improvement	SEG	C	1,156,000	1,156,000	
(ma)	General program operations − state funds	GPR	A	−0−	−0−	
	Watershed management	GPR	A	7,004,400	7,004,400	
	Fisheries management and habitat protection	GPR	A	3,359,900	3,359,900	
	Drinking water and groundwater	GPR	A	3,588,100	3,588,100	
	Water integration team	GPR	A	440,200	440,200	
	Water program management	GPR	A	2,705,000	2,705,000	
	NET APPROPRIATION			17,097,600	17,097,600	
(mi)	General program operations − private and public sources	PR	C	48,500	48,500	
(mk)	General program operations — service funds	PR−S	C	381,800	381,800	
(mm)	General program operations − federal funds	PR−F	C	−0−	−0−	
	Watershed management	PR−F	C	4,198,900	4,198,900	
	Fisheries management and habitat protection	PR−F	C	515,600	515,600	
	Drinking water and groundwater	PR−F	C	3,530,600	3,530,600	
	NET APPROPRIATION			8,245,100	8,245,100	
(mq)	General program operations − environmental fund	SEG	A	−0−	−0−	
	Watershed management	SEG	A	755,500	755,500	
	Drinking water and groundwater	SEG	A	1,567,400	1,567,400	
	Water integration team	SEG	A	68,600	68,600	
	Water program management	SEG	A	70,800	70,800	
	NET APPROPRIATION			2,462,300	2,462,300	

Statute, Agency and Purpose		Source	Type	2001−02	2002−03	
(mr)	General program operations, nonpoint source	SEG	A	603,800	603,800	
(mt)	General program operations−environmental improvement programs; state funds	SEG	A	530,800	530,800	
(mu)	General program operations − state funds	SEG	A	14,317,700	14,345,000	
(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	607,200	600,300	
(my)	General program operations − environmental fund − federal funds	SEG−F	C	−0−	−0−	
(mz)	General program operations − federal funds	SEG−F	C	3,375,700	3,260,100	
(nz)	General program operations−safe drinking water loan programs; federal funds	SEG−F	C	216,600	216,600	
	(4) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			17,247,600	17,247,600	
	PROGRAM REVENUE			10,699,200	10,724,200	
	FEDERAL			(8,245,100)	(8,245,100)	
	OTHER			(1,957,800)	(1,982,800)	
	SERVICE			(496,300)	(496,300)	
	SEGREGATED FUNDS			29,430,600	29,390,100	
	FEDERAL			(4,199,500)	(4,077,000)	
	OTHER			(25,231,100)	(25,313,100)	
	TOTAL−ALL SOURCES			57,377,400	57,361,900	
(5)	Conservation aids					
(ac)	Resource aids − Milwaukee public museum	GPR	A	−0−	−0−	
(ak)	Resource aids — Wisconsin conservation hall of fame	PR−S	A	10,000	−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	234,500	−0−	
(at)	Ice age trail area grants	SEG	A	75,000	−0−	
(au)	Resource aids − Ducks Unlimited, Inc. payments	SEG	C	−0−	−0−	
(av)	Resource aids − private forest grants	SEG	B	1,250,000	−0−	
(aw)	Resource aids − nonprofit conservation organizations	SEG	C	535,000	155,000	
(ax)	Resource aids — atlas mill renovation	SEG	A	250,000	−0−	**Vetoed In Part**
(ay)	Resource aids − urban land conservation	SEG	A	150,000 75,000	−0−	**Vetoed In Part**
(bq)	Resource aids − county forest loans; severance share payments	SEG	C	−0−	−0−	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(br)	Resource aids − forest croplands and managed forest land aids	SEG	A	1,250,000	−0−
(bs)	Resource aids − county forest loans	SEG	A	622,400	−0−
(bt)	Resource aids − county forest project loans	SEG	C	400,000	−0−
(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	−0−
(bw)	Resource aids − urban forestry and county forest administrator grants	SEG	A	1,726,900	−0−
(bx)	Resource aids − national forest income aids	PR−F	C	782,200	−0−
(by)	Resource aids — fire suppression grants	SEG	A	448,000	−0−
(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	4,877,000	4,547,000
(cr)	Recreation aids − county snowmobile trail and area aids	SEG	C	3,151,400	3,001,400
(cs)	Recreation aids − snowmobile trail areas	SEG	C	4,497,700	4,881,700
(ct)	Recreation aids − all−terrain vehicle project aids; gas tax payment	SEG	C	954,300	1,108,700
(cu)	Recreation aids — all−terrain vehicle project aids	SEG	C	500,300	500,300
(cv)	Recreation aids — motorcycle recreation aids; trails	SEG	A	100,000	100,000
(cw)	Recreation aids − supplemental snowmobile trail aids	SEG	C	787,600	819,100
(cx)	Recreation aids — all−terrain vehicle safety program	SEG	A	268,000	250,000
(cy)	Recreation and resource aids, federal funds	SEG−F	C	510,900	510,900
(cz)	Recreation aids — snowmobile−bicycle−pedestrian overpass	SEG	B	124,000	−0−
(da)	Aids in lieu of taxes	GPR	S	3,300,000	3,166,900
(dq)	Aids in lieu of taxes	SEG	S	871,600	313,800
(dx)	Resource aids — payment in lieu of taxes; federal	PR−F	C	440,000	146,100
(ea)	Enforcement aids — spearfishing enforcement	GPR	C	−0−	−0−
(eq)	Enforcement aids — boating enforcement	SEG	A	1,400,000	1,400,000
(er)	Enforcement aids — all−terrain vehicle enforcement	SEG	A	70,000	70,000
(es)	Enforcement aids — snowmobiling enforcement	SEG	A	400,000	400,000
(ex)	Enforcement aids — federal funds	SEG−F	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(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	
(ft)	Venison processing; voluntary contributions	SEG	C	−0−	−0−	
	(5) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			3,425,000	3,291,900	
	PROGRAM REVENUE			1,232,200	146,100	
	FEDERAL			(1,222,200)	(146,100)	
	SERVICE			(10,000)	(−0−)	
	SEGREGATED FUNDS			29,234,900	20,589,800	
	FEDERAL			(510,900)	(510,900)	
	OTHER			(28,724,000)	(20,078,900)	
	TOTAL−ALL SOURCES			33,892,100	24,027,800	
(6)	ENVIRONMENTAL AIDS					
(aa)	Environmental aids − non−point source	GPR	B	883,600	883,600	
(ag)	Environmental aids − nonpoint repayments	PR	C	−0−	−0−	
(ar)	Environmental aids − lake protection	SEG	C	2,675,400	2,675,400	
(au)	Environmental aids — river protection; environmental fund	SEG	A	150,000	150,000	
(av)	Environmental aids − river protection; conservation fund	SEG	A	150,000	150,000	
(aw)	Environmental aids − river protection; nonprofit organization contracts	SEG	C	75,000	75,000	
(ba)	Environmental aids — dump closure cost share	GPR	C	383,200	95,900	
(bj)	Environmental aids — waste reduction and recycling grants and gifts	PR	C	−0−	−0−	
(bk)	Environmental aids — wastewater and drinking water grant	PR−S	A	500,000	500,000	
(br)	Environmental aids − waste reduction and recycling demonstration grants	SEG	C	300,000	500,000	
(bs)	Environmental aids − household hazardous waste	SEG	A	150,000	150,000	
(bu)	Financial assistance for responsible units	SEG	A	19,500,000	29,500,000	
(bv)	Recycling efficiency incentive grants	SEG	A	−0−	1,900,000	
(ca)	Environmental aids − scenic urban waterways	GPR	C	−0−	−0−	
(cm)	Environmental aids − federal funds	PR−F	C	−0−	−0−	
(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	
(dc)	Land spreading reduction pilot program	GPR	A	25,000	25,000	**Vetoed In Part**
(dm)	Environmental planning aids − federal funds	PR−F	C	260,600	260,600	
(dq)	Environmental aids — urban nonpoint source	SEG	A	2,000,000	2,000,000	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(eq)	Environmental aids − dry cleaner environmental response	SEG	B	3,027,000	1,050,000	
(er)	Environmental aids − sustainable urban development zones	SEG	B	525,000	−0−	
(et)	Environmental aids − brownfield site assessment	SEG	B	1,700,000	1,700,000	
(eu)	Environmental aids − brownfields green space grants	SEG	B	1,000,000	−0−	
	(6) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,575,200	1,287,900	
	PROGRAM REVENUE			760,600	760,600	
	FEDERAL			(260,600)	(260,600)	
	OTHER			(−0−)	(−0−)	
	SERVICE			(500,000)	(500,000)	
	SEGREGATED FUNDS			31,652,400	40,250,400	
	OTHER			(31,652,400)	(40,250,400)	
	TOTAL−ALL SOURCES			33,988,200	42,298,900	
(7)	DEBT SERVICE AND DEVELOPMENT					
(aa)	Resource acquisition and development − principal repayment and interest	GPR	S	19,967,400	27,468,500	
(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	236,800	232,600	
(ar)	Dam repair and removal − principal repayment and interest	SEG	S	335,400	387,700	
(at)	Recreation development − principal repayment and interest	SEG	S	−0−	−0−	
(au)	State forest acquisition and development — principal repayment and interest	SEG	A	8,000,000	−0−	
(ba)	Debt service − remedial action	GPR	S	−0−	−0−	
(bq)	Principal repayment and interest − remedial action	SEG	A	2,400,000	2,700,000	
(ca)	Principal repayment and interest − nonpoint source grants	GPR	S	3,223,300	3,637,300	
(cb)	Principal repayment and interest − pollution abatement bonds	GPR	S	64,613,000	59,618,400	
(cc)	Principal repay. and int. − combined sewer overflow; pollution abat. bonds	GPR	S	17,313,600	17,157,100	
(cd)	Principal repayment and interest − municipal clean drinking water grants	GPR	S	845,900	830,800	
(ce)	Principal repayment and interest − nonpoint source compliance	GPR	S	146,200	146,900	
(cf)	Principal repayment and interest − urban nonpoint source cost−sharing	GPR	S	323,600	544,400	
(da)	Princ reapy and interest — municipal flood contr & riparian restor cost−shar	GPR	S	−0−	−0−	**Vetoed In Part**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(ea)	Administrative facilities − principal repayment and interest	GPR	S	533,100	630,100
(eq)	Administrative facilities − principal repayment and interest	SEG	S	1,586,800	1,312,400
(er)	Administrative facilities − principal repayment & interest; env. fund	SEG	S	69,800	157,500
(fa)	Resource maintenance and development − state funds	GPR	C	1,278,200	1,163,600
(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	919,500	296,900
(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	2,120,000	2,120,000
(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	222,800
(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	1,709,500
(mi)	General program operations − private and public sources	PR	C	−0−	−0−
(mk)	General program operations − service funds	PR−S	C	−0−	−0−
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			110,327,400	113,089,700
	PROGRAM REVENUE			1,000,000	1,000,000
	OTHER			(−0−)	(−0−)
	SERVICE			(1,000,000)	(1,000,000)
	SEGREGATED FUNDS			16,690,900	8,075,700
	FEDERAL			(2,120,000)	(2,120,000)
	OTHER			(14,570,900)	(5,955,700)
	TOTAL−ALL SOURCES			128,018,300	122,165,400
(8)	ADMINISTRATION AND TECHNOLOGY				
(ir)	Promotional activities and publications	SEG	C	83,000	62,200

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(iw)	Statewide recycling administration	SEG	A	186,300	186,300
(ma)	General program operations — state funds	GPR	A	7,728,000	7,848,700
(mg)	General program operations — stationary sources	PR	A	−0−	−0−
(mi)	General program operations — private and public sources	PR	C	−0−	−0−
(mk)	General program operations — service funds	PR−S	C	7,129,800	5,813,000
(mq)	General program operations — mobile sources	SEG	A	493,500	493,000
(mr)	General program operations − environmental improvement fund	SEG	A	292,800	292,800
(mt)	Equipment pool operations	SEG−S	C	−0−	−0−
(mu)	General program operations — state funds	SEG	A	16,047,900	9,035,800
(mv)	General program operations — environmental fund	SEG	A	2,503,700	2,511,600
(mz)	Indirect cost reimbursements	SEG−F	C	6,087,400	6,076,700
(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	1,264,400	1,264,400
(zq)	Gifts and donations	SEG	C	−0−	−0−
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			7,728,000	7,848,700
	PROGRAM REVENUE			8,394,200	7,077,400
	OTHER			(−0−)	(−0−)
	SERVICE			(8,394,200)	(7,077,400)
	SEGREGATED FUNDS			25,694,600	18,658,400
	FEDERAL			(6,087,400)	(6,076,700)
	OTHER			(19,607,200)	(12,581,700)
	SERVICE			(−0−)	(−0−)
	TOTAL−ALL SOURCES			41,816,800	33,584,500
(9)	CUSTOMER ASSISTANCE AND EXTERNAL RELATIONS				
(eg)	Gifts and grants; environmental management systems	PR	C	−0−	−0−
(gb)	Education programs − program fees	PR	B	63,000	63,000
(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	534,000	534,000
(iq)	Natural resources magazine	SEG	C	953,200	953,200
(is)	Statewide recycling administration	SEG	A	440,800	440,800
(jL)	Fox river management; fees	PR	C	41,300	41,300
(ju)	Fox river management	SEG	B	36,700	−0−

Statute, Agency and Purpose		Source	Type	2001−02	2002−03	
(ma)	General program operations − state funds	GPR	A	2,419,800	2,449,100	
(mh)	General programs operations − stationary sources	PR	A	593,800	593,800	
(mi)	General program operations — private and public sources	PR	C	40,000	40,000	
(mj)	General program operations — solid and hazardous waste	PR	A	146,400	146,400	
(mk)	General program operations — service funds	PR−S	C	517,000	517,000	
(mm)	General program operations − federal funds	PR−F	C	620,700	599,800	
(mq)	General program operations − mobile sources	SEG	A	163,900	163,900	
(ms)	General program operations — cooperative environmental assistance	SEG	A	133,000	133,000	
(mt)	Aids administration — environmental improvement programs; state funds	SEG	A	1,037,900	1,037,900	
(mu)	General program operations − state funds	SEG	A	12,939,900 12,915,900	9,337,100 9,305,100	**Vetoed In Part**
(mv)	General program operations — environmental fund	SEG	A	661,300	661,300	
(mw)	Aids administration − snowmobile recreation	SEG	A	142,700	142,700	
(mx)	Aids administration − clean water fund program; federal funds	SEG−F	C	990,600	990,600	
(my)	General program operations − federal funds	SEG−F	C	145,500	145,500	
(mz)	Indirect cost reimbursements	SEG−F	C	741,300	741,300	
(nq)	Aids administration − dry cleaner environmental response	SEG	A	64,200	64,200	
(ny)	Aids administration − safe drinking water loan programs; federal funds	SEG−F	C	127,000	127,000	
	(9) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			2,419,800	2,449,100	
	PROGRAM REVENUE			2,122,200	2,101,300	
	FEDERAL			(620,700)	(599,800)	
	OTHER			(884,500)	(884,500)	
	SERVICE			(617,000)	(617,000)	
	SEGREGATED FUNDS			19,112,000	15,472,500	
	FEDERAL			(2,004,400)	(2,004,400)	
	OTHER			(17,107,600)	(13,468,100)	
	TOTAL−ALL SOURCES			23,654,000	20,022,900	
	20.370 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			158,058,500	160,400,400	
	PROGRAM REVENUE			49,657,900	47,098,700	
	FEDERAL			(16,655,100)	(15,484,100)	
	OTHER			(19,651,700)	(19,590,300)	
	SERVICE			(13,351,100)	(12,024,300)	
	SEGREGATED FUNDS			271,754,400	209,137,200	
	FEDERAL			(28,497,400)	(27,702,600)	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03	
OTHER			(243,257,000)	(181,434,600)	
SERVICE			(−0−)	(−0−)	
TOTAL−ALL SOURCES			479,470,800	416,636,300	
20.373 Fox river navigational system authority					
(1) INITIAL COSTS					
(r) Establishment and operation	SEG	C	90,000	126,700	
20.373 DEPARTMENT TOTALS					
SEGREGATED FUNDS			90,000	126,700	
OTHER			(90,000)	(126,700)	
TOTAL−ALL SOURCES			90,000	126,700	
20.375 Forestry, department of					**Vetoed In Part**
(2) FORESTRY					
(h) General program operations — private and public sources	PR	C	−0−	237,100	
(k) General program operations — service funds	PR−S	C	−0−	1,316,800	
(q) General program operations	SEG	A	−0−	51,106,100	
(qf) Forestry acquisition and development	SEG	C	−0−	222,600	
(qh) Reforestation	SEG	C	−0−	100,000	
(qr) Recording fees	SEG	C	−0−	50,000	
(r) Forest fire emergencies	SEG	C	−0−	−0−	
(rm) Timber sales contracts — repair and reimbursement costs	SEG	C	−0−	−0−	
(rq) Resource aids — private conserv. orgs.; Great Lakes forestry museum	SEG	C	−0−	80,000	**Vetoed In Part**
(ru) Forestry — forestry education and curriculum	SEG	A	−0−	318,700	
(rv) Forestry — public education	SEG	C	−0−	318,700	
(s) Resource aids — private forest grants	SEG	B	−0−	1,250,000	
(sL) Resource aids — wildlife habitat and recreation	SEG	C	−0−	234,500	
(sm) Resource aids — urban land conservation	SEG	A	−0−	150,000	**Vetoed In Part**
(sv) Wildlife management	SEG	A	−0−	153,400	
(t) Resource aids — county forest loans; severance share payments	SEG	C	−0−	−0−	
(tm) Resource aids — forest croplands and managed forest land aids	SEG	A	−0−	1,250,000	
(u) Resource aids — county forest loans	SEG	A	−0−	622,400	
(um) Resource aids — county forest project loans	SEG	C	−0−	400,000	
(v) Resource aids — county forest project loans; severance share payments	SEG	C	−0−	−0−	
(vm) Resource aids — county forests, forest croplnds & managed forest land aids	SEG	S	−0−	1,248,400	
(w) Resource aids — urban forestry and county forest administrator grants	SEG	A	−0−	1,724,900	
(wm) Resource aids — fire suppression grants	SEG	A	−0−	448,000	

Statute, Agency and Purpose		Source	Type	2001−02	2002−03	
(x)	General program operations — federal funds	SEG−F	C	−0−	651,400	Vetoed In Part
(xg)	Resource aids — national forest income aids	PR−F	C	−0−	782,200	
(ym)	Resource aids — payment in lieu of taxes; federal	PR−F	C	−0−	293,900	
(z)	Forest fire emergencies — federal funds	SEG−F	C	−0−	−0−	
	(2) PROGRAM TOTALS					
	PROGRAM REVENUE			−0−	2,630,000	
	FEDERAL			(−0−)	(1,076,100)	
	OTHER			(−0−)	(237,100)	
	SERVICE			(−0−)	(1,316,800)	
	SEGREGATED FUNDS			−0−	60,329,100	
	FEDERAL			(−0−)	(651,400)	
	OTHER			(−0−)	(59,677,700)	
	TOTAL−ALL SOURCES			−0−	62,959,100	
(3)	DEPARTMENTWIDE					
(b)	Resource maintenance and development — state forest roads	GPR	A	−0−	190,500	
(c)	Resource maintenance and development — state funds	GPR	C	−0−	114,600	
(d)	Aids in lieu of taxes	GPR	S	−0−	133,100	
(r)	Taxes and assessments	SEG	A	−0−	99,000	
(s)	Aids in lieu of taxes	SEG	S	−0−	557,800	
(sg)	State snowmobile trails and areas	SEG	A	−0−	10,000	
(sm)	Ice age trail area grants	SEG	A	−0−	75,000	
(sr)	State all−terrain vehicle projects	SEG	A	−0−	7,100	
(t)	Gifts and grants	SEG	C	−0−	−0−	
(tm)	Promotional activities and publications	SEG	C	−0−	20,800	
(tn)	Administrative facilities — principal repayment and interest	SEG	S	−0−	522,300	
(u)	State forest acquisition and development — principal repayment and interest	SEG	A	−0−	4,000,000	
(um)	Forestry land endowment fund	SEG	S	−0−	−0−	
(v)	Facilities acquisition, development, and maintenance	SEG	B	−0−	154,000	
(x)	General program operations — federal funds	SEG−F	C	−0−	−0−	
	(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			−0−	438,200	
	SEGREGATED FUNDS			−0−	5,446,000	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(−0−)	(5,446,000)	
	TOTAL−ALL SOURCES			−0−	5,884,200	
	20.375 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			−0−	438,200	
	PROGRAM REVENUE			−0−	2,630,000	
	FEDERAL			(−0−)	(1,076,100)	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03	
OTHER			(−0−)	(237,100)	Vetoed In Part
SERVICE			(−0−)	(1,316,800)	
SEGREGATED FUNDS			−0−	65,775,100	
FEDERAL			(−0−)	(651,400)	
OTHER			(−0−)	(65,123,700)	
TOTAL−ALL SOURCES			−0−	68,843,300	
20.380 Tourism, department of					
(1) TOURISM DEVELOPMENT PROMOTION					
(a) General program operations	GPR	A	4,141,700	4,141,700	
(b) Tourism marketing; general purpose revenue	GPR	A	7,049,700	7,049,700	
(bm) Heritage tourism program	GPR	B	43,400	43,400	
(g) Gifts, grants and proceeds	PR	C	6,200	6,200	
(h) Tourism promotion; sale of surplus property	PR	C	−0−	−0−	
(j) Tourism promotion − private and public sources	PR	C	100,000	100,000	
(k) Sale of materials or services	PR−S	C	−0−	−0−	
(ka) Sales of materials or services−local assistance	PR−S	C	−0−	−0−	
(kb) Sales of materials or services−individuals and organizations	PR−S	C	−0−	−0−	
(kc) Marketing clearinghouse charges	PR−S	A	−0−	−0−	
(kg) Tourism marketing; gaming revenue	PR−S	B	3,969,500	3,969,500	
(km) Tourist information assistant	PR−S	A	126,500	126,500	
(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	49,100	49,100	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			11,234,800	11,234,800	
PROGRAM REVENUE			4,202,200	4,202,200	
FEDERAL			(−0−)	(−0−)	
OTHER			(106,200)	(106,200)	
SERVICE			(4,096,000)	(4,096,000)	
SEGREGATED FUNDS			49,100	49,100	
OTHER			(49,100)	(49,100)	
TOTAL−ALL SOURCES			15,486,100	15,486,100	
(2) KICKAPOO VALLEY RESERVE					
(c) Kickapoo reserve management board; information technology support	GPR	A	18,700	18,700	
(ip) Kickapoo reserve management board; program services	PR	C	−0−	−0−	
(ir) Kickapoo reserve management board; gifts and grants	PR	C	−0−	−0−	
(kc) Kickapoo valley reserve; law enforcement services	PR−S	A	31,300	41,800 31,300	Vetoed In Part

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
(ms) Kickapoo reserve management board; federal aid	PR−F	C	−0−	−0−
(q) Kickapoo reserve management board; general program operations	SEG	A	203,700	203,700
(r) Kickapoo valley reserve; aids in lieu of taxes	SEG	S	204,100	224,500
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			18,700	18,700
PROGRAM REVENUE			31,300	41,800
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
SERVICE			(31,300)	(41,800)
SEGREGATED FUNDS			407,800	428,200
OTHER			(407,800)	(428,200)
TOTAL−ALL SOURCES			457,800	488,700
20.380 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			11,253,500	11,253,500
PROGRAM REVENUE			4,233,500	4,244,000
FEDERAL			(−0−)	(−0−)
OTHER			(106,200)	(106,200)
SERVICE			(4,127,300)	(4,137,800)
SEGREGATED FUNDS			456,900	477,300
OTHER			(456,900)	(477,300)
TOTAL−ALL SOURCES			15,943,900	15,974,800
20.395 Transportation, department of				
(1) AIDS				
(ar) Corrections of transportation aid payments	SEG	S	8,400	−0−
(as) Transportation aids to counties, state funds	SEG	A	85,320,400	88,313,000
(at) Transportation aids to municipalities, state funds	SEG	A	268,428,400	277,843,200
(br) Milwaukee urban area rail transit system planning study, state funds	SEG	A	−0−	−0−
(bs) Transportation employment and mobility, state funds	SEG	C	756,700	336,000
(bt) Urban rail transit system grants	SEG	C	−0−	−0−
(bv) Transit and transportation employment and mobility aids, local funds	SEG−L	C	110,000	110,000
(bx) Transit and transportation employment and mobility aids, federal funds	SEG−F	C	26,500,000	26,500,000
(cq) Elderly and disabled capital aids, state funds	SEG	C	921,900	921,900
(cr) Elderly and disabled county aids, state funds	SEG	A	7,667,400	7,925,100
(cv) Elderly and disabled aids, local funds	SEG−L	C	605,500	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

Statute, Agency and Purpose		Source	Type	2001−02	2002−03	
(fs)	Flood damage aids, state funds	SEG	S	600,000	600,000	
(ft)	Lift bridge aids, state funds	SEG	B	1,502,500	1,515,000	
(fu)	County forest road aids, state funds	SEG	A	303,300	303,300	
(gq)	Expressway policing aids, state funds	SEG	A	1,072,000 1,040,800	1,104,200 1,040,800	**Vetoed In Part**
(gr)	Grants to local professional football stadium districts, state funds	SEG	A	9,100,000	−0−	
(hr)	Tier B transit operating aids, state funds	SEG	A	20,002,300	20,699,400	
(hs)	Tier C transit operating aids, state funds	SEG	A	5,402,600	5,590,900	
(ht)	Tier A−1 transit operating aids, state funds	SEG	A	54,091,200	55,976,300	
(hu)	Tier A−2 transit operating aids, state funds	SEG	A	14,440,600	14,943,900	
(ig)	Professional football stadium maintenance and operating costs, state funds	PR	C	−0−	−0−	
	(1) PROGRAM TOTALS					
	PROGRAM REVENUE			−0−	−0−	
	OTHER			(−0−)	(−0−)	
	SEGREGATED FUNDS			512,885,100	519,339,600	
	FEDERAL			(29,700,000)	(29,700,000)	
	OTHER			(482,469,600)	(488,924,100)	
	LOCAL			(715,500)	(715,500)	
	TOTAL−ALL SOURCES			512,885,100	519,339,600	
(2)	LOCAL TRANSPORTATION ASSISTANCE					
(aq)	Accelerated local bridge improvement assistance, state funds	SEG	C	−0−	−0−	
(av)	Accelerated local bridge improvement assistance, local funds	SEG−L	C	−0−	−0−	
(ax)	Accelerated local bridge improvement assistance, federal funds	SEG−F	C	−0−	−0−	
(bq)	Rail service assistance, state funds	SEG	C	679,500	679,500	
(bu)	Freight rail infrastructure improvements, state funds	SEG	C	2,579,800	2,079,800	
(bv)	Rail service assistance, local funds	SEG−L	C	500,000	500,000	
(bw)	Freight rail assistance loan repayments, local funds	SEG−L	C	3,000,000	3,500,000	
(bx)	Rail service assistance, federal funds	SEG−F	C	50,000	50,000	
(cq)	Harbor assistance, state funds	SEG	C	589,400	589,400	
(cr)	Rail passenger service, state funds	SEG	C	386,000	795,200	
(ct)	Passenger railroad station improvement grants, state funds	SEG	B	−0−	−0−	
(cu)	Passenger railroad station improvement grants, local funds	SEG−L	C	−0−	−0−	
(cv)	Rail passenger service, local funds	SEG−L	C	−0−	−0−	
(cx)	Rail passenger service; federal funds	SEG−F	C	3,473,900	3,180,600	
(dq)	Aeronautics assistance, state funds	SEG	C	11,866,900	11,866,900	
(ds)	Aviation career education, state funds	SEG	A	163,300 138,300	163,300 138,300	**Vetoed In Part**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(dv)	Aeronautics assistance, local funds	SEG−L	C	8,430,700	8,430,700
(dx)	Aeronautics assistance, federal funds	SEG−F	C	48,900,000	48,900,000
(eq)	Highway and local bridge improvement assistance, state funds	SEG	C	8,476,500	8,476,500
(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
(fb)	Local roads for job preservation, state funds	GPR	C	−0−	−0−
(fr)	Local roads improvement program, state funds	SEG	C	22,986,100	23,945,300
(fv)	Local transportation facility improvement assistance, local funds	SEG−L	C	37,343,100	38,302,300
(fx)	Local transportation facility improvement assistance, federal funds	SEG−F	C	75,719,700	75,719,700
(fz)	Local roads for job preservation, federal funds	SEG−F	C	−0−	−0−
(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	1,200,000	1,700,000
(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	3,625,000	3,625,000
(iv)	Transportation facilities economic assistance and development, local funds	SEG−L	C	3,625,000	3,625,000
(iw)	Transportation facility improvement loans, local funds	SEG−L	C	−0−	−0−
(ix)	Transportation facilities economic assistance & development, federal funds	SEG−F	C	−0−	−0−
(jq)	Surface transportation grants, state funds	SEG	C	−0−	−0−
(jv)	Surface transportation grants, local funds	SEG−L	C	680,000	680,000
(jx)	Surface transportation grants, federal funds	SEG−F	C	2,720,000	2,720,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
(kv) Congestion mitigation and air quality improvement, local funds	SEG−L	C	2,704,000	3,124,700
(kx) Congestion mitigation and air quality improvement, federal funds	SEG−F	C	12,498,500	12,498,500
(nv) Transportation enhancement activities, local funds	SEG−L	C	1,682,600	1,682,600
(nx) Transporation enhancement activities, federal funds	SEG−F	C	6,730,200	6,730,200
(ny) Milwaukee lakeshore walkway	SEG−F	B	−0−	−0−
(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				
GENERAL PURPOSE REVENUES			−0−	−0−
SEGREGATED FUNDS			302,478,100	305,433,100
FEDERAL			(179,929,800)	(179,636,500)
OTHER			(55,802,500)	(57,170,900)
SERVICE			(−0−)	(−0−)
LOCAL			(66,745,800)	(68,625,700)
TOTAL−ALL SOURCES			302,478,100	305,433,100
(3) STATE HIGHWAY FACILITIES				
(bq) Major highway development, state funds	SEG	C	46,943,800	53,529,000
(br) Major highway development, service funds	SEG−S	C	127,035,100	130,139,100
(bv) Major highway development, local funds	SEG−L	C	−0−	−0−
(bx) Major highway development, federal funds	SEG−F	C	57,948,500	57,948,500
(ck) West canal street reconstruction, service funds	PR−S	C	1,250,000	1,250,000
(cq) State highway rehabilitation, state funds	SEG	C	229,635,600	273,686,900
(cr) Southeast Wisconsin freeway rehabilitation, state funds	SEG	C	9,715,200	17,993,200
(cv) State highway rehabilitation, local funds	SEG−L	C	4,550,000	2,000,000
(cw) Southeast Wisconsin freeway rehabilitation, local funds	SEG−L	C	−0−	−0−
(cx) State highway rehabilitation, federal funds	SEG−F	C	350,834,500	331,187,800
(cy) Southeast Wisconsin freeway rehabilitation, federal funds	SEG−F	C	42,610,200	90,325,300

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(eq)	Highway maintenance, repair, and traffic operations, state funds	SEG	B	189,425,900	161,467,000	
(ev)	Highway maintenance, repair, and traffic operations, local funds	SEG−L	C	485,000	496,000	
(ex)	Highway maintenance, repair, and traffic operations, federal funds	SEG−F	C	1,194,000	1,194,000	
(iq)	Administration and planning, state funds	SEG	A	19,929,600	19,929,600	
(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	4,555,000	4,555,000	
(jh)	Utility facilities within highway rights−of−way, state funds	PR	C	−0−	−0−	
(jj)	Damage claims	PR	C	1,850,000	1,850,000	
(js)	Telecommunications services, service funds	SEG−S	C	−0−	−0−	
	(3) PROGRAM TOTALS					
	PROGRAM REVENUE			3,100,000	3,100,000	
	OTHER			(1,850,000)	(1,850,000)	
	SERVICE			(1,250,000)	(1,250,000)	
	SEGREGATED FUNDS			1,084,862,400	1,144,451,400	
	FEDERAL			(457,142,200)	(485,210,600)	
	OTHER			(495,650,100)	(526,605,700)	
	SERVICE			(127,035,100)	(130,139,100)	
	LOCAL			(5,035,000)	(2,496,000)	
	TOTAL−ALL SOURCES			1,087,962,400	1,147,551,400	
(4)	GENERAL TRANSPORTATION OPERATIONS					
(aq)	Departmental management and operations, state funds	SEG	A	54,306,000 53,900,000	54,298,200 53,892,200	**Vetoed In Part**
(ar)	Minor construction projects, state funds	SEG	C	−0−	−0−	
(at)	Capital building projects, service funds	SEG−S	C	4,377,300	6,000,000	
(av)	Departmental management and operations, local funds	SEG−L	C	369,000	369,000	
(ax)	Departmental management and operations, federal funds	SEG−F	C	15,322,900	15,308,800	
(ch)	Gifts and grants	SEG	C	−0−	−0−	
(dq)	Demand management	SEG	A	306,400	306,400	
(eq)	Data processing services, service funds	SEG−S	C	15,109,600	15,109,600	
(er)	Fleet operations, service funds	SEG−S	C	12,033,200	12,033,200	
(es)	Other department services, operations, service funds	SEG−S	C	1,099,200	1,099,200	
(et)	Equipment acquisition	SEG	A	−0−	−0−	
(ew)	Operating budget supplements, state funds	SEG	C	−0−	−0−	
	(4) PROGRAM TOTALS					
	SEGREGATED FUNDS			102,923,600	104,524,400	
	FEDERAL			(15,322,900)	(15,308,800)	

Statute, Agency and Purpose	Source	Type	2001−02	2002−03	
OTHER			(54,612,400)	(54,604,600)	
SERVICE			(32,619,300)	(34,242,000)	
LOCAL			(369,000)	(369,000)	
TOTAL−ALL SOURCES			102,923,600	104,524,400	
(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT					
(cg) Vehicle registration, telephone renewal transactions, state funds	PR	C	−0−	−0−	
(ch) Repaired salvage vehicle examinations, state funds	PR	C	−0−	−0−	
(ci) Breath screening instruments, state funds	PR	C	−0−	−0−	
(cj) Vehicle registration, special group plates, state funds	PR	C	−0−	−0−	
(cL) Licensing fees, state funds	PR	C	−0−	−0−	
(cq) Veh. reg., insp. & maint., driver licensing & aircraft reg., state funds	SEG	A	74,071,900	74,909,300	
(cx) Vehicle registration and driver licensing, federal funds	SEG−F	C	200,000	200,000	
(dg) Escort, security and traffic enforcement services, state funds	PR	C	164,300	164,300	
(dh) Traffic academy tuition payments, state funds	PR	C	374,800	374,800	
(di) Chemical testing training and services, state funds	PR	A	1,030,700	1,030,700	
(dk) Public safety radio management, service funds	PR−S	C	219,300	219,300	
(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	48,924,000	49,124,800	
(ds) Extrication training grants, state funds	SEG	A	−0−	375,000	**Vetoed In Part**
(dx) Vehicle inspection and traffic enforcement, federal funds	SEG−F	C	2,439,200	2,439,200	
(ek) Safe−ride grant program; state funds	PR−S	C	−0−	−0−	
(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	3,115,800	3,754,800	
(iv) Municipal and county registration fee, local funds	SEG−L	C	−0−	−0−	
(jr) Pretrial intoxicated driver intervention grants, state funds	SEG	A	779,400	779,400	
(jt) Pretrial intoxicated driver intervention programs, service funds	PR−S	C	250,000	250,000	**Vetoed In Part**
(5) PROGRAM TOTALS					
PROGRAM REVENUE			2,061,100	2,061,100	
OTHER			(1,591,800)	(1,591,800)	
SERVICE			(469,300)	(469,300)	
SEGREGATED FUNDS			137,412,000	139,464,200	
FEDERAL			(5,755,000)	(6,394,000)	
OTHER			(131,657,000)	(133,070,200)	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
LOCAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			139,473,100	141,525,300
(6) DEBT SERVICES				
(af) Principal repayment and interest, local roads for job preserv, state funds	GPR	S	59,700	173,900
(aq) Principal repayment and interest, transportation facilities, state funds	SEG	S	5,024,600	4,929,800
(ar) Principal repayment and interest, buildings, state funds	SEG	S	282,800	255,100
(6) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			59,700	173,900
SEGREGATED FUNDS			5,307,400	5,184,900
OTHER			(5,307,400)	(5,184,900)
TOTAL−ALL SOURCES			5,367,100	5,358,800
(9) GENERAL PROVISIONS				
(gg) Credit card use charges	SEG	C	−0−	−0−
(qd) Freeway land disposal reimbursement clearing account	SEG	C	−0−	−0−
(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−
(qn) Motor vehicle financial responsibility	SEG	C	−0−	−0−
(th) Temporary funding of projects financed by revenue bonds	SEG	S	−0−	−0−
(9) PROGRAM TOTALS				
SEGREGATED FUNDS			−0−	−0−
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
20.395 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			59,700	173,900
PROGRAM REVENUE			5,161,100	5,161,100
OTHER			(3,441,800)	(3,441,800)
SERVICE			(1,719,300)	(1,719,300)
SEGREGATED FUNDS			2,145,868,600	2,218,397,600
FEDERAL			(687,849,900)	(716,249,900)
OTHER			(1,225,499,000)	(1,265,560,400)
SERVICE			(159,654,400)	(164,381,100)
LOCAL			(72,865,300)	(72,206,200)
TOTAL−ALL SOURCES			2,151,089,400	2,223,732,600
Environmental Resources FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			195,673,300	206,963,400
PROGRAM REVENUE			59,052,500	59,133,800
FEDERAL			(16,655,100)	(16,560,200)
OTHER			(23,199,700)	(23,375,400)
SERVICE			(19,197,700)	(19,198,200)
SEGREGATED FUNDS			2,428,523,700	2,500,067,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03	
FEDERAL			(716,347,300)	(744,603,900)	
OTHER			(1,479,656,700)	(1,518,876,500)	
SERVICE			(159,654,400)	(164,381,100)	
LOCAL			(72,865,300)	(72,206,200)	
TOTAL−ALL SOURCES			2,683,249,500	2,766,164,900	

Human Relations and Resources

20.410 Corrections, department of

(1) ADULT CORRECTIONAL SERVICES

(a)	General program operations	GPR	A	372,329,100	403,697,000	
(aa)	Institutional repair and maintenance	GPR	A	3,826,900	4,304,900	
(ab)	Corrections contracts and agreements	GPR	A	79,353,900	49,081,000	
(b)	Services for community corrections	GPR	A	156,107,300	165,372,100	
(be)	Postconviction evidence testing costs	GPR	A	−0−	−0−	**Vetoed In Part**
(bm)	Pharmacological treatment for certain child sex offenders	GPR	A	676,000	676,000	
(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	180,000	180,000	
(cw)	Mother−young child care program	GPR	A	200,000	200,000	
(d)	Purchased services for offenders	GPR	A	20,920,600	21,583,300	
(e)	Principal repayment and interest	GPR	S	66,375,600	72,628,400	
(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	13,044,300	13,197,100	
(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	498,000	498,200	
(gf)	Probation, parole and extended supervision	PR	A	5,303,300	5,303,300	
(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	1,170,100	1,170,100	
(gm)	Sale of fuel and utility service	PR	A	−0−	−0−	
(gr)	Home detention services	PR	A	966,500	977,100	
(gt)	Telephone company commissions	PR	A	832,700	832,700	
(h)	Administration of restitution	PR	A	773,300	774,100	
(hm)	Private business employment of inmates and residents	PR	A	360,000	370,800	
(i)	Gifts and grants	PR	C	33,400	33,400	
(jz)	Operations and maintenance	PR	C	−0−	−0−	
(kc)	Correctional institution enterprises; inmate activities and employment	PR−S	C	1,101,000	1,101,500	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(kf)	Correctional farms	PR−S	A	3,845,800	4,079,000
(kh)	Victim services and programs	PR−S	A	174,400	174,400
(kk)	Institutional operations and charges	PR−S	A	12,141,100	12,171,600
(km)	Prison industries	PR−S	A	22,753,000	24,019,400
(ko)	Prison industries principal repayment, interest and rebates	PR−S	S	309,600	567,900
(kp)	Correctional officer training	PR−S	A	1,851,700	1,860,000
(kx)	Interagency and intra−agency programs	PR−S	C	2,345,100	2,338,100
(ky)	Interagency and intra−agency aids	PR−S	C	1,442,100	1,442,100
(kz)	Interagency and intra−agency local assistance	PR−S	C	−0−	−0−
(m)	Federal project operations	PR−F	C	2,512,800	2,473,100
(n)	Federal program operations	PR−F	C	86,800	86,800
(qm)	Computer recycling	SEG	A	335,500	335,400
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			717,033,500	734,939,600
	PROGRAM REVENUE			58,545,600	60,318,500
	FEDERAL			(2,599,600)	(2,559,900)
	OTHER			(9,982,200)	(10,004,600)
	SERVICE			(45,963,800)	(47,754,000)
	SEGREGATED FUNDS			335,500	335,400
	OTHER			(335,500)	(335,400)
	TOTAL−ALL SOURCES			775,914,600	795,593,500
(2)	PAROLE PROGRAM				
(a)	General program operations	GPR	A	1,154,700	1,185,600
(kx)	Interagency and intra−agency programs	PR−S	C	−0−	−0−
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,154,700	1,185,600
	PROGRAM REVENUE			−0−	−0−
	SERVICE			(−0−)	(−0−)
	TOTAL−ALL SOURCES			1,154,700	1,185,600
(3)	JUVENILE CORRECTIONAL SERVICES				
(a)	General program operations	GPR	A	900,800	901,000
(ba)	Mendota juvenile treatment center	GPR	A	1,379,300	1,379,300
(c)	Reimbursement claims of counties containing secured correctional facilities	GPR	A	200,000	200,000
(cd)	Community youth and family aids	GPR	A	84,781,200	85,841,000
(cg)	Serious juvenile offenders	GPR	B	16,486,900	17,034,300
(e)	Principal repayment and interest	GPR	S	4,270,200	4,269,600
(f)	Community intervention program	GPR	A	3,750,000	3,750,000
(g)	Legal service collections	PR	C	−0−	−0−
(gg)	Collection remittances to local units of government	PR	C	−0−	−0−
(hm)	Juvenile correctional services	PR	A	68,538,500	69,026,600
(ho)	Juvenile residential aftercare	PR	A	13,568,800	14,309,000
(hr)	Juvenile corrective sanctions program	PR	A	4,010,300	4,019,200
(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	213,700	213,700

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(jv)	Secure detention services	PR	C	−0−	−0−	
(ko)	Interagency programs; community youth and family aids	PR−S	C	2,449,200	2,449,200	
(kx)	Interagency and intra−agency programs	PR−S	C	1,890,100	1,886,900	
(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	
(q)	Girls school benevolent trust fund	SEG	C	−0−	−0−	
	(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			111,768,400	113,375,200	
	PROGRAM REVENUE			90,740,900	91,974,900	
	FEDERAL			(30,000)	(30,000)	
	OTHER			(86,371,600)	(87,608,800)	
	SERVICE			(4,339,300)	(4,336,100)	
	SEGREGATED FUNDS			−0−	−0−	
	OTHER			(−0−)	(−0−)	
	TOTAL−ALL SOURCES			202,509,300	205,350,100	
	20.410 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			829,956,600	849,500,400	
	PROGRAM REVENUE			149,286,500	152,293,400	
	FEDERAL			(2,629,600)	(2,589,900)	
	OTHER			(96,353,800)	(97,613,400)	
	SERVICE			(50,303,100)	(52,090,100)	
	SEGREGATED FUNDS			335,500	335,400	
	OTHER			(335,500)	(335,400)	
	TOTAL−ALL SOURCES			979,578,600	1,002,129,200	
20.425	**Employment relations commission**					
(1)	PROMOTION OF PEACE IN LABOR RELATIONS					
(a)	General program operations	GPR	A	2,650,300	2,650,300	
(g)	Publications	PR	A	19,300	19,300	
(h)	Collective bargaining training	PR	A	12,000	12,000	
(i)	Fees	PR	A	196,900	196,900	
	20.425 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			2,650,300	2,650,300	
	PROGRAM REVENUE			228,200	228,200	
	OTHER			(228,200)	(228,200)	
	TOTAL−ALL SOURCES			2,878,500	2,878,500	
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	781,500	781,500	
(i)	Gifts and grants	PR	C	−0−	−0−	
(k)	Contracts with other state agencies	PR−S	C	1,052,300 552,300	1,097,600 547,600	**Vetoed In Part**
(kb)	Insurance and other information, counseling and assistance	PR−S	A	269,600	268,800	
(kc)	volunteer coordination	PR−S	A	35,300	40,200	**Vetoed In Part**
(m)	Federal aid	PR−F	C	−0−	−0−	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
	20.432 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			781,500	781,500
	PROGRAM REVENUE			1,357,200	1,406,600
	FEDERAL			(−0−)	(−0−)
	OTHER			(−0−)	(−0−)
	SERVICE			(1,357,200)	(1,406,600)
	TOTAL−ALL SOURCES			2,138,700	2,188,100
20.433	**Child abuse and neglect prevention board**				
(1)	PREVENTION OF CHILD ABUSE AND NEGLECT				
(g)	General program operations	PR	A	327,900	327,900
(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	90,000	90,000
(ma)	Federal project aids	PR−F	C	300,000	300,000
(q)	Children's trust fund; gifts and grants	SEG	C	19,900	23,100
	20.433 DEPARTMENT TOTALS				
	PROGRAM REVENUE			2,537,900	2,537,900
	FEDERAL			(390,000)	(390,000)
	OTHER			(1,807,900)	(1,807,900)
	SERVICE			(340,000)	(340,000)
	SEGREGATED FUNDS			19,900	23,100
	OTHER			(19,900)	(23,100)
	TOTAL−ALL SOURCES			2,557,800	2,561,000
20.434	**Adolescent pregnancy prevention and pregnancy services**				
(1)	ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES				
(a)	General program operations	GPR	A	23,400	23,400
(b)	Grants to organizations	GPR	A	87,900	87,900
(g)	Adolescent pregnancy prevention and intervention conference	PR	C	−0−	−0−
(kp)	Interagency and intra−agency programs	PR−S	A	98,100	98,100
(ky)	Interagency and intra−agency aids; pregnancy prevention and services	PR−S	C	351,400	351,400
	20.434 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			111,300	111,300
	PROGRAM REVENUE			449,500	449,500
	OTHER			(−0−)	(−0−)
	SERVICE			(449,500)	(449,500)
	TOTAL−ALL SOURCES			560,800	560,800
20.435	**Health and family services, department of**				
(1)	PUBLIC HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; STATE OPERATIONS				
(a)	General program operations	GPR	A	5,525,600	5,525,600
(gm)	Licensing, review and certifying activities fees; supplies and services	PR	A	6,241,100	6,492,500
(gr)	Supplemental food program for women, infants and children adminstration	PR	C	−0−	−0−
(i)	Gifts and grants	PR	C	205,100	205,200
(jb)	Congenital disorders; operations	PR	A	50,600	50,600
(kx)	Interagency and intra−agency programs	PR−S	C	1,621,500	1,936,800

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(m)	Federal project operations	PR−F	C	13,341,600	13,257,800
(mc)	Block grant operations	PR−F	C	6,694,100	6,696,500
(n)	Federal program operations	PR−F	C	3,496,100	3,497,600
(q)	Groundwater and air quality standards	SEG	A	386,600	386,700
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,525,600	5,525,600
	PROGRAM REVENUE			31,650,100	32,137,000
	FEDERAL			(23,531,800)	(23,451,900)
	OTHER			(6,496,800)	(6,748,300)
	SERVICE			(1,621,500)	(1,936,800)
	SEGREGATED FUNDS			386,600	386,700
	OTHER			(386,600)	(386,700)
	TOTAL−ALL SOURCES			37,562,300	38,049,300
(2)	CARE AND TREATMENT FACILITIES				
(a)	General program operations	GPR	A	34,760,900	35,050,800
(aa)	Institutional repair and maintenance	GPR	A	659,300	659,300
(b)	Wisconsin resource center	GPR	A	32,076,500	32,350,100
(bj)	Competency examinations and conditional and supervised release services	GPR	B	4,193,900	5,226,800
(bm)	Secure mental health units or facilities	GPR	A	23,708,700	24,708,400
(ee)	Principal repayment and interest	GPR	S	12,094,600	12,146,100
(ef)	Lease rental payments	GPR	S	−0−	−0−
(f)	Energy costs	GPR	A	2,383,400	2,517,100
(g)	Alternative services of institutes and centers	PR	A	2,048,700	2,050,200
(gk)	Institutional operations and charges	PR	A	160,949,900	161,220,100
(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	7,293,000	7,545,800
(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			109,877,300	112,658,600
	PROGRAM REVENUE			170,465,000	170,989,500
	FEDERAL			(−0−)	(−0−)
	OTHER			(163,172,000)	(163,443,700)
	SERVICE			(7,293,000)	(7,545,800)
	TOTAL−ALL SOURCES			280,342,300	283,648,100
(3)	CHILDREN AND FAMILY SERVICES				
(a)	General program operations	GPR	A	5,096,300	5,310,100
(bc)	Grants for children's community programs	GPR	A	652,200	652,200
(bm)	Services for children and families	GPR	S	250,000	250,000
(cd)	Domestic abuse grants	GPR	A	5,070,200	5,070,200
(cf)	Foster, trtmt foster & family−operated group home parent ins & liability	GPR	A	60,000	60,000

Statute, Agency and Purpose		Source	Type	2001−02	2002−03	
(cw)	Milwaukee child welfare services; general program operations	GPR	A	12,656,400	12,815,900	
(cx)	Milwaukee child welfare services; aids	GPR	A	39,965,600	40,000,300	
(dd)	State foster care and adoption services	GPR	A	25,476,000	28,324,800	
(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	163,700	171,300	
(dn)	Food distribution grants	GPR	A	170,000	170,000	
(eg)	Adolescent services	GPR	A	592,400	592,400	
(fp)	Food pantry grants and administration	GPR	A	750,000	750,000	**Vetoed In Part**
(gx)	Milwaukee child welfare services; collections	PR	C	2,992,300	2,992,300	
(hh)	Domestic abuse assessment grants	PR	C	300,000	365,000	
(i)	Gifts and grants	PR	C	−0−	−0−	
(j)	Statewide automated child welfare information system receipts	PR	C	922,600	1,593,400	
(jb)	Fees for administrative services	PR	C	78,400	78,400	
(jj)	Searches for birth parents and adoption record information; foreign adopt	PR	A	62,700	62,900	
(jm)	Licensing activities	PR	A	567,500	567,900	
(kc)	Interagency and intra−agency aids; kinship care and long−term kinship care	PR−S	A	23,198,000	23,198,000	
(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	2,367,100	2,367,100	
(kw)	Interagency and intra−agency aids; Milwaukee child welfare services	PR−S	A	20,101,300	20,101,300	
(kx)	Interagency and intra−agency programs	PR−S	C	13,663,200	13,653,800	
(ky)	Interagency and intra−agency aids	PR−S	C	1,002,000	1,002,000	
(kz)	Interagency and intra−agency local assistance	PR−S	C	−0−	−0−	
(m)	Federal project operations	PR−F	C	954,000	955,200	
(ma)	Federal project aids	PR−F	C	3,445,200	3,445,200	
(mb)	Federal project local assistance	PR−F	C	−0−	−0−	
(mc)	Federal block grant operations	PR−F	C	2,184,700	2,126,800	
(md)	Federal block grant aids	PR−F	C	8,172,200	8,172,200	
(me)	Federal block grant local assistance	PR−F	C	−0−	−0−	
(mw)	Federal aid; Milwaukee child welfare services general program operations	PR−F	C	6,118,600	6,228,000	
(mx)	Federal aid; Milwaukee child welfare services aids	PR−F	C	18,838,700	18,804,000	
(n)	Federal program operations	PR−F	C	5,862,500	5,948,000	
(na)	Federal program aids	PR−F	C	2,363,400	2,280,700	
(nL)	Federal program local assistance	PR−F	C	7,785,200	7,785,200	
(o)	Community aids; prevention activities	PR−F	C	2,710,100	2,710,100	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(pd)	Federal aid; state foster care and adoption services	PR−F	C	25,040,100	27,690,300	
(pm)	Federal aid; adoption incentive payments	PR−F	C	371,000	218,400	
	(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			92,058,500	95,322,900	
	PROGRAM REVENUE			150,564,800	153,810,200	
	FEDERAL			(83,845,700)	(86,364,100)	
	OTHER			(4,923,500)	(5,659,900)	
	SERVICE			(61,795,600)	(61,786,200)	
	TOTAL−ALL SOURCES			242,623,300	249,133,100	
(4)	HEALTH SERVICES PLANNING, REG & DELIVERY; HLTH CARE FIN; OTHER SUPPORT PGMS					
(a)	General program operations	GPR	A	17,690,900	16,691,700	
(af)	HIRSP; transfer to fund for costs	GPR	A	10,000,000	10,000,000	
(ah)	HIRSP; transfer to fund for premium and deductible reduction subsidy	GPR	B	780,800	780,800	
(b)	Medical assistance program benefits	GPR	B	1,108,684,900 1,106,695,900	1,031,338,600 1,024,273,500	**Vetoed In Part**
(bc)	Health care for low−income families	GPR	C	48,005,300	52,238,300 52,234,300	**Vetoed In Part**
(bm)	Medical assist & BadgerCare admin; contracts costs, ins reports, & res ctrs	GPR	B	19,342,900 19,092,900	20,090,000 19,815,000	**Vetoed In Part**
(bn)	Income maintenance	GPR	B	21,774,100	21,971,600 21,938,200	**Vetoed In Part**
(bt)	Relief block grants to counties	GPR	A	800,000	800,000	
(bu)	Health insurance supplement	GPR	A	250,000	−0−	**Vetoed In Part**
(bv)	Prescription drug assistance for elderly; aids	GPR	B	−0−	49,900,000	
(d)	Facility appeals mechanism	GPR	A	546,800	546,800	
(e)	Disease aids	GPR	B	4,932,000	4,932,000	
(g)	Family care benefit; cost sharing	PR	C	−0−	−0−	
(gm)	Health services regulation and vital statistics	PR	A	2,012,000	1,942,000	
(gp)	Health care and graduate medical education; aids	PR	C	1,500,000	1,500,000	
(h)	General assistance medical program; intergovernmental transfer	PR	A	4,660,000	4,660,000	
(hg)	General program operations; health care information	PR	A	2,688,700	2,690,000	
(hi)	Compilations and special reports	PR	C	97,500	97,500	
(i)	Gifts and grants; health care financing	PR	C	−0−	−0−	
(iL)	Medical assistance provider assessments	PR	C	−0−	−0−	
(im)	Medical assistance; recovery of correct payments	PR	C	14,502,800	14,502,700	
(in)	Community options program; family care; recovery of costs administration	PR	A	76,200	76,300	
(j)	Prescription drug assistance for elderly; manufacturer rebates	PR	C	−0−	−0−	
(jb)	Prescription drug assistance for elderly; enrollment fees	PR	C	−0−	−0−	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(je)	Disease aids; drug manufacturer rebates	PR	C	−0−	−0−	
(jz)	Badger care premiums	PR	C	2,994,400	3,293,400	
(kb)	Relief block grants to tribal governing bodies	PR−S	A	800,000	800,000	
(kt)	Medical assistance outreach and reimbursements for tribes	PR−S	B	1,070,000	1,070,000	
(kx)	Interagency and intra−agency programs	PR−S	C	985,600	986,200	
(ky)	Interagency and intra−agency aids	PR−S	C	−0−	−0−	
(kz)	Interagency and intra−agency local assistance	PR−S	C	−0−	−0−	
(L)	Medical assistance and food stamps fraud and error reduction	PR	C	−0−	−0−	
(m)	Federal project operations	PR−F	C	673,900	674,300	
(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	32,714,100	32,075,700	
(na)	Federal program aids	PR−F	C	7,088,700	7,088,700	
(nn)	Federal aid; income maintenance	PR−F	B	29,641,500	29,839,000	
(o)	Federal aid; medical assistance	PR−F	C	2,044,115,200	2,190,491,300	
(p)	Federal aid; health care for low−income families	PR−F	C	95,472,700	104,167,500	
(pa)	Federal aid; medical assistance contracts administration	PR−F	C	39,769,100	41,206,600	
(pv)	Food stamps; electronic benefits transfer	PR−F	C	−0−	−0−	
(u)	HIRSP; administration	SEG	B	4,938,000	4,934,000	
(v)	HIRSP; program benefits	SEG	C	62,551,300	82,587,000	
(w)	Medical assistance trust fund	SEG	B	155,210,000 155,139,000	296,940,500 296,866,000	**Vetoed In Part**
(wm)	Medical assistance trust fund; nursing homes	SEG	S	−0−	−0−	**Vetoed In Part**
(x)	Health care for low−income families	SEG	C	328,500	706,700	

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	1,232,807,700	1,209,289,800
PROGRAM REVENUE	2,280,862,400	2,437,161,200
FEDERAL	(2,249,475,200)	(2,405,543,100)
OTHER	(28,531,600)	(28,761,900)
SERVICE	(2,855,600)	(2,856,200)
SEGREGATED FUNDS	223,027,800	385,168,200
OTHER	(223,027,800)	(385,168,200)
TOTAL−ALL SOURCES	3,736,697,900	4,031,619,200

(5) PUBLIC HEALTH SERVICES PLANNING, REGULATION & DELIVERY; AIDS & LOCAL ASSIST

(am)	Services, reimbursement and payment related to human immunodeficiency virus	GPR	A	4,146,300	4,271,300	
(ca)	Grants for childhood asthma	GPR	A	150,000	150,000	**Vetoed In Part**
(cb)	Well woman program	GPR	A	2,188,200	2,188,200	
(cc)	Cancer control and prevention	GPR	A	394,600	394,600	
(ce)	Services for homeless individuals	GPR	C	125,000	125,000	

Statute, Agency and Purpose		Source	Type	2001−02	2002−03	
(ch)	Emergency medical services; aids	GPR	A	2,200,000	2,200,000	
(cm)	Immunization	GPR	S	−0−	−0−	
(de)	Dental services	GPR	A	2,970,500	2,970,500	
(dm)	Rural health dental clinics	GPR	A	912,500	587,600	
(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	77,600	77,600	
(em)	Supplemental food program for women, infants and children benefits	GPR	C	179,300	179,300	
(ev)	Pregnancy outreach and infant health	GPR	A	375,000	375,000	
(f)	Family planning	GPR	A	1,955,200	1,955,200	
(fh)	Community health services	GPR	A	3,575,000	3,075,000	
(i)	Gifts and grants; aids	PR	C	−0−	−0−	
(ja)	Congenital disorders; diagnosis, special dietary treatment and counseling	PR	A	1,833,700	1,929,300	
(kb)	Minority health	PR−S	A	250,000	250,000	
(ke)	Cooperative American Indian health projects	PR−S	A	120,000	120,000	
(ky)	Interagency and intra−agency aids	PR−S	C	2,417,000	2,417,000	
(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	56,826,400	56,826,400	
	(5) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			21,050,200	20,350,300	
	PROGRAM REVENUE			74,469,300	74,564,900	
	FEDERAL			(69,614,500)	(69,614,500)	
	OTHER			(1,833,700)	(1,929,300)	
	SERVICE			(3,021,100)	(3,021,100)	
	TOTAL−ALL SOURCES			95,519,500	94,915,200	
(6)	SUPPORTIVE LIVING; STATE OPERATIONS					
(a)	General program operations; physical disabilities; publicity activities	GPR	A	14,465,300 14,435,300	14,408,400 14,378,400	**Vetoed In Part**
(dm)	Nursing home monitoring and receivership supplement	GPR	S	−0−	−0−	
(e)	Principal repayment and interest	GPR	S	74,700	68,400	
(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	999,800	1,092,900	
(gd)	Group home revolving loan fund	PR	A	100,000	100,000	
(hs)	Interpreter services for hearing impaired	PR	A	40,000	40,000	
(hx)	Services related to drivers, receipts	PR	A	−0−	−0−	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(i)	Gifts and grants	PR	C	22,300	22,400	
(jb)	Fees for administrative services	PR	C	462,000	462,100	
(jm)	Licensing and support services	PR	A	3,269,000	3,277,900	
(k)	Nursing home monitoring and receivership operations	PR−S	C	−0−	−0−	
(kx)	Interagency and intra−agency programs	PR−S	C	1,639,200	1,639,900	
(m)	Federal project operations	PR−F	C	4,288,900	4,269,300	
(mc)	Federal block grant operations	PR−F	C	2,028,200	2,027,200	
(n)	Federal program operations	PR−F	C	16,037,400	16,029,300	
	(6) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			15,399,800	15,336,600	
	PROGRAM REVENUE			29,036,800	29,111,000	
	FEDERAL			(22,354,500)	(22,325,800)	
	OTHER			(5,043,100)	(5,145,300)	
	SERVICE			(1,639,200)	(1,639,900)	
	TOTAL−ALL SOURCES			44,436,600	44,447,600	
(7)	SUPPORTIVE LIVING; AIDS AND LOCAL ASSISTANCE					
(b)	Community aids	GPR	A	178,385,300	180,889,600	
(bc)	Grants for community programs	GPR	A	6,463,300	6,403,300	
(bd)	Community options program; pilot projects; family care benefit	GPR	A	108,942,200	112,032,500 109,337,900	Vetoed In Part
(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 programs	GPR	A	1,186,900 686,900	1,186,900	Vetoed In Part
(bm)	Purchased services for clients	GPR	A	94,800	94,800	
(br)	Respite care	GPR	A	337,500 225,000	337,500 225,000	Vetoed In Part
(bt)	Early intervention services for infants and toddlers with disabilities	GPR	A	5,778,900	6,798,500	
(c)	Independent living centers	GPR	A	1,433,500	1,433,500	
(ce)	Services for homeless individuals	GPR	A	45,000	45,000	
(cg)	Guardianship grant program	GPR	A	193,600	193,600	
(co)	Integrated service programs for children with severe disabilities	GPR	A	133,300	133,300	
(d)	Telecommunication aid for the hearing impaired	GPR	A	80,000	80,000	
(da)	Reimbursements to local units of government	GPR	S	400,000	400,000	
(dh)	Programs for senior citizens; elder abuse services; benefit specialist pgm	GPR	A	12,161,100 11,411,100	12,161,100	Vetoed In Part
(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	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(kb)	Severely emotionally disturbed children	PR−S	C	721,300	721,300	
(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	
(kn)	Elderly nutrition; home−delivered and congregate meals	PR−S	A	500,000	500,000	
(ky)	Interagency and intra−agency aids	PR−S	C	20,518,500	20,169,500	
(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	8,667,200	7,670,000	
(me)	Federal block grant local assistance	PR−F	C	10,173,800	10,373,800	
(na)	Federal program aids	PR−F	C	23,360,300	24,763,700	
(nL)	Federal program local assistance	PR−F	C	5,553,800	5,553,800	
(o)	Federal aid; community aids	PR−F	C	88,140,600	83,007,600	
	(7) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			456,383,700	462,937,900	
	PROGRAM REVENUE			175,067,200	170,191,400	
	FEDERAL			(148,367,200)	(143,840,400)	
	OTHER			(1,115,000)	(1,115,000)	
	SERVICE			(25,585,000)	(25,236,000)	
	TOTAL−ALL SOURCES			631,450,900	633,129,300	
(8)	GENERAL ADMINISTRATION					
(a)	General program operations	GPR	A	18,780,800 18,775,800	19,287,300 18,547,300	**Vetoed In Part**
(i)	Gifts and grants	PR	C	174,200	200,500	
(k)	Administrative and support services	PR−S	A	41,982,500	42,041,600	
(kx)	Interagency and intra−agency programs	PR−S	C	122,200	122,100	
(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	962,400	962,400	
(ma)	Federal project aids	PR−F	C	−0−	−0−	
(mb)	Income augmentation services receipts	PR−F	C	359,600	399,100	
(mc)	Federal block grant operations	PR−F	C	1,327,100	1,257,600	
(mm)	Reimbursements from federal government	PR−F	C	−0−	−0−	
(n)	Federal program operations	PR−F	C	3,586,500	4,182,800	
(pz)	Indirect cost reimbursements	PR−F	C	1,523,700	1,518,900	
	(8) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			18,780,800	19,287,300	
	PROGRAM REVENUE			50,038,200	50,685,000	
	FEDERAL			(7,759,300)	(8,320,800)	
	OTHER			(174,200)	(200,500)	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03	
SERVICE			(42,104,700)	(42,163,700)	
TOTAL−ALL SOURCES			68,819,000	69,972,300	
20.435 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			1,951,883,600	1,940,709,000	
PROGRAM REVENUE			2,962,153,800	3,118,650,200	
FEDERAL			(2,604,948,200)	(2,759,460,600)	
OTHER			(211,289,900)	(213,003,900)	
SERVICE			(145,915,700)	(146,185,700)	
SEGREGATED FUNDS			223,414,400	385,554,900	
OTHER			(223,414,400)	(385,554,900)	
TOTAL−ALL SOURCES			5,137,451,800	5,444,914,100	
20.436 Tobacco control board					
(1) SMOKING CESSATION AND EDUCATION					
(g) Gifts and grants	PR	C	−0−	−0−	
(tb) General program operations	SEG	B	336,300	345,100	
(tc) Grants	SEG	C	5,846,000	15,000,000	
20.436 DEPARTMENT TOTALS					
PROGRAM REVENUE			−0−	−0−	
OTHER			(−0−)	(−0−)	
SEGREGATED FUNDS			6,182,300	15,345,100	
OTHER			(6,182,300)	(15,345,100)	
TOTAL−ALL SOURCES			6,182,300	15,345,100	
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	6,991,500		**Vetoed**
			6,841,500	6,841,500	**In Part**
(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−	−0−	
(ga) Auxiliary services	PR	C	572,700	572,700	
(gb) Local agreements	PR	C	4,560,700	4,560,700	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(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	275,500	275,500
(gf)	Unemployment insurance administration	PR	A	1,545,600	1,545,600
(gg)	Unemployment tax and accounting system; interest and penalties	PR	A	−0−	−0−
(gh)	Unemployment tax and accounting system; assessments	PR	C	2,245,200	2,245,200
(ha)	Worker's compensation operations	PR	A	10,176,400	10,204,800
(hb)	Worker's compensation contracts	PR	C	500,000	500,000
(hp)	Uninsured employers program; administration	PR	A	914,300	914,300
(jm)	Dislocated worker program grants	PR	C	−0−	−0−
(jr)	Wisconsin service corps member compensation & support; sponsor contribution	PR	C	−0−	−0−
(ka)	Interagency and intra−agency agreements	PR−S	C	4,490,700	4,391,500
(kc)	Administrative services	PR−S	A	49,160,500	49,160,500
(km)	Wisconsin service corps member compensation and support; service funds	PR−S	C	−0−	−0−
(kr)	Employment transit aids, federal oil overcharge funds	PR−S	C	−0−	−0−
(kt)	Transfer of Indian gaming receipts; trade masters pilot program	PR−S	A	50,000	−0−
(L)	Child support − related fees	PR	C	−0−	−0−
(m)	Federal funds	PR−F	C	1,307,600	1,300,100
(ma)	Federal aid — program administration	PR−F	C	5,494,600	5,448,600
(mb)	Federal aid — employment and training local assistance	PR−F	C	1,493,600	1,493,600
(mc)	Federal aid — employment and training aids	PR−F	C	23,881,800	23,881,800
(n)	Unemployment administration; federal moneys	PR−F	C	90,712,300	80,042,300
(na)	Employment security buildings and equipment	PR−F	C	141,400	101,400
(nb)	Unemployment tax and accounting system; federal moneys	PR−F	C	−0−	−0−
(nc)	Unemployment insurance administration; special federal monies	PR−F	C	2,263,800	2,263,800
(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			8,144,000	7,994,000
	PROGRAM REVENUE			200,266,700	189,382,400

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
	FEDERAL			(125,529,100)	(114,765,600)
	OTHER			(21,036,400)	(21,064,800)
	SERVICE			(53,701,200)	(53,552,000)
	SEGREGATED FUNDS			3,700,000	3,700,000
	OTHER			(3,700,000)	(3,700,000)
	TOTAL−ALL SOURCES			212,110,700	201,076,400
(2)	REVIEW COMMISSION				
(a)	General program operations, review commission	GPR	A	199,800	199,800
(ha)	Worker's compensation operations	PR	A	642,700	645,300
(m)	Federal moneys	PR−F	C	138,000	138,700
(n)	Unemployment administration; federal moneys	PR−F	C	1,853,700	1,867,200
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			199,800	199,800
	PROGRAM REVENUE			2,634,400	2,651,200
	FEDERAL			(1,991,700)	(2,005,900)
	OTHER			(642,700)	(645,300)
	TOTAL−ALL SOURCES			2,834,200	2,851,000
(3)	ECONOMIC SUPPORT				
(a)	General program operations	GPR	A	22,869,600	21,602,900
(cm)	Wisconsin works child care	GPR	A	17,844,700	25,054,100
(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	147,304,000	147,304,000
(e)	Job access loans	GPR	B	450,000	450,000
(fs)	Child support order conversion assistance	GPR	A	1,000,000	−0−
(i)	Gifts and grants	PR	C	15,900	15,900
(ja)	Child support state operations−fees	PR	C	9,050,100	9,587,100
(jb)	Fees for administrative services	PR	C	485,800	485,800
(jL)	Job access loan repayments	PR	C	83,300	83,300
(k)	Child support transfers	PR−S	C	36,188,500	33,188,500
(kp)	Delinquent support, maintenance, and fee payments	PR−S	C	−0−	−0−
(kx)	Interagency and intra−agency programs	PR−S	C	60,262,400	60,262,400
(ky)	Interagency and intra−agency aids	PR−S	C	11,110,600	11,110,600
(kz)	Interagency and intra−agency local assistance	PR−S	C	−0−	−0−
(L)	Welfare fraud and error reduction activities and food stamp sanctions	PR	C	3,434,000	3,452,800
(m)	Federal project operations	PR−F	C	4,951,100	4,951,100
(ma)	Federal project aids	PR−F	C	400,000	400,000
(mb)	Federal project local assistance	PR−F	C	−0−	−0−
(mc)	Federal block grant operations	PR−F	A	72,767,000	55,969,200
(md)	Federal block grant aids	PR−F	A	467,478,100	422,636,100
(mm)	Reimbursements from federal government	PR−F	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(n)	Federal program operations	PR−F	C	46,308,200	44,923,300
(na)	Federal program aids	PR−F	C	5,700,000	5,700,000
(nL)	Federal program local assistance	PR−F	C	49,891,100	47,949,900
(pm)	Food stamp employment and training program; administration	PR−F	C	406,300	406,300
(ps)	Food stamp employment and training program; aids	PR−F	C	5,602,000	5,602,000
(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	1,300,000	1,300,000
(qm)	Child support state ops and reimb for claims and expenses; unclaimed pymts	SEG	S	1,500,000	1,500,000
(r)	Support receipt and disbursement program; payments	SEG	C	−0−	−0−
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			191,378,000	196,320,700
	PROGRAM REVENUE			774,134,400	706,724,300
	FEDERAL			(653,503,800)	(588,537,900)
	OTHER			(13,069,100)	(13,624,900)
	SERVICE			(107,561,500)	(104,561,500)
	SEGREGATED FUNDS			2,800,000	2,800,000
	OTHER			(2,800,000)	(2,800,000)
	TOTAL−ALL SOURCES			968,312,400	905,845,000
(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	5,648,200	5,648,200
(bm)	Purchased services for clients	GPR	A	6,780,500	6,780,500
(gg)	Contractual services	PR	C	30,300	30,300
(gp)	Contractual services aids	PR	C	1,262,000	1,262,000
(h)	Enterprises and services for blind and visually impaired	PR	C	130,800	130,800
(hd)	Rehabilitation teaching aids	PR	A	−0−	−0−
(he)	Supervised business enterprise	PR	C	180,000	180,000
(i)	Gifts and grants	PR	C	10,000	10,000
(kg)	Vocational rehabilitation services for tribes	PR−S	A	350,000	350,000
(kx)	Interagency and intra−agency programs	PR−S	C	73,500	73,500
(ky)	Interagency and intra−agency aids	PR−S	C	972,900	972,900
(kz)	Interagency and intra−agency local assistance	PR−S	C	−0−	−0−
(m)	Federal project operations	PR−F	C	135,000	135,000
(ma)	Federal project aids	PR−F	C	1,218,600	1,218,600
(n)	Federal program operations	PR−F	C	22,787,100	22,787,100

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(na)	Federal program aids	PR−F	C	30,634,300	30,634,300
(nL)	Federal program local assistance	PR−F	C	−0−	−0−
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			12,428,700	12,428,700
	PROGRAM REVENUE			57,784,500	57,784,500
	FEDERAL			(54,775,000)	(54,775,000)
	OTHER			(1,613,100)	(1,613,100)
	SERVICE			(1,396,400)	(1,396,400)
	TOTAL−ALL SOURCES			70,213,200	70,213,200
(6)	WISCONSIN CONSERVATION CORPS				
(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	446,300	446,300
(kb)	Administrative support; service funds	PR−S	C	46,300	46,300
(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	2,642,000	2,278,300
(x)	General enrollee operations; waterfront projects; conservation fund	SEG	B	141,700	−0−
(y)	Administrative support; conservation fund	SEG	A	487,500	487,500
	(6) PROGRAM TOTALS				
	PROGRAM REVENUE			492,600	492,600
	FEDERAL			(−0−)	(−0−)
	OTHER			(−0−)	(−0−)
	SERVICE			(492,600)	(492,600)
	SEGREGATED FUNDS			3,271,200	2,765,800
	OTHER			(3,271,200)	(2,765,800)
	TOTAL−ALL SOURCES			3,763,800	3,258,400
(7)	GOVERNOR'S WORK−BASED LEARNING BOARD				
(a)	General program operations	GPR	A	710,000	710,000
(b)	Local youth apprenticeship grants	GPR	A	2,303,000	2,303,000
(ef)	School−to−work programs for children at risk	GPR	A	300,000	300,000
(em)	Youth apprenticeship training grants	GPR	A	−0−	−0−
(ga)	Auxiliary services	PR	C	18,000	18,000
(kb)	Funds transferred from the technical college system board; school−to−work	PR−S	C	2,289,200	2,289,200
(kd)	Transfer of Indian gaming receipts; work−based learning programs	PR	A	600,000	600,000
(kx)	Interagency and intra−agency programs	PR−S	C	111,700	111,700
(m)	Federal funds	PR−F	C	318,800	318,800
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			3,313,000	3,313,000

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
	PROGRAM REVENUE			3,337,700	3,337,700
	FEDERAL			(318,800)	(318,800)
	OTHER			(618,000)	(618,000)
	SERVICE			(2,400,900)	(2,400,900)
	TOTAL−ALL SOURCES			6,650,700	6,650,700
	20.445 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			215,463,500	220,256,200
	PROGRAM REVENUE			1,038,650,300	960,372,700
	FEDERAL			(836,118,400)	(760,403,200)
	OTHER			(36,979,300)	(37,566,100)
	SERVICE			(165,552,600)	(162,403,400)
	SEGREGATED FUNDS			9,771,200	9,265,800
	OTHER			(9,771,200)	(9,265,800)
	TOTAL−ALL SOURCES			1,263,885,000	1,189,894,700
20.455	**Justice, department of**				
(1)	LEGAL SERVICES				
(a)	General program operations	GPR	A	11,296,500	11,320,400
(b)	Special counsel	GPR	S	850,000	850,000
(d)	Legal expenses	GPR	B	931,400	931,400
(gh)	Investigations and prosecution	PR	A	−0−	−0−
(gs)	Delinquent obligation collection	PR	A	−0−	−0−
(hm)	Restitution	PR	C	−0−	−0−
(k)	Environment litigation project	PR−S	C	444,400	444,500
(km)	Interagency and intra−agency assistance	PR−S	A	724,100	724,100
(kt)	Telecommunications positions	PR−S	C	−0−	−0−
(m)	Federal aid	PR−F	C	766,000	766,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			13,077,900	13,101,800
	PROGRAM REVENUE			1,934,500	1,934,600
	FEDERAL			(766,000)	(766,000)
	OTHER			(−0−)	(−0−)
	SERVICE			(1,168,500)	(1,168,600)
	TOTAL−ALL SOURCES			15,012,400	15,036,400
(2)	LAW ENFORCEMENT SERVICES				
(a)	General program operations	GPR	A	14,775,900	15,151,300
(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	1,081,700	1,081,700
(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	−0−	9,200
(g)	Gaming law enforcement; racing revenues	PR	A	123,900	116,100

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(gc)	Gaming law enforcement; Indian gaming	PR	A	103,900	105,600	
(gm)	Criminal history searches; fingerprint identification	PR	C	3,155,500	3,167,900	
(gr)	Gun purchaser record checks	PR	C	369,400	369,400	
(h)	Terminal charges	PR	A	2,599,600	2,599,600	
(i)	Law enforcement training fund assessment, receipts	PR	A	−0−	−0−	
(j)	Law enforcement training fund, local assistance	PR	A	5,312,700	5,345,700	
(ja)	Law enforcement training fund, state operations	PR	A	3,230,000	3,230,100	
(jb)	Crime laboratory equipment and supplies	PR	A	377,300	377,300	
(k)	Interagency and intra−agency assistance	PR−S	C	157,200	157,200	
(kd)	Drug law enforcement, crime laboratories, and genetic evidence activities	PR−S	A	3,454,500	3,380,100	
(ke)	Drug enforcement intelligence operations	PR−S	A	1,405,100	1,419,400	
(kg)	Interagency and intra−agency assistance; fingerprint identification	PR−S	A	940,100	2,200,100	
(kh)	Automated fingerprint identification system grants	PR−S	A	219,000	−0−	**Vetoed In Part**
(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	63,600	63,600	
(Lm)	Crime laboratories; deoxyribonucleic acid analysis	PR	C	508,600	512,000	
(m)	Federal aid, state operations	PR−F	C	1,900,000	1,750,000	
(ma)	Federal aid, drug enforcement	PR−F	C	−0−	−0−	
(n)	Federal aid, local assistance	PR−F	C	−0−	−0−	
(r)	Gaming law enforcement; lottery revenues	SEG	A	285,300	289,100	
	(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			16,407,600	16,792,200	
	PROGRAM REVENUE			24,628,800	25,502,500	
	FEDERAL			(1,900,000)	(1,750,000)	
	OTHER			(15,780,900)	(15,823,700)	
	SERVICE			(6,947,900)	(7,928,800)	
	SEGREGATED FUNDS			285,300	289,100	
	OTHER			(285,300)	(289,100)	
	TOTAL−ALL SOURCES			41,321,700	42,583,800	
(3)	ADMINISTRATIVE SERVICES					
(a)	General program operations	GPR	A	4,400,800	4,404,100	
(g)	Gifts, grants and proceeds	PR	C	−0−	−0−	
(k)	Interagency and intra−agency assistance	PR−S	A	−0−	−0−	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(m)	Federal aid, state operations	PR−F	C	−0−	−0−
(pz)	Indirect cost reimbursements	PR−F	C	69,800	69,800
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			4,400,800	4,404,100
	PROGRAM REVENUE			69,800	69,800
	FEDERAL			(69,800)	(69,800)
	OTHER			(−0−)	(−0−)
	SERVICE			(−0−)	(−0−)
	TOTAL−ALL SOURCES			4,470,600	4,473,900
(5)	VICTIMS AND WITNESSES				
(a)	General program operations	GPR	A	955,900	958,500
(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	2,352,000	2,566,600
(gc)	Crime victim and witness surcharge, sexual assault victim services	PR	C	2,000,000	2,000,000
(h)	Crime victim compensation services	PR	A	40,500	40,500
(i)	Victim compensation, inmate payments	PR	C	−0−	−0−
(k)	Interagency and intra−agency assistance; reimbursement to counties	PR−S	A	966,100	966,100
(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	773,000	773,000
(m)	Federal aid; victim compensation	PR−F	C	643,900	643,900
(ma)	Federal aid, state operations	PR−F	C	132,700	133,100
(mh)	Federal aid; victim assistance	PR−F	C	4,039,800	4,041,400
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			3,777,200	3,779,800
	PROGRAM REVENUE			11,436,800	11,653,400
	FEDERAL			(4,816,400)	(4,818,400)
	OTHER			(4,392,500)	(4,607,100)
	SERVICE			(2,227,900)	(2,227,900)
	TOTAL−ALL SOURCES			15,214,000	15,433,200
	20.455 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			37,663,500	38,077,900
	PROGRAM REVENUE			38,069,900	39,160,300
	FEDERAL			(7,552,200)	(7,404,200)
	OTHER			(20,173,400)	(20,430,800)
	SERVICE			(10,344,300)	(11,325,300)
	SEGREGATED FUNDS			285,300	289,100
	OTHER			(285,300)	(289,100)
	TOTAL−ALL SOURCES			76,018,700	77,527,300
20.465	**Military affairs, department of**				
(1)	NATIONAL GUARD OPERATIONS				
(a)	General program operations	GPR	A	4,593,500	4,593,500
(b)	Repair and maintenance	GPR	A	650,400	650,400

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(c)	Public emergencies	GPR	S	48,500	48,500
(d)	Principal repayment and interest	GPR	S	3,111,100	2,882,100
(e)	State service flags	GPR	A	400	400
(f)	Energy costs	GPR	A	1,866,900	1,639,500
(g)	Military property	PR	A	386,900	386,900
(h)	Intergovernmental services	PR	A	215,500	215,500
(k)	Armory store operations	PR−S	A	239,200	239,200
(km)	Agency services	PR−S	A	68,300	68,300
(Li)	Gifts and grants	PR	C	−0−	−0−
(m)	Federal aid	PR−F	C	16,845,500	16,845,500
(pz)	Indirect cost reimbursements	PR−F	C	401,800	403,800
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			10,270,800	9,814,400
	PROGRAM REVENUE			18,157,200	18,159,200
	FEDERAL			(17,247,300)	(17,249,300)
	OTHER			(602,400)	(602,400)
	SERVICE			(307,500)	(307,500)
	TOTAL−ALL SOURCES			28,428,000	27,973,600
(2)	GUARD MEMBERS' BENEFITS				
(a)	Tuition grants	GPR	B	3,552,400	3,724,500
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			3,552,400	3,724,500
	TOTAL−ALL SOURCES			3,552,400	3,724,500
(3)	EMERGENCY MANAGEMENT SERVICES				
(a)	General program operations	GPR	A	688,800	688,800
(c)	Helicopter support services	GPR	A	100,000	100,000
(dd)	Regional emergency response teams	GPR	A	1,400,000	1,400,000
(dp)	Emergency response equipment	GPR	A	468,000	468,000
(dr)	Emergency response supplement	GPR	C	−0−	−0−
(dt)	Emergency response training	GPR	B	64,900	64,900
(e)	Disaster recovery aid	GPR	S	1,347,000	1,347,000
(f)	Civil air patrol aids	GPR	A	19,000	19,000
(g)	Program services	PR	A	1,071,400	1,071,400
(h)	Interstate emergency assistance	PR	A	−0−	−0−
(i)	Emergency planning and reporting; administration	PR	A	791,000	791,000
(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	1,713,300	1,701,200
(n)	Federal aid, local assistance	PR−F	C	8,306,700	8,306,700
(o)	Federal aid, individuals and organizations	PR−F	C	1,926,400	1,926,400
(r)	Division of emergency management; petroleum inspection fund	SEG	A	465,700	465,700
(t)	Emergency response training − environmental fund	SEG	B	10,500	10,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03	
(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			4,087,700	4,087,700	
PROGRAM REVENUE			14,643,500	14,631,400	
FEDERAL			(11,946,400)	(11,934,300)	
OTHER			(2,697,100)	(2,697,100)	
SEGREGATED FUNDS			476,200	476,200	
OTHER			(476,200)	(476,200)	
TOTAL−ALL SOURCES			19,207,400	19,195,300	
(4) NATIONAL GUARD YOUTH PROGRAMS					
(b) Badger challenge program	GPR	A	−0−	280,200	
(c) Youth challenge program	GPR	A	1,289,400	1,290,400	
(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	−0−	93,400	
(m) Federal aid − youth programs	PR−F	C	1,911,000	1,912,600	
(4) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			1,289,400	1,570,600	
PROGRAM REVENUE			1,911,000	2,006,000	
FEDERAL			(1,911,000)	(1,912,600)	
OTHER			(−0−)	(−0−)	
SERVICE			(−0−)	(93,400)	
TOTAL−ALL SOURCES			3,200,400	3,576,600	
20.465 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			19,200,300	19,197,200	
PROGRAM REVENUE			34,711,700	34,796,600	
FEDERAL			(31,104,700)	(31,096,200)	
OTHER			(3,299,500)	(3,299,500)	
SERVICE			(307,500)	(400,900)	
SEGREGATED FUNDS			476,200	476,200	
OTHER			(476,200)	(476,200)	
TOTAL−ALL SOURCES			54,388,200	54,470,000	
20.475 District attorneys					
(1) DISTRICT ATTORNEYS					
(d) Salaries and fringe benefits	GPR	A	36,114,900	36,114,900	
(f) Firearm prosecution costs	GPR	A	76,000	78,300	
(g) Fees from vehicle−related offenses	PR	A	378,800	756,200	**Vetoed In Part**
(h) Gifts and grants	PR	C	1,227,400	1,248,000	
(i) Other employees	PR	A	174,700	174,700	
(k) Interagency and intra−agency assistance	PR−S	C	75,600	101,000	
(km) Deoxyribonucleic acid evidence activities	PR−S	A	116,400	122,100	
(m) Federal aid	PR−F	C	−0−	−0−	
20.475 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			36,190,900	36,193,200	
PROGRAM REVENUE			1,972,900	2,402,000	
FEDERAL			(−0−)	(−0−)	
OTHER			(1,780,900)	(2,178,900)	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
SERVICE			(192,000)	(223,100)
TOTAL−ALL SOURCES			38,163,800	38,595,200
20.485 Veterans affairs, department of				
(1) HOMES AND FACILITIES 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	1,403,300	1,327,900
(g) Home exchange	PR	A	263,800	265,300
(gd) Veterans home cemetery operations	PR	C	5,000	5,000
(gk) Institutional operations	PR	A	42,930,200	44,505,400
(go) Self−amortizing housing facilities; principal repayment and interest	PR	S	390,800	934,300
(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	134,000	134,000
(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			1,428,200	1,352,800
PROGRAM REVENUE			44,016,700	46,136,900
FEDERAL			(12,500)	(12,500)
OTHER			(44,004,200)	(46,124,400)
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			45,444,900	47,489,700
(2) LOANS AND AIDS TO VETERANS				
(c) Operation of Wisconsin veterans museum	GPR	A	761,900	710,100
(d) Veterans memorials at The Highground	GPR	C	−0−	−0−
(db) General fund supplement to veterans trust fund	GPR	A	−0−	−0−
(e) Veterans memorial grants	GPR	C	3,000	−0−
(eg) Victorious charge monument grant	GPR	A	50,000	−0−
(em) Payments related to The Highground	GPR	C	−0−	−0−
(g) Consumer reporting agency fees	PR	C	−0−	−0−
(kg) American Indian services coordinator	PR−S	A	56,400	56,400
(km) American Indian grants	PR−S	A	15,000	15,000
(kt) Operation of Wisconsin veterans museum; Indian gaming receipts	PR−S	A	228,700	176,900
(m) Federal aid; veterans training	PR−F	C	359,000	359,200
(mn) Federal projects; museum acquisitions and operations	PR−F	C	−0−	−0−

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(q)	Military honors funerals	SEG	B	100,000	125,000
(rm)	Veterans assistance	SEG	B	1,487,400	1,482,400
(rp)	Veterans assistance program receipts	SEG	A	80,000	80,000
(s)	Transportation grant	SEG	A	200,000	200,000
(tf)	Veterans' tuition and fee reimbursement program	SEG	A	1,816,800	1,907,900
(th)	Correspondence courses and part−time classroom study	SEG	A	579,800	608,300
(tj)	Retraining grant program	SEG	A	378,000	378,000
(tm)	Facilities	SEG	C	−0−	−0−
(u)	Administration of loans and aids to veterans	SEG	A	4,310,800	4,040,600
(v)	Wisconsin veterans museum sales receipts	SEG	C	123,400	123,400
(vg)	Health care aids grants	SEG	A	1,200,000	1,200,000
(vj)	Education center grant	SEG	B	200,000	−0−
(vm)	Subsistence grants	SEG	A	605,500	750,800
(vo)	Veterans of World War I	SEG	A	2,500	2,500
(vw)	Payments to veterans organizations for claims service	SEG	A	117,500	117,500
(vx)	County grants	SEG	A	297,500	297,500
(w)	Home for needy veterans	SEG	C	10,000	10,000
(wd)	Operation of Wisconsin veterans museum	SEG	A	735,000	732,900
(x)	Federal per diem payments	SEG−F	A	332,700	519,700
(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	−0−	−0−
(z)	Gifts	SEG	C	−0−	−0−
(zm)	Museum gifts and bequests	SEG	C	−0−	−0−
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			814,900	710,100
	PROGRAM REVENUE			659,100	607,500
	FEDERAL			(359,000)	(359,200)
	OTHER			(−0−)	(−0−)
	SERVICE			(300,100)	(248,300)
	SEGREGATED FUNDS			28,026,900	28,026,500
	FEDERAL			(332,700)	(519,700)
	OTHER			(27,694,200)	(27,506,800)
	TOTAL−ALL SOURCES			29,500,900	29,344,100
(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	4,549,100	4,501,500
(sm)	County grants	SEG	A	444,000	444,000
(t)	Debt service	SEG	C	78,144,900	84,078,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
(v) Revenue obligation repayment	SEG	C	−0−	−0−
(w) Revenue obligation funding	SEG	C	−0−	−0−
(wd) Loan−servicing administration	SEG	A	30,000	−0−
(wg) Escrow payments, recoveries, and refunds	SEG	C	−0−	−0−
(wp) Loan−servicing rights	SEG	B	−0−	−0−
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
SEGREGATED FUNDS			84,019,000	89,875,200
OTHER			(84,019,000)	(89,875,200)
TOTAL−ALL SOURCES			84,019,000	89,875,200
(4) VETERANS MEMORIAL CEMETERIES				
(g) Cemetery operations	PR	A	18,200	18,200
(h) Gifts, grants and bequests	PR	C	−0−	−0−
(m) Federal aid; cemetery operations and burials	PR−F	C	57,400	57,400
(q) Cemetery administration and maintenance	SEG	A	662,300	662,300
(qm) Repayment of principal and interest	SEG	S	84,100	83,600
(r) Cemetery energy costs	SEG	A	21,800	21,800
(4) PROGRAM TOTALS				
PROGRAM REVENUE			75,600	75,600
FEDERAL			(57,400)	(57,400)
OTHER			(18,200)	(18,200)
SEGREGATED FUNDS			768,200	767,700
OTHER			(768,200)	(767,700)
TOTAL−ALL SOURCES			843,800	843,300
(5) EDUCATIONAL APPROVAL BOARD				
(g) Proprietary school programs	PR−S	A	430,200	433,700
(5) PROGRAM TOTALS				
PROGRAM REVENUE			430,200	433,700
SERVICE			(430,200)	(433,700)
TOTAL−ALL SOURCES			430,200	433,700
20.485 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			2,243,100	2,062,900
PROGRAM REVENUE			45,181,600	47,253,700
FEDERAL			(428,900)	(429,100)
OTHER			(44,022,400)	(46,142,600)
SERVICE			(730,300)	(682,000)
SEGREGATED FUNDS			112,814,100	118,669,400
FEDERAL			(332,700)	(519,700)
OTHER			(112,481,400)	(118,149,700)
TOTAL−ALL SOURCES			160,238,800	167,986,000
20.490 Wisconsin housing and economic development authority				
(1) FACILITATION OF CONSTRUCTION				
(a) Capital reserve fund deficiency	GPR	C	−0−	−0−
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
TOTAL−ALL SOURCES			−0−	−0−
(2) HOUSING REHABILITATION LOAN PROGRAM				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
(a) General program operations	GPR	C	−0−	−0−
(q) Loan loss reserve fund	SEG	C	−0−	−0−
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			−0−	−0−
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
(4) DISADVANTAGED BUSINESS MOBILIZATION ASSISTANCE				
(g) Disadvantaged business mobilization loan guarantee	PR	C	−0−	−0−
(4) PROGRAM TOTALS				
PROGRAM REVENUE			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			−0−	−0−
(5) WISCONSIN DEVELOPMENT LOAN GUARANTEES				
(a) Wisconsin development reserve fund	GPR	C	−0−	−0−
(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	79,539,700	82,707,300
20.495 DEPARTMENT TOTALS				
PROGRAM REVENUE			79,539,700	82,707,300

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
OTHER			(79,539,700)	(82,707,300)
TOTAL−ALL SOURCES			79,539,700	82,707,300
Human Relations and Resources FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			3,096,144,600	3,109,539,900
PROGRAM REVENUE			4,354,139,200	4,442,258,400
FEDERAL			(3,483,172,000)	(3,561,773,200)
OTHER			(495,475,000)	(504,978,600)
SERVICE			(375,492,200)	(375,506,600)
SEGREGATED FUNDS			353,298,900	529,959,000
FEDERAL			(332,700)	(519,700)
OTHER			(352,966,200)	(529,439,300)
SERVICE			(−0−)	(−0−)
LOCAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			7,803,582,700	8,081,757,300

General Executive Functions

20.505 Administration, department of

(1) SUPERVISION AND MANAGEMENT; LAND INFORMATION BOARD

(a)	General program operations	GPR	A	8,556,200	6,572,500	
(b)	Midwest interstate low−level radioactive waste compact; loan from gen. fund	GPR	C	−0−	−0−	
(cm)	Comprehensive planning grants; general purpose revenue	GPR	A	1,657,900 1,500,000	1,657,900 1,500,000	**Vetoed In Part**
(cn)	Comprehensive planning; administrative support	GPR	A	49,400	49,400	
(dm)	Sale of tobacco settlement payments	GPR	A	−0−	−0−	
(fe)	Wisconsin Patient Safety Institute, inc., grants	GPR	A	110,000	110,000	
(fo)	Federal resource acquisition support grants	GPR	A	100,000	100,000	
(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 pgm ops; incorporations and annexations	PR	A	598,000	598,000	
(if)	Comprehensive planning grants; program revenue	PR	A	500,000	500,000	
(ig)	Land information board; technical assistance and education	PR	C	−0−	−0−	
(ij)	Land information board; aids to counties	PR	C	700,000	700,000	
(ik)	Land information board; soil surveys and mapping	PR	A	415,000	415,000	
(im)	Services to nonstate governmental units	PR	A	1,345,400	1,326,200	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(iu)	Plat and proposed incorporation and annexation review	PR	C	504,200	503,400	
(j)	Gifts, grants and bequests	PR	C	−0−	−0−	
(ka)	Materials and services to state agencies and certain districts	PR−S	A	5,366,400	5,474,900	
(kb)	Transportation, records, and document services	PR−S	A	23,511,200	21,557,400	
(kc)	Capital planning and building construction services	PR−S	A	11,034,900	11,057,300	
(kf)	Procurement services	PR−S	B	671,500	3,308,500	**Vetoed In Part**
(kj)	Financial services	PR−S	A	8,808,300	8,808,300	
(km)	University of Wisconsin−Green Bay programming	PR−S	A	250,000	250,000	
(ks)	Wisconsin land council; state agency support	PR−S	C	355,600	355,600	
(kt)	Soil surveys and mapping; state agency support	PR−S	C	−0−	−0−	
(mb)	Federal aid	PR−F	C	2,970,400	2,970,400	
(md)	Oil overcharge restitution funds	PR−F	C	6,874,700	6,874,700	
(ng)	Sale of forest products; funds for public schools and public roads	PR	C	−0−	−0−	
(pz)	Indirect cost reimbursements	PR−F	C	231,900	231,900	
(r)	VendorNet fund administration	SEG	A	90,200	90,200	
(v)	General program operations — environmental improvement programs; state funds	SEG	A	795,000	795,000	
(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	B	1,000,000	1,000,000	
	(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			10,473,500	8,489,800	
	PROGRAM REVENUE			64,198,200	64,992,300	
	FEDERAL			(10,077,000)	(10,077,000)	
	OTHER			(4,123,300)	(4,103,300)	
	SERVICE			(49,997,900)	(50,812,000)	
	SEGREGATED FUNDS			1,885,200	1,885,200	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(885,200)	(885,200)	
	SERVICE			(1,000,000)	(1,000,000)	
	TOTAL−ALL SOURCES			76,556,900	75,367,300	
(2)	RISK MANAGEMENT					
(a)	General fund supplement — risk management claims	GPR	S	−0−	−0−	
(k)	Risk management costs	PR−S	C	20,100,000	20,895,000	
(ki)	Risk management administration	PR−S	A	4,741,200	4,741,200	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			−0−	−0−
	PROGRAM REVENUE			24,841,200	25,636,200
	SERVICE			(24,841,200)	(25,636,200)
	TOTAL−ALL SOURCES			24,841,200	25,636,200
(3)	UTILITY PUBLIC BENEFITS AND AIR QUALITY IMPROVEMENT				
(q)	General program operations	SEG	A	12,384,200	12,384,200
(r)	Low−income assistance grants	SEG	S	20,500,000	20,500,000
(rr)	Air quality improvement grants	SEG	S	−0−	−0−
(s)	Energy conservation and efficiency and renewable resource grants	SEG	S	16,500,000	16,500,000
	(3) PROGRAM TOTALS				
	SEGREGATED FUNDS			49,384,200	49,384,200
	OTHER			(49,384,200)	(49,384,200)
	TOTAL−ALL SOURCES			49,384,200	49,384,200
(4)	ATTACHED DIVISIONS AND OTHER BODIES				
(a)	Adjudication of tax appeals	GPR	A	626,300	630,500
(b)	Adjudication of equalization appeals	GPR	S	−0−	−0−
(ba)	General program operations	GPR	A	359,800	359,800
(d)	Claims awards	GPR	S	25,000	25,000
(ea)	Women's council operations	GPR	A	104,200	104,200
(ec)	Volunteer firefighter & EMT service award pgm; general program operations	GPR	A	21,400	21,400
(er)	Volunteer firefighter & EMT service award pgm; state matching awards	GPR	S	445,000	653,900
(f)	Hearings and appeals operations	GPR	A	2,089,300	2,089,300
(h)	Program services	PR	A	32,100	32,100
(j)	National and community service board; gifts and grants	PR	C	−0−	−0−
(k)	Waste facility siting board; general program operations	PR−S	A	129,600	129,600
(ka)	State use board — general program operations	PR−S	A	97,900	97,900
(kb)	National and community service board; administrative support; service funds	PR−S	A	79,800	79,800
(kp)	Hearings and appeals fees	PR−S	A	2,280,100	2,294,600
(o)	National and community service board; federal aid for administration	PR−F	A	382,400	384,400
(p)	National and community service board; federal aid for grants	PR−F	C	3,354,300	3,354,300
(r)	State capitol and executive residence board; gifts and grants	SEG	C	−0−	−0−
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			3,671,000	3,884,100
	PROGRAM REVENUE			6,356,200	6,372,700
	FEDERAL			(3,736,700)	(3,738,700)
	OTHER			(32,100)	(32,100)
	SERVICE			(2,587,400)	(2,601,900)
	SEGREGATED FUNDS			−0−	−0−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03	
OTHER			(−0−)	(−0−)	
TOTAL−ALL SOURCES			10,027,200	10,256,800	
(5) FACILITIES MANAGEMENT					
(g) Principal repayment, interest and rebates; parking	PR−S	S	1,253,400	1,252,400	
(ka) Facility operations and maintenance; police and protection functions	PR−S	A	37,175,600	37,760,000	
(kb) Parking	PR	A	1,114,900	1,114,900	
(kc) Principal repayment, interest and rebates	PR−S	C	13,583,500	12,945,000	
(5) PROGRAM TOTALS					
PROGRAM REVENUE			53,127,400	53,072,300	
OTHER			(1,114,900)	(1,114,900)	
SERVICE			(52,012,500)	(51,957,400)	
TOTAL−ALL SOURCES			53,127,400	53,072,300	
(6) OFFICE OF JUSTICE ASSISTANCE					
(a) General program operations	GPR	A	407,400	407,900	
(c) Law enforcement officer supplement grants	GPR	A	1,000,000	1,000,000	
(d) Youth diversion	GPR	A	380,000	380,000	
(i) Gifts and grants	PR	C	−0−	−0−	
(j) Penalty assessment surcharge receipts	PR	C	−0−	−0−	
(k) Law enforcement programs and youth diversion − administration	PR−S	A	152,600	153,200	
(kj) Youth diversion program	PR−S	A	720,000	720,000	
(km) Interagency and intra−agency aids	PR−S	C	300,000	300,000	
(kp) Anti−drug enforcement program, penalty assessment − local	PR−S	A	1,347,900	1,259,200	
(kq) County law enforcement services	PR−S	A	250,000	250,000	
(kr) Grants for cooperative county−tribal law enforcement	PR−S	A	260,600	260,600	**Vetoed In Part**
(ks) Tribal law enforcement assistance	PR−S	A	1,050,000	1,050,000	
(kt) Anti−drug enforcement program, penalty assessment − state	PR−S	A	830,000	1,134,500	
(m) Federal aid, justice assistance, state operations	PR−F	C	8,257,400	9,139,100	
(p) Federal aid, local assistance and aids	PR−F	C	16,292,800	15,836,500	
(6) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			1,787,400	1,787,900	
PROGRAM REVENUE			29,461,300	30,103,100	
FEDERAL			(24,550,200)	(24,975,600)	
OTHER			(−0−)	(−0−)	
SERVICE			(4,911,100)	(5,127,500)	
TOTAL−ALL SOURCES			31,248,700	31,891,000	
(7) HOUSING ASSISTANCE					
(a) General program operations	GPR	A	994,900	994,900	
(b) Housing grants and loans	GPR	B	3,300,300	3,300,300	
(c) Payments to designated agents	GPR	A	−0−	−0−	
(fm) Shelter for homeless and transitional housing grants	GPR	A	1,506,000	1,506,000	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(h)	Funding for the homeless	PR	C	−0−	−0−
(k)	Sale of materials or services	PR−S	C	−0−	−0−
(kg)	Housing program services	PR−S	C	6,712,500	6,712,500
(km)	Weatherization assistance	PR−S	C	10,000,000	10,000,000
(m)	Federal aid; state operations	PR−F	C	4,277,400	4,277,400
(n)	Federal aid; local assistance	PR−F	C	19,000,000	19,000,000
(o)	Federal aid; individuals and organizations	PR−F	C	65,000,000	65,000,000
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,801,200	5,801,200
	PROGRAM REVENUE			104,989,900	104,989,900
	FEDERAL			(88,277,400)	(88,277,400)
	OTHER			(−0−)	(−0−)
	SERVICE			(16,712,500)	(16,712,500)
	TOTAL−ALL SOURCES			110,791,100	110,791,100
(8)	DIVISION OF GAMING				
(am)	Interest on racing and bingo moneys	GPR	S	−0−	−0−
(b)	General program operations	GPR	A	−0−	164,100
(g)	General program operations; racing	PR	A	2,218,300	2,054,200
(h)	General program operations; Indian gaming	PR	A	1,416,500	1,416,500
(hm)	Indian gaming receipts	PR	C	−0−	−0−
(j)	General program operations; raffles and crane games	PR	A	177,400	177,400
(jm)	General program operations; bingo	PR	A	253,800	253,800
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			−0−	164,100
	PROGRAM REVENUE			4,066,000	3,901,900
	OTHER			(4,066,000)	(3,901,900)
	TOTAL−ALL SOURCES			4,066,000	4,066,000
	20.505 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			21,733,100	20,127,100
	PROGRAM REVENUE			287,040,200	289,068,400
	FEDERAL			(126,641,300)	(127,068,700)
	OTHER			(9,336,300)	(9,152,200)
	SERVICE			(151,062,600)	(152,847,500)
	SEGREGATED FUNDS			51,269,400	51,269,400
	FEDERAL			(−0−)	(−0−)
	OTHER			(50,269,400)	(50,269,400)
	SERVICE			(1,000,000)	(1,000,000)
	TOTAL−ALL SOURCES			360,042,700	360,464,900
20.507	**Board of commissioners of public lands**				
(1)	TRUST LANDS AND INVESTMENTS				
(h)	Trust lands and investments − general program operations	PR−S	A	1,408,100	1,366,200
(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−

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03	
(mg) Federal aid — flood control	PR−F	C	52,700	52,700	
20.507 DEPARTMENT TOTALS					
PROGRAM REVENUE			1,460,800	1,418,900	
FEDERAL			(52,700)	(52,700)	
OTHER			(−0−)	(−0−)	
SERVICE			(1,408,100)	(1,366,200)	
TOTAL−ALL SOURCES			1,460,800	1,418,900	
20.510 Elections board					
(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS					
(a) General program operations; general purpose revenue	GPR	B	925,400	929,200	
(bm) Training of chief inspectors	GPR	B	45,000	−0−	
(c) Voting system transitional assistance	GPR	B	−0−	−0−	
(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			970,400	929,200	
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			1,112,600	1,671,400	
20.512 Employment relations, department of					
(1) EMPLOYMENT RELATIONS					
(a) General program operations	GPR	A	5,857,400	5,857,400	
(i) Services to nonstate governmental units	PR	A	179,400	179,400	
(j) Gifts and donations	PR	C	−0−	−0−	
(jm) Employee development and training services	PR	A	384,300	384,300	
(k) Funds received from other state agencies	PR−S	A	16,000	16,000	**Vetoed In Part**
(ka) Publications	PR−S	A	184,500	184,500	
(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			5,857,400	5,857,400	
PROGRAM REVENUE			849,400	849,400	
FEDERAL			(−0−)	(−0−)	
OTHER			(563,700)	(563,700)	
SERVICE			(285,700)	(285,700)	
TOTAL−ALL SOURCES			6,706,800	6,706,800	
(2) AFFIRMATIVE ACTION COUNCIL					
(a) General program operations	GPR	A	−0−	−0−	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03	
(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			5,857,400	5,857,400	
PROGRAM REVENUE			849,400	849,400	
FEDERAL			(−0−)	(−0−)	
OTHER			(563,700)	(563,700)	
SERVICE			(285,700)	(285,700)	
TOTAL−ALL SOURCES			6,706,800	6,706,800	
20.515 Employee trust funds, department of					
(1) EMPLOYEE BENEFIT PLANS					
(a) Annuity supplements and payments	GPR	S	3,934,100	3,088,100	
(c) Contingencies	GPR	S	−0−	−0−	
(t) Automated operating system	SEG	C	272,000	272,000	
(u) Employee−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	1,600,000	−0−	
(w) Administration	SEG	A	15,825,700	15,911,600	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			3,934,100	3,088,100	
SEGREGATED FUNDS			17,972,500	16,458,400	
OTHER			(17,972,500)	(16,458,400)	
TOTAL−ALL SOURCES			21,906,600	19,546,500	
(2) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM					
(a) Private employer health care coverage program; operating costs	GPR	B	1,061,100 211,100	−0−	**Vetoed In Part**
(b) Grants for program administration	GPR	B	−0−	−0−	
(g) Private employer health care coverage plan	PR	C	−0−	−0−	
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			1,061,100	−0−	
PROGRAM REVENUE			−0−	−0−	
OTHER			(−0−)	(−0−)	
TOTAL−ALL SOURCES			1,061,100	−0−	
20.515 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			4,995,200	3,088,100	
PROGRAM REVENUE			−0−	−0−	
OTHER			(−0−)	(−0−)	
SEGREGATED FUNDS			17,972,500	16,458,400	
OTHER			(17,972,500)	(16,458,400)	
TOTAL−ALL SOURCES			22,967,700	19,546,500	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03	
20.521 Ethics board					
(1) ETHICS AND LOBBYING REGULATION					
(a) General program operations; general purpose revenue	GPR	A	247,300	247,300	
(g) General program operations; program revenue	PR	A	348,300	348,300	
(h) Gifts and grants	PR	C	−0−	−0−	
(i) Materials and services	PR	A	15,000	15,000	
20.521 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			247,300	247,300	
PROGRAM REVENUE			363,300	363,300	
OTHER			(363,300)	(363,300)	
TOTAL−ALL SOURCES			610,600	610,600	
20.525 Office of the governor					
(1) EXECUTIVE ADMINISTRATION					
(a) General program operations	GPR	S	3,149,000	3,149,000	
(b) Contingent fund	GPR	S	21,700	21,700	
(c) Membership in national associations	GPR	S	111,400	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 workforce development	PR−S	C	26,000	26,000	
(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			3,310,100	3,310,100	
PROGRAM REVENUE			51,000	51,000	
FEDERAL			(−0−)	(−0−)	
OTHER			(−0−)	(−0−)	
SERVICE			(51,000)	(51,000)	
TOTAL−ALL SOURCES			3,361,100	3,361,100	
(2) EXECUTIVE RESIDENCE					
(a) General program operations	GPR	S	195,300	195,300	
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			195,300	195,300	
TOTAL−ALL SOURCES			195,300	195,300	
20.525 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			3,505,400	3,505,400	
PROGRAM REVENUE			51,000	51,000	
FEDERAL			(−0−)	(−0−)	
OTHER			(−0−)	(−0−)	
SERVICE			(51,000)	(51,000)	
TOTAL−ALL SOURCES			3,556,400	3,556,400	
20.530 Electronic government, department of					
(1) INFORMATION TECHNOLOGY MANAGEMENT AND SERVICES					
(g) Gifts, grants, and bequests	PR	C	−0−	−0−	**Vetoed In Part**
(ir) Relay service	PR−S	A	5,013,500	5,013,500	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(is)	Information technology and telecommunications services; non−state entities	PR	A	12,666,600	12,666,600	**Vetoed In Part**
(it)	Electronic communications services; non−state entities	PR	A	−0−	−0−	
(ja)	Justice information systems	PR	A	1,653,400	1,653,400	
(ke)	Telecommunications services; state agencies; veterans services	PR−S	A	37,244,700	37,242,600	
(kf)	Electronic communications services; state agencies	PR−S	A	−0−	−0−	**Vetoed In Part**
(kL)	Printing, mail processing and info tech processing services to agencies	PR	A	72,602,800	72,644,800	
(kp)	Interagency assistance; justice information systems	PR−S	A	2,157,400	2,157,400	
(kq)	Justice information systems development, operation and maintenance	PR−S	A	857,500	857,500	
(kr)	Information technology development and management services	PR	A	−0−	−0−	**Vetoed In Part**
(m)	Federal aid	PR−F	C	−0−	−0−	
	20.530 DEPARTMENT TOTALS					
	PROGRAM REVENUE			132,195,900	132,235,800	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(86,922,800)	(86,964,800)	
	SERVICE			(45,273,100)	(45,271,000)	
	TOTAL−ALL SOURCES			132,195,900	132,235,800	
20.536	**Investment board**					
(1)	INVESTMENT OF FUNDS					
(k)	General program operations	PR	C	19,552,200	19,552,200	
(ka)	General program operations; environmental improvement fund	PR−S	C	−0−	−0−	
	20.536 DEPARTMENT TOTALS					
	PROGRAM REVENUE			19,552,200	19,552,200	
	OTHER			(19,552,200)	(19,552,200)	
	SERVICE			(−0−)	(−0−)	
	TOTAL−ALL SOURCES			19,552,200	19,552,200	
20.540	**Office of the lieutenant governor**					
(1)	EXECUTIVE COORDINATION					
(a)	General program operations	GPR	A	563,300	563,300	
(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			563,300	563,300	
	PROGRAM REVENUE			−0−	−0−	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(−0−)	(−0−)	
	SERVICE			(−0−)	(−0−)	
	TOTAL−ALL SOURCES			563,300	563,300	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
20.547	**Personnel commission**					
(1)	REVIEW OF PERSONNEL DECISIONS					
(a)	General program operations	GPR	A	859,700	861,900	
(h)	Publications	PR	A	3,000	3,000	
(m)	Federal aid	PR−F	C	−0−	−0−	
	20.547 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			859,700	861,900	
	PROGRAM REVENUE			3,000	3,000	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(3,000)	(3,000)	
	TOTAL−ALL SOURCES			862,700	864,900	
20.550	**Public defender board**					
(1)	LEGAL ASSISTANCE					
(a)	Program administration	GPR	A	2,375,600	2,388,100	
(b)	Appellate representation	GPR	A	4,164,700	4,168,800	
				40,239,100	40,733,700	**Vetoed**
(c)	Trial representation	GPR	A	37,344,300	40,360,600	**In Part**
(d)	Private bar and investigator reimbursement	GPR	B	16,725,700	13,725,100	
(e)	Private bar and investigator payments; administration costs	GPR	A	618,600	618,600	
(f)	Transcripts, discovery and interpreters	GPR	A	1,339,100	1,339,100	
(fb)	Payments from clients; administrative costs	PR	A	134,400	134,400	
(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	127,800	127,800	
(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			65,462,800	62,973,400	
	PROGRAM REVENUE			1,286,900	1,286,900	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(1,159,100)	(1,159,100)	
	SERVICE			(127,800)	(127,800)	
	TOTAL−ALL SOURCES			66,749,700	64,260,300	
20.566	**Revenue, department of**					
(1)	COLLECTION OF TAXES					
(a)	General program operations	GPR	A	44,231,500	45,265,200	
(g)	Administration of county sales and use taxes	PR	A	3,089,900	3,089,900	
(ga)	Cigarette tax stamps	PR	A	179,100	179,100	
(gb)	Business tax registration	PR	A	1,467,200	1,467,200	
(gd)	Administration of special district taxes	PR	A	336,700	336,000	
(ge)	Administration of local professional football stadium districts	PR	A	210,900	141,000	
(gf)	Administration of resort tax	PR	A	23,900	23,900	
(gg)	Administration of local taxes	PR	A	305,900	305,900	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(gm)	Administration of tax on controlled substances dealers	PR	A	−0−	−0−	
(h)	Debt collection	PR	A	317,200	317,200	
(ha)	Administration of liquor tax	PR	A	237,000	237,000	
(hm)	Collections under contracts	PR	S	354,200	354,200	
(hp)	Admin of endang resources; football/baseball district voluntary payments	PR	A	35,600	35,600	**Vetoed In Part**
(i)	Gifts and grants	PR	C	−0−	−0−	
(m)	Federal funds; state operations	PR−F	C	−0−	−0−	
(q)	Recycling surcharge administration	SEG	A	231,800	231,800	
(qm)	Administration of rental vehicle fee	SEG	A	30,400	30,400	
(r)	Administration of dry cleaner fees	SEG	A	58,300	58,300	
(s)	Petroleum inspection fee collection	SEG	A	148,200	148,200	
(u)	Motor fuel tax administration	SEG	A	1,197,700	1,197,700	
	(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			44,231,500	45,265,200	
	PROGRAM REVENUE			6,557,600	6,487,000	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(6,557,600)	(6,487,000)	
	SEGREGATED FUNDS			1,666,400	1,666,400	
	OTHER			(1,666,400)	(1,666,400)	
	TOTAL−ALL SOURCES			52,455,500	53,418,600	
(2)	STATE AND LOCAL FINANCE					
(a)	General program operations	GPR	A	10,777,100	10,777,100	
(am)	Lottery and gaming credit administration	GPR	A	−0−	−0−	
(g)	County assessment studies	PR	C	−0−	−0−	
(gi)	Municipal finance report compliance	PR	A	40,300	40,300	
(h)	Reassessments	PR	A	635,500	635,500	
(hi)	Wisconsin property assessment manual	PR	A	68,100	68,100	
(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	190,400	190,400	
(r)	Lottery credit administration	SEG	A	203,900	203,900	
	(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			10,777,100	10,777,100	
	PROGRAM REVENUE			743,900	743,900	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(743,900)	(743,900)	
	SEGREGATED FUNDS			394,300	394,300	
	OTHER			(394,300)	(394,300)	
	TOTAL−ALL SOURCES			11,915,300	11,915,300	
(3)	ADMINISTRATIVE SERVICES AND SPACE RENTAL					
(a)	General program operations	GPR	A	21,232,400	21,232,400	
(b)	Integrated tax system technology	GPR	A	5,701,000	5,701,000	
(c)	Expert professional services	GPR	B	30,000	30,000	
(g)	Services	PR	A	56,200	56,200	
(gm)	Reciprocity agreement and publications	PR	A	201,200	201,200	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(go)	Reciprocity agreement; Illinois	PR	A	−0−	−0−
(i)	Gifts and grants	PR	C	−0−	−0−
(k)	Internal services	PR−S	A	288,900	288,900
(m)	Federal funds; state operations	PR−F	C	−0−	−0−
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			26,963,400	26,963,400
	PROGRAM REVENUE			546,300	546,300
	FEDERAL			(−0−)	(−0−)
	OTHER			(257,400)	(257,400)
	SERVICE			(288,900)	(288,900)
	TOTAL−ALL SOURCES			27,509,700	27,509,700
(7)	INVESTMENT AND LOCAL IMPACT FUND				
(e)	Investment and local impact fund supplement	GPR	A	−0−	−0−
(g)	Investment and local impact fund administrative expenses	PR	A	−0−	−0−
(n)	Federal mining revenue	PR−F	C	−0−	−0−
(v)	Investment and local impact fund	SEG	C	−0−	−0−
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			−0−	−0−
	PROGRAM REVENUE			−0−	−0−
	FEDERAL			(−0−)	(−0−)
	OTHER			(−0−)	(−0−)
	SEGREGATED FUNDS			−0−	−0−
	OTHER			(−0−)	(−0−)
	TOTAL−ALL SOURCES			−0−	−0−
(8)	LOTTERY				
(q)	General program operations	SEG	A	21,519,600	21,510,500
(r)	Retailer compensation	SEG	S	28,519,700	28,352,000
(s)	Prizes	SEG	S	−0−	−0−
(v)	Vendor fees	SEG	S	12,575,400	12,790,500
	(8) PROGRAM TOTALS				
	SEGREGATED FUNDS			62,614,700	62,653,000
	OTHER			(62,614,700)	(62,653,000)
	TOTAL−ALL SOURCES			62,614,700	62,653,000
	20.566 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			81,972,000	83,005,700
	PROGRAM REVENUE			7,847,800	7,777,200
	FEDERAL			(−0−)	(−0−)
	OTHER			(7,558,900)	(7,488,300)
	SERVICE			(288,900)	(288,900)
	SEGREGATED FUNDS			64,675,400	64,713,700
	OTHER			(64,675,400)	(64,713,700)
	TOTAL−ALL SOURCES			154,495,200	155,496,600
20.575	**Secretary of state**				
(1)	MANAGING AND OPERATING PROGRAM RESPONSIBILITIES				
(g)	Program fees	PR	A	699,900	700,300
(ka)	Agency collections	PR−S	A	4,000	4,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03	
20.575 DEPARTMENT TOTALS					
PROGRAM REVENUE			703,900	704,300	
OTHER			(699,900)	(700,300)	
SERVICE			(4,000)	(4,000)	
TOTAL−ALL SOURCES			703,900	704,300	
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	193,900	186,900	
(h) Training conferences	PR	C	−0−	−0−	
(i) Gifts and grants	PR	C	−0−	−0−	
(j) Unclaimed property	PR	C	996,600	996,600	
(jt) Allocation − cash management	PR	A	34,700	34,700	
(kb) General program operations	PR−S	A	542,900	542,900	
(km) Credit card use charges	PR−S	C	−0−	−0−	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			−0−	−0−	
PROGRAM REVENUE			1,768,100	1,761,100	
OTHER			(1,225,200)	(1,218,200)	
SERVICE			(542,900)	(542,900)	
TOTAL−ALL SOURCES			1,768,100	1,761,100	
(2) COLLEGE TUITION PREPAYMENT PROGRAM					
(a) Administrative expenses; college tuition and expenses program	GPR	A	54,400	29,100	
(am) Administrative expenses; college savings program	GPR	A	−0−	−0−	
(q) Pymt of qualified higher ed expenses & refunds; college tuition & exp pgm	SEG	S	−0−	−0−	
(s) Administrative expenses; college tuition and expenses program	SEG	A	56,200	62,000	
(t) Payment of qualified higher ed expenses & refunds; college savings program	SEG	S	−0−	−0−	
(tm) Administrative expenses; college savings program	SEG	A	234,900	257,900	**Vetoed In Part**
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			54,400	29,100	
SEGREGATED FUNDS			291,100	319,900	
OTHER			(291,100)	(319,900)	
TOTAL−ALL SOURCES			345,500	349,000	
20.585 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			54,400	29,100	
PROGRAM REVENUE			1,768,100	1,761,100	
OTHER			(1,225,200)	(1,218,200)	
SERVICE			(542,900)	(542,900)	
SEGREGATED FUNDS			291,100	319,900	
OTHER			(291,100)	(319,900)	
TOTAL−ALL SOURCES			2,113,600	2,110,100	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
General Executive Functions FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			186,221,000	181,187,900
PROGRAM REVENUE			453,164,700	455,113,700
FEDERAL			(126,694,000)	(127,121,400)
OTHER			(127,426,600)	(127,207,300)
SERVICE			(199,044,100)	(200,785,000)
SEGREGATED FUNDS			134,308,400	133,461,400
FEDERAL			(−0−)	(−0−)
OTHER			(133,308,400)	(132,461,400)
SERVICE			(1,000,000)	(1,000,000)
LOCAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			773,694,100	769,763,000

Judicial

20.625	**Circuit courts**				
(1)	COURT OPERATIONS				
(a)	Circuit courts	GPR	S	50,124,300	50,124,300
(as)	Violent crime court costs	GPR	A	−0−	−0−
(b)	Permanent reserve judges	GPR	A	−0−	−0−
(c)	Court interpreter fees	GPR	A	238,800	595,000
(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			73,841,200	74,197,400
	PROGRAM REVENUE			−0−	−0−
	FEDERAL			(−0−)	(−0−)
	TOTAL−ALL SOURCES			73,841,200	74,197,400
(3)	CHILD CUSTODY HEARINGS AND STUDIES IN OTHER STATES				
(a)	General program operations	GPR	S	−0−	−0−
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			−0−	−0−
	TOTAL−ALL SOURCES			−0−	−0−
	20.625 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			73,841,200	74,197,400
	PROGRAM REVENUE			−0−	−0−
	FEDERAL			(−0−)	(−0−)
	TOTAL−ALL SOURCES			73,841,200	74,197,400
20.660	**Court of appeals**				
(1)	APPELLATE PROCEEDINGS				
(a)	General program operations	GPR	S	7,372,600	7,372,600
(m)	Federal aid	PR−F	C	−0−	−0−
	20.660 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			7,372,600	7,372,600
	PROGRAM REVENUE			−0−	−0−
	FEDERAL			(−0−)	(−0−)
	TOTAL−ALL SOURCES			7,372,600	7,372,600
20.665	**Judicial commission**				
(1)	JUDICIAL CONDUCT				

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(a)	General program operations	GPR	A	162,900	163,300	
(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			216,100	216,500	
	PROGRAM REVENUE			−0−	−0−	
	FEDERAL			(−0−)	(−0−)	
	TOTAL−ALL SOURCES			216,100	216,500	
20.680	**Supreme court**					
(1)	SUPREME COURT PROCEEDINGS					
(a)	General program operations	GPR	S	4,025,700	4,025,700	
(m)	Federal aid	PR−F	C	−0−	−0−	
	(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			4,025,700	4,025,700	
	PROGRAM REVENUE			−0−	−0−	
	FEDERAL			(−0−)	(−0−)	
	TOTAL−ALL SOURCES			4,025,700	4,025,700	
(2)	DIRECTOR OF STATE COURTS					
(a)	General program operations	GPR	B	5,274,600	5,277,600	**Vetoed In Part**
				5,176,800	5,176,800	**Vetoed In Part**
(b)	Judicial planning and research	GPR	A	−0−	−0−	
(g)	Gifts and grants	PR	C	−0−	−0−	
(ga)	Court commissioner training	PR	C	42,700	56,500	
(h)	Materials and services	PR	C	60,900	60,900	
(i)	Municipal judge training	PR	C	127,600	127,600	
(j)	Court information systems	PR	C	8,340,300	8,340,300	
(kc)	Central services	PR−S	A	182,400	182,400	
(ke)	Interagency and intra−agency automation assistance	PR−S	C	−0−	−0−	
(m)	Federal aid	PR−F	C	403,200	403,200	
(qm)	Mediation fund	SEG	C	709,100	709,100	
	(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			5,274,600	5,277,600	
	PROGRAM REVENUE			9,157,100	9,170,900	
	FEDERAL			(403,200)	(403,200)	
	OTHER			(8,571,500)	(8,585,300)	
	SERVICE			(182,400)	(182,400)	
	SEGREGATED FUNDS			709,100	709,100	
	OTHER			(709,100)	(709,100)	
	TOTAL−ALL SOURCES			15,140,800	15,157,600	
(3)	BAR EXAMINERS AND RESPONSIBILITY					
(g)	Board of bar examiners	PR	C	596,100	596,100	
(h)	Office of lawyer regulation	PR	C	1,733,400	1,733,400	
	(3) PROGRAM TOTALS					
	PROGRAM REVENUE			2,329,500	2,329,500	
	OTHER			(2,329,500)	(2,329,500)	
	TOTAL−ALL SOURCES			2,329,500	2,329,500	
(4)	LAW LIBRARY					

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03	
(a) General program operations	GPR	A	1,837,000	1,837,000	
(g) Library collections and services	PR	C	125,500	125,500	
(h) Gifts and grants	PR	C	461,700	461,700	
(4) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			1,837,000	1,837,000	
PROGRAM REVENUE			587,200	587,200	
OTHER			(587,200)	(587,200)	
TOTAL−ALL SOURCES			2,424,200	2,424,200	
20.680 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			11,137,300	11,140,300	
PROGRAM REVENUE			12,073,800	12,087,600	
FEDERAL			(403,200)	(403,200)	
OTHER			(11,488,200)	(11,502,000)	
SERVICE			(182,400)	(182,400)	
SEGREGATED FUNDS			709,100	709,100	
OTHER			(709,100)	(709,100)	
TOTAL−ALL SOURCES			23,920,200	23,937,000	
Judicial FUNCTIONAL AREA TOTALS					
GENERAL PURPOSE REVENUES			92,567,200	92,926,800	
PROGRAM REVENUE			12,073,800	12,087,600	
FEDERAL			(403,200)	(403,200)	
OTHER			(11,488,200)	(11,502,000)	
SERVICE			(182,400)	(182,400)	
SEGREGATED FUNDS			709,100	709,100	
FEDERAL			(−0−)	(−0−)	
OTHER			(709,100)	(709,100)	
SERVICE			(−0−)	(−0−)	
LOCAL			(−0−)	(−0−)	
TOTAL−ALL SOURCES			105,350,100	105,723,500	

Legislative

20.765 Legislature

(1) ENACTMENT OF STATE LAWS						
(a) General program operations —				21,344,000	20,934,200	**Vetoed**
assembly	GPR	S		21,334,500	20,924,700	**In Part**
(b) General program operations — senate	GPR	S		14,936,300	14,487,200	
(d) Legislative documents	GPR	S		7,870,900	7,870,900	
(1) PROGRAM TOTALS						
GENERAL PURPOSE REVENUES				44,151,200	43,292,300	
TOTAL−ALL SOURCES				44,151,200	43,292,300	
(2) SPECIAL STUDY GROUPS						
(a) Retirement committees	GPR	A		182,600	182,600	
(ab) Retirement actuarial studies	GPR	B		14,200	14,200	
(2) PROGRAM TOTALS						
GENERAL PURPOSE REVENUES				196,800	196,800	
TOTAL−ALL SOURCES				196,800	196,800	
(3) SERVICE AGENCIES AND NATIONAL ASSOCIATIONS						
(a) Revisor of statutes bureau	GPR	B		737,300	737,300	
(b) Legislative reference bureau	GPR	B		4,164,500	4,497,200	

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03	
(c)	Legislative audit bureau	GPR	B	4,396,900	4,396,900	
(d)	Legislative fiscal bureau	GPR	B	3,263,700 3,162,200	3,222,600 3,109,300	**Vetoed In Part**
(e)	Legislative council	GPR	B	3,272,100	3,190,500	
(em)	Legislative technology services bureau	GPR	B	2,119,300	2,049,000	
(f)	Joint committee on legislative organization	GPR	B	−0−	−0−	
(fa)	Membership in national associations	GPR	S	159,200	159,200	
(g)	Gifts and grants to service agencies	PR	C	−0−	−0−	
(ka)	Audit bureau reimbursable audits	PR−S	A	1,468,500	1,489,500	
(m)	Federal aid	PR−F	C	−0−	−0−	
	(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			18,113,000	18,252,700	
	PROGRAM REVENUE			1,468,500	1,489,500	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(−0−)	(−0−)	
	SERVICE			(1,468,500)	(1,489,500)	
	TOTAL−ALL SOURCES			19,581,500	19,742,200	
	20.765 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			62,461,000	61,741,800	
	PROGRAM REVENUE			1,468,500	1,489,500	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(−0−)	(−0−)	
	SERVICE			(1,468,500)	(1,489,500)	
	TOTAL−ALL SOURCES			63,929,500	63,231,300	
	Legislative FUNCTIONAL AREA TOTALS					
	GENERAL PURPOSE REVENUES			62,461,000	61,741,800	
	PROGRAM REVENUE			1,468,500	1,489,500	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(−0−)	(−0−)	
	SERVICE			(1,468,500)	(1,489,500)	
	SEGREGATED FUNDS			−0−	−0−	
	FEDERAL			(−0−)	(−0−)	
	OTHER			(−0−)	(−0−)	
	SERVICE			(−0−)	(−0−)	
	LOCAL			(−0−)	(−0−)	
	TOTAL−ALL SOURCES			63,929,500	63,231,300	

General Appropriations

20.835 Shared revenue and tax relief

(1) SHARED REVENUE PAYMENTS

(b)	Small municipalities shared revenue	GPR	S	11,000,000	11,110,000
(c)	Expenditure restraint program account	GPR	S	57,000,000	57,570,000
(d)	Shared revenue account	GPR	S	930,459,800	939,764,400
(e)	State aid; computers	GPR	S	76,600,000	77,282,500
(f)	County mandate relief account	GPR	S	20,763,800	20,971,400
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,095,823,600	1,106,698,300
	TOTAL−ALL SOURCES			1,095,823,600	1,106,698,300

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(2)	TAX RELIEF				
(b)	Claim of right credit	GPR	S	−0−	−0−
(c)	Homestead tax credit	GPR	S	91,900,000	90,000,000
(ci)	Development zones investment credit	GPR	S	2,000	2,000
(cL)	Development zones location credit	GPR	S	2,000	2,000
(cm)	Development zones jobs credit	GPR	S	50,000	50,000
(cn)	Development zones sales tax credit	GPR	S	50,000	50,000
(d)	Farmers' drought property tax credit	GPR	S	−0−	−0−
(dm)	Farmland preservation credit	GPR	S	17,200,000	17,800,000
(dn)	Farmland tax relief credit	GPR	S	−0−	−0−
(ep)	Cigarette and tobacco product tax refunds	GPR	S	12,200,000	12,900,000
(f)	Earned income tax credit	GPR	S	12,255,500	12,500,000
(ka)	Farmland tax relief credit	PR	C	−0−	−0−
(kf)	Earned income tax credit; temporary assistance for needy families	PR−S	A	51,244,500	52,200,000
(q)	Farmland tax relief credit	SEG	S	15,000,000	15,000,000
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			133,659,500	133,304,000
	PROGRAM REVENUE			51,244,500	52,200,000
	OTHER			(−0−)	(−0−)
	SERVICE			(51,244,500)	(52,200,000)
	SEGREGATED FUNDS			15,000,000	15,000,000
	OTHER			(15,000,000)	(15,000,000)
	TOTAL−ALL SOURCES			199,904,000	200,504,000
(3)	STATE PROPERTY TAX CREDITS				
(b)	School levy tax credit	GPR	S	469,305,000	469,305,000
(q)	Lottery and gaming credit	SEG	S	101,009,900	98,707,400
(r)	Lottery and gaming credit certification	SEG	S	−0−	−0−
(s)	Lottery and gaming credit; late applications	SEG	S	150,000	150,000
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			469,305,000	469,305,000
	SEGREGATED FUNDS			101,159,900	98,857,400
	OTHER			(101,159,900)	(98,857,400)
	TOTAL−ALL SOURCES			570,464,900	568,162,400
(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−
(ge)	Local professional football stadium district taxes	PR	C	−0−	−0−
(gg)	Local taxes	PR	C	−0−	−0−
	(4) PROGRAM TOTALS				
	PROGRAM REVENUE			−0−	−0−
	OTHER			(−0−)	(−0−)
	TOTAL−ALL SOURCES			−0−	−0−
(5)	PAYMENTS IN LIEU OF TAXES				
(a)	Payments for municipal services	GPR	A	21,781,000	21,998,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			21,781,000	21,998,800
TOTAL−ALL SOURCES			21,781,000	21,998,800
20.835 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			1,720,569,100	1,731,306,100
PROGRAM REVENUE			51,244,500	52,200,000
OTHER			(−0−)	(−0−)
SERVICE			(51,244,500)	(52,200,000)
SEGREGATED FUNDS			116,159,900	113,857,400
OTHER			(116,159,900)	(113,857,400)
TOTAL−ALL SOURCES			1,887,973,500	1,897,363,500
20.855 Miscellaneous appropriations				
(1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT				
(a) Obligation on operating notes	GPR	S	15,300,000	13,200,000
(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−
(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			16,510,000	14,410,000
PROGRAM REVENUE			−0−	−0−
OTHER			(−0−)	(−0−)
SEGREGATED FUNDS			−0−	−0−
OTHER			(−0−)	(−0−)
TOTAL−ALL SOURCES			16,510,000	14,410,000
(3) CAPITOL RENOVATION EXPENSES				
(a) Capitol offices relocation	GPR	S	4,418,400	1,103,300
(b) Capitol restoration and relocation planning	GPR	B	−0−	−0−
(c) Historically significant furnishings	GPR	B	−0−	−0−
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			4,418,400	1,103,300
TOTAL−ALL SOURCES			4,418,400	1,103,300
(4) TAX, ASSISTANCE AND TRANSFER PAYMENTS				
(a) Interest on overpayment of taxes	GPR	S	3,500,000	3,500,000
(am) Great Lakes protection fund contribution	GPR	C	−0−	−0−
(b) Election campaign payments	GPR	S	325,000	325,000
(c) Minnesota income tax reciprocity	GPR	S	50,000,000	53,000,000

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(ca)	Minnesota income tax reciprocity bench mark	GPR	A	−0−	−0−
(cm)	Illinois income tax reciprocity	GPR	S	11,750,000	12,500,000
(cn)	Illinois income tax reciprocity benchmark	GPR	A	−0−	−0−
(co)	Illinois income tax reciprocity, 1998 and 1999	GPR	A	−0−	−0−
(e)	Transfer to conservation fund; land acquisition reimbursement	GPR	S	236,800	232,600
(f)	Supplemental title fee matching	GPR	S	11,000,000	11,100,000
(fm)	Transfer to the transportation fund; hub facility exemptions	GPR	S	−0−	−0−
(q)	Terminal tax distribution	SEG	S	1,130,000	1,283,300
(r)	Petroleum allowance	SEG	S	600,000	600,000
(rc)	Transfer to general fund	SEG	A	450,000,000	−0−
(rh)	Annual transfer from permanent endowment fund to general fund	SEG	S	−0−	−0−
(rp)	Transfer to general fund; 2001−02 fiscal year	SEG	A	155,526,000	−0−
(rv)	Transfer to general fund; 2002−03 fiscal year	SEG	A	−0−	157,602,800
(s)	Transfer to conservation fund; motorboat formula	SEG	S	10,756,200	11,285,200
(t)	Transfer to conservation fund; snowmobile formula	SEG	S	4,497,700	4,881,700
(u)	Transfer to conservation fund; all−terrain vehicle formula	SEG	S	954,300	1,108,700
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			76,811,800	80,657,600
	SEGREGATED FUNDS			623,464,200	176,761,700
	OTHER			(623,464,200)	(176,761,700)
	TOTAL−ALL SOURCES			700,276,000	257,419,300
(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−)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
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	112,000	764,200
(8) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			112,000	764,200
TOTAL−ALL SOURCES			112,000	764,200
(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			97,852,200	96,935,100
PROGRAM REVENUE			−0−	−0−
FEDERAL			(−0−)	(−0−)
OTHER			(−0−)	(−0−)
SERVICE			(−0−)	(−0−)
SEGREGATED FUNDS			623,464,200	176,761,700
OTHER			(623,464,200)	(176,761,700)
TOTAL−ALL SOURCES			721,316,400	273,696,800
20.865 Program supplements				
(1) EMPLOYEE COMPENSATION AND SUPPORT				
(a) Judgments and legal expenses	GPR	S	50,000	50,000
(c) Compensation and related adjustments	GPR	S	−0−	−0−
(cc) Compensation and related adjustments	GPR	A	12,963,700	12,963,700
(ci) Nonrepresented university system faculty and academic pay adjustments	GPR	S	−0−	−0−
(cj) Pay adjustments for certain university employees	GPR	A	−0−	−0−
(d) Employer fringe benefit costs	GPR	S	12,400,300	12,400,300
(e) Additional biweekly payroll	GPR	A	−0−	−0−
(em) Financial and procurement services	GPR	A	172,200	453,000
(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−
(ic) Nonrepresented university system faculty and academic pay adjustments	PR	S	−0−	−0−

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(id)	Compensation and related adjustments; nonfederal program revenues	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 and procurement 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−
(mb)	Compensation and related adjustments; 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−
(sb)	Compensation and related adjustments; nonfederal 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 and procurement 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−
(xb)	Compensation and related adjustments; federal segregated revenues	SEG−F	S	−0−	−0−
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			25,593,100	25,873,900
	PROGRAM REVENUE			−0−	−0−
	FEDERAL			(−0−)	(−0−)
	OTHER			(−0−)	(−0−)
	SERVICE			(−0−)	(−0−)
	SEGREGATED FUNDS			−0−	−0−
	FEDERAL			(−0−)	(−0−)
	OTHER			(−0−)	(−0−)
	TOTAL−ALL SOURCES			25,593,100	25,873,900
(2)	STATE PROGRAMS AND FACILITIES				
(a)	Private facility rental increases	GPR	A	1,219,100	1,895,000
(ag)	State−owned office rent supplement	GPR	A	2,083,700	2,895,400
(am)	Space management and child care	GPR	A	6,874,000	6,532,300
(d)	State deposit fund	GPR	S	−0−	−0−

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
(e)	Maintenance of capitol and executive residence	GPR	A	6,242,700	6,342,700
(eb)	Executive residence furnishings replacement	GPR	C	25,000	25,000
(em)	Groundwater survey and analysis	GPR	A	231,200	231,200
(g)	Private facility rental increases; program revenues	PR	S	−0−	−0−
(gg)	State−owned office rent supplement; program revenues	PR	S	−0−	−0−
(gm)	Space management and child care; 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)	Private facility rental increases; segregated revenues	SEG	S	−0−	−0−
(qg)	State−owned office rent supplement; segregated revenues	SEG	S	−0−	−0−
(qm)	Space management and child care; segregated revenues	SEG	S	−0−	−0−
(t)	State deposit fund; segregated revenues	SEG	S	−0−	−0−
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			16,675,700	17,921,600
	PROGRAM REVENUE			−0−	−0−
	OTHER			(−0−)	(−0−)
	SERVICE			(−0−)	(−0−)
	SEGREGATED FUNDS			−0−	−0−
	OTHER			(−0−)	(−0−)
	TOTAL−ALL SOURCES			16,675,700	17,921,600
(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	2,228,500	1,052,200
(g)	Program revenue funds general program supplementation	PR	S	670,800	650,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
(gm) Wisconsin advanced telecommunications foundation funds supplementation	PR	C	−0−	−0−
(k) Public assistance programs supplementation	PR−S	C	−0−	−0−
(m) Federal funds general program supplementation	PR−F	C	−0−	−0−
(u) Segregated funds general program supplementation	SEG	S	8,327,500	4,175,000
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			2,228,500	1,052,200
PROGRAM REVENUE			670,800	650,800
FEDERAL			(−0−)	(−0−)
OTHER			(670,800)	(650,800)
SERVICE			(−0−)	(−0−)
SEGREGATED FUNDS			8,327,500	4,175,000
OTHER			(8,327,500)	(4,175,000)
TOTAL−ALL SOURCES			11,226,800	5,878,000
(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			44,497,300	44,847,700
PROGRAM REVENUE			670,800	650,800
FEDERAL			(−0−)	(−0−)
OTHER			(670,800)	(650,800)
SERVICE			(−0−)	(−0−)
SEGREGATED FUNDS			8,327,500	4,175,000
FEDERAL			(−0−)	(−0−)
OTHER			(8,327,500)	(4,175,000)
TOTAL−ALL SOURCES			53,495,600	49,673,500
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	3,797,200	3,754,100

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2001−02	2002−03
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			3,797,200	3,754,100
	TOTAL−ALL SOURCES			3,797,200	3,754,100
(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−
(3)	STATE BUILDING PROGRAM				
(a)	Principal repayment and interest	GPR	S	27,757,700	42,055,300
(b)	Principal repayment and interest	GPR	S	121,900	413,900
(bm)	Principal repayment, interest, and rebates; HR academy, inc.	GPR	S	−0−	−0−
(bp)	Principal repayment, interest and rebates	GPR	S	6,000	40,800
(br)	Principal repayment, interest and rebates	GPR	S	51,900	86,200
(bt)	Principal repayment, interest, and rebates; discovery place museum	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

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03	
(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			27,937,500	42,596,200	
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			28,961,700	43,620,400	
(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−	
(5) SERVICES TO NONSTATE GOVERNMENTAL UNITS					
(g) Financial consulting services	PR	C	−0−	−0−	
(5) PROGRAM TOTALS					
PROGRAM REVENUE			−0−	−0−	
OTHER			(−0−)	(−0−)	
TOTAL−ALL SOURCES			−0−	−0−	
(6) CASH BUILDING PROJECTS FUND					**Vetoed In Part**
(a) General fund transfer	GPR	S	−0−	−0−	
(q) Payment of cash in lieu of borrowing	SEG	S	−0−	−0−	
(6) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			−0−	−0−	
SEGREGATED FUNDS			−0−	−0−	
OTHER			(−0−)	(−0−)	
TOTAL−ALL SOURCES			−0−	−0−	
20.867 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			31,734,700	46,350,300	
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			32,758,900	47,374,500	
20.875 Budget stabilization fund					
(1) TRANSFERS TO FUND					
(a) General fund transfer	GPR	S	−0−	−0−	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			−0−	−0−	
TOTAL−ALL SOURCES			−0−	−0−	
(2) TRANSFERS FROM FUND					
(q) Budget stabilization fund transfer	SEG	A	−0−	−0−	
(2) PROGRAM TOTALS					
SEGREGATED FUNDS			−0−	−0−	
OTHER			(−0−)	(−0−)	
TOTAL−ALL SOURCES			−0−	−0−	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2001−02	2002−03
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			1,894,653,300	1,919,439,200
PROGRAM REVENUE			51,915,300	52,850,800
FEDERAL			(−0−)	(−0−)
OTHER			(670,800)	(650,800)
SERVICE			(51,244,500)	(52,200,000)
SEGREGATED FUNDS			748,975,800	295,818,300
FEDERAL			(−0−)	(−0−)
OTHER			(748,975,800)	(295,818,300)
SERVICE			(−0−)	(−0−)
LOCAL			(−0−)	(−0−)
TOTAL−ALL SOURCES			2,695,544,400	2,268,108,300
STATE TOTAL			23,274,167,500	23,378,214,500
GENERAL PURPOSE REVENUES			11,560,746,200	11,730,056,600
PROGRAM REVENUE			7,783,743,100	7,925,187,400
FEDERAL			(4,766,889,000)	(4,843,682,800)
OTHER			(2,290,769,300)	(2,351,136,400)
SERVICE			(726,084,800)	(730,368,200)
SEGREGATED FUNDS			3,929,678,200	3,722,970,500
FEDERAL			(716,680,000)	(745,123,600)
OTHER			(2,979,478,500)	(2,740,259,600)
SERVICE			(160,654,400)	(165,381,100)
LOCAL			(72,865,300)	(72,206,200)

SECTION 397b. 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), 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 398. 20.115 (1) (gf) of the statutes is amended 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)~~,~~ and 93.09 (10) ~~and 100.03 (3) (a) 1.~~ to carry out the purposes for which those moneys are received.

SECTION 400. 20.115 (1) (gm) of the statutes is amended to read:

20.115 **(1)** (gm) *Dairy ~~and vegetable security and~~ trade ~~practices~~ regulation*. 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~~ s. 100.201 (6) shall be credited to this appropriation.

SECTION 402. 20.115 (1) (jb) of the statutes is amended to read:

20.115 **(1)** (jb) *Consumer protection, information, and education.* The amounts in the schedule for consumer protection and consumer information and education. All moneys received under s. 100.261 (3) (b) shall be credited to this appropriation account, subject to the limit under s. 100.261 (3) (c).

SECTION 403. 20.115 (1) (jm) of the statutes is repealed.

SECTION 403g. 20.115 (1) (k) of the statutes is created to read:

20.115 **(1)** (k) *Payments to ethanol producers.* The amounts in the schedule for payments to ethanol producers under s. 93.75. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 2m. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm). No funds may be encumbered under this paragraph after June 30, 2006.

SECTION 404. 20.115 (1) (q) of the statutes is created to read:

20.115 **(1)** (q) *Dairy, grain, and vegetable security.* From the agricultural producer security fund, the amounts in the schedule to administer dairy, grain, and vegetable producer security programs under ch. 126.

SECTION 405. 20.115 (1) (v) of the statutes is created to read:

20.115 **(1)** (v) *Agricultural producer security; bonds.* From the agricultural producer security fund, a sum sufficient to acquire the surety bonds required under ss. 126.06 and 126.07.

SECTION 406. 20.115 (1) (w) of the statutes is created to read:

20.115 **(1)** (w) *Agricultural producer security; payments.* From the agricultural producer security fund, a sum sufficient to make default claim payments authorized under s. 126.72 (1).

SECTION 407. 20.115 (1) (wb) of the statutes is created to read:

20.115 **(1)** (wb) *Agricultural producer security; bond proceeds.* From the agricultural producer security fund, all moneys received under s. 126.72 (2) and (3) to be used to make default claim payments under s. 126.71 (1).

SECTION 408. 20.115 (2) (g) of the statutes is amended to read:

20.115 **(2)** (g) *Related services.* ~~The amounts in the schedule~~ All moneys received from fees related to animal health services, including fees under s. 95.60 (8), for the conduct of those services ~~related to service fees. All moneys received from such service fees as are authorized by law shall be credited to this appropriation~~.

SECTION 409. 20.115 (2) (gb) of the statutes is repealed.

SECTION 411. 20.115 (2) (i) of the statutes is repealed.

SECTION 412b. 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~~ All moneys received under ss. 95.21 (9) (c), 173.27, 173.40, and 174.09 (1), 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 413. 20.115 (2) (k) of the statutes is repealed.

SECTION 414. 20.115 (3) (c) of the statutes is repealed.

SECTION 415. 20.115 (3) (d) of the statutes is renumbered 20.115 (1) (d).

SECTION 416. 20.115 (3) (ga) of the statutes is repealed.

SECTION 420. 20.115 (4) (i) of the statutes is repealed.

SECTION 421h. 20.115 (4) (q) of the statutes is created to read:

20.115 **(4)** (q) *Grants for agriculture in the classroom program.* From the agrichemical management fund, the amounts in the schedule for grants for the agriculture in the classroom program under s. 93.32.

SECTION 422. 20.115 (7) (d) of the statutes is amended 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~~ 2006.

SECTION 423. 20.115 (7) (gb) of the statutes is repealed.

Vetoed In Part

SECTION 423g. 20.115 (7) (i) of the statutes is created to read:

20.115 **(7)** (i) *Drainage district Internet site.* The amounts in the schedule for creating and maintaining the Internet site for drainage district engineering projects under s. 88.15 (2m). All moneys received from fees under s. 88.15 (2m) shall be credited to this appropriation account.

SECTION 424. 20.115 (7) (q) of the statutes is repealed.

SECTION 424m. 20.115 (7) (qb) of the statutes is repealed.

SECTION 425. 20.115 (7) (qc) of the statutes is amended 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, gypsy moth control, and control of other plant pests.

Vetoed In Part

SECTION 425c. 20.115 (7) (qc) of the statutes, as affected by 2001 Wisconsin Act .... (this act), section 425, is amended to read:

20.115 **(7)** (qc) *Plant protection; ~~conservation~~ forestry fund.* From the ~~conservation~~ forestry fund, the amounts in the schedule for plant protection, including nursery regulation, gypsy moth control, and control of other plant pests.

Vetoed In Part

SECTION 426p. 20.115 (7) (rm) of the statutes is created to read:

20.115 **(7)** (rm) *Pest management for schools.* From the agrichemical management fund, the amounts in schedule for the pest management for schools program under s. 94.715.

SECTION 427. 20.115 (7) (s) of the statutes is repealed.

SECTION 428. 20.115 (7) (t) of the statutes is repealed.

SECTION 429. 20.115 (7) (u) of the statutes is repealed.

SECTION 430. 20.115 (8) (g) of the statutes is amended to read:

20.115 **(8)** (g) *Gifts and grants.* ~~Except as provided in subs. (2) (gb), (3) (ga), (4) (i) and (7) (gb), all~~ All moneys received from gifts and grants to carry out the purposes for which made.

SECTION 431. 20.115 (8) (ga) of the statutes is repealed.

SECTION 433. 20.115 (8) (ha) of the statutes is amended to read:

20.115 **(8)** (ha) *General laboratory related services.* All moneys received ~~from service fees~~, other than from state agencies, for the performance of general laboratory services under s. 93.06 and other laws under which the department performs testing services~~. The department may not transfer money from any appropriation under this section to this appropriation~~ and all moneys received as payment for milk standards used to calibrate or verify milk component testing instruments to carry out the purposes for which those moneys are received.

SECTION 434m. 20.115 (8) (jm) of the statutes is created to read:

20.115 **(8)** (jm) *Telephone solicitation regulation.* All moneys received from telephone solicitor registration and registration renewal fees paid under the rules promulgated under s. 100.52 (3) (a) for establishing and maintaining the nonsolicitation directory under s. 100.52 (2).

SECTION 436. 20.115 (8) (kL) of the statutes is amended to read:

20.115 **(8)** (kL) *Central services.* All moneys received from the department for program−specific services that are performed centrally, except moneys received under par. (km) ~~or (kp)~~, for the purpose of performing those services.

SECTION 437. 20.115 (8) (kp) of the statutes is repealed.

SECTION 438. 20.115 (8) (ks) of the statutes is amended to read:

20.115 **(8)** (ks) *State ~~contractual~~ services.* All moneys received from other state agencies for the costs of the services performed ~~under contracts with~~ for those state agencies, to provide those services.

SECTION 438m. 20.143 (1) (c) of the statutes is amended to read:

20.143 **(1)** (c) *Wisconsin development fund; grants, loans, reimbursements, and assistance.* Biennially, the amounts in the schedule for grants under ss. 560.145, 560.16, 560.175, and 560.26; 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 9, 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 9, section 9110 (5) , and 2001 Wisconsin Act .... (this act), section 9110 (10e); and for providing up to $100,000 annually for the continued development of a manufacturing and advanced technology training center in Racine. Of the amounts in the schedule, $50,000 shall be allocated in

Vetoed In Part

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). Of the amounts in the schedule, $500,000 shall be allocated in fiscal year 2001−02 for an economic development project for the Menominee tribe.

Vetoed In Part

Vetoed In Part

SECTION 439. 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 grants under ~~1993 Wisconsin Act 16, section 9115 (1c) and 1999 Wisconsin Act 9, section 9110 (6e) and (7v)~~ 2001 Wisconsin Act .... (this act), section 9110 (8x) and (8y).

Vetoed In Part

SECTION 439c. 20.143 (1) (fm) of the statutes is amended to read:

20.143 **(1)** (fm) *Minority business projects; grants and loans.* Biennially, the amounts in the schedule for grants under ss. 560.038, 560.039, 560.82, and 560.837, grants and loans under s. 560.83, the grant under 1993 Wisconsin Act 110, section 3, and the loans under 1997 Wisconsin Act 9, section 3. Of the amounts in the schedule, $50,000 shall be allocated in each fiscal year for grants to the Multicultural Center of Greater Green Bay for programming to educate community businesses and nonprofit organizations in recruiting and retaining a multicultural workforce.

Vetoed In Part

SECTION 442g. 20.143 (1) (hm) of the statutes is amended to read:

20.143 **(1)** (hm) *Certified capital companies.* All moneys received under subch. II of ch. 560 for the cost of administering subch. II of ch. 560. Notwithstanding s. 20.001 (3) (c), at the end of each fiscal year, the unencumbered balance in this appropriation account shall lapse to the general fund.

SECTION 443. 20.143 (1) (id) of the statutes is repealed.

SECTION 444. 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), 1997 Wisconsin Act 310, section 2 (2d), and 1999 Wisconsin Act 9, 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 ss. 560.16, 560.175, and 560.25, for assistance under s. 560.06 (2), for the loan under 1999 Wisconsin Act 9, section 9110 (4), for the grant under 2001 Wisconsin Act .... (this act), section 9110 (7g), and for reimbursements under s. 560.167. No moneys may be encumbered under this paragraph for grants under s. 560.25 after June 30, 2003.

SECTION 445. 20.143 (1) (ig) of the statutes is amended to read:

20.143 **(1)** (ig) *Gaming economic development ~~grants and loans~~ and diversification; repayments.* ~~The~~ Biennially, the amounts in the schedule for grants and loans under ~~s.~~ ss. 560.137 (2) and 560.138. All moneys received in repayment of loans under ~~s.~~ ss. 560.137 (2) and 560.138 shall be credited to this appropriation account.

SECTION 445g. 20.143 (1) (im) of the statutes is amended to read:

20.143 **(1)** (im) *Minority business projects; repayments.* All moneys received in repayment of grants or loans under s. 560.83 and loans under 1997 Wisconsin Act 9, section 3, to be used for grants and loans under ss. 560.82, 560.83, and 560.837, the grant under ~~1993 Wisconsin Act 110, section 3~~ 2001 Wisconsin Act .... (this act), section 9110 (7g), and the loans under 1997 Wisconsin Act 9, section 3.

SECTION 446. 20.143 (1) (jc) (title) of the statutes is amended to read:

20.143 **(1)** (jc) (title) *Physician and dentist and health care provider loan assistance programs ~~repayments~~; penalties.*

SECTION 447. 20.143 (1) (jm) (title) of the statutes is amended to read:

20.143 **(1)** (jm) (title) *Physician and dentist loan assistance program; local contributions.*

SECTION 448. 20.143 (1) (kf) of the statutes is 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 449. 20.143 (1) (kg) of the statutes is amended to read:

20.143 **(1)** (kg) *American Indian economic ~~development;~~ liaison and gaming grants specialist and program marketing.* 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), for the salary and fringe benefits of, and related supplies and services for, the gaming grants specialist for the programs under ss. 560.137 and 560.138, and for marketing the programs under ss. 560.137 and 560.138. From this appropriation, the department may expend in each fiscal year no more than $100,000 for marketing the programs under ss. 560.137 and 560.138. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6g. shall

be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 450. 20.143 (1) (kh) of the statutes is 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 451. 20.143 (1) (kj) of the statutes, as affected by 1999 Wisconsin Act 9, section 208, is amended to read:

20.143 (1) (kj) *Gaming economic development and diversification; grants and loans.* ~~The~~ Biennially, the amounts in the schedule for grants and loans under ~~s.~~ ss. ~~560.137, for marketing the program under s.~~ 560.137 and 560.138, for the grants under s. 560.139 (1) (a) and (2), and for the grants under 2001 Wisconsin Act .... (this act), section 9110 (1), (2k), (10fk), (10p), (11pk), and (11zx). Of the amounts in the schedule, $500,000 shall be allocated in each fiscal year for the grants under s. 560.137 (3m). ~~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. Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each odd−numbered year shall revert to the appropriation account under s. 20.505 (8) (hm).

Vetoed In Part

SECTION 452. 20.143 (1) (km) of the statutes is repealed.

SECTION 454. 20.143 (1) (ko) of the statutes is created to read:

20.143 **(1)** (ko) *Manufacturing extension center grants.* The amounts in the schedule for grants under s. 560.25. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6o. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 456. 20.143 (1) (kr) of the statutes is amended to read:

20.143 **(1)** (kr) *Physician and dentist and health care provider loan assistance programs~~,~~; repayments, and contract.* ~~All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6r. and all moneys transferred under 1999 Wisconsin Act 9, section 9210 (1),~~ Biennially, the amounts in the schedule for loan repayments under ss. 560.183 and 560.184 and for contracting under ss. 560.183 (8) and 560.184 (7). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6r. and all moneys transferred under 1999 Wisconsin Act 9, section 9210 (1), shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each odd−numbered year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 457. 20.143 (1) (kt) of the statutes is created to read:

20.143 **(1)** (kt) *Funds transferred from other state agencies.* All moneys received from other state agencies to carry out the purposes for which received.

SECTION 458. 20.143 (1) (qm) of the statutes is amended to read:

20.143 **(1)** (qm) *Brownfields grant program and related grants; environmental fund.* From the environmental fund, the amounts in the schedule for grants under ~~s. and~~ ss. 560.13 and 560.139 (1) (c), ~~and~~ for the grant under 1999 Wisconsin Act 9, section 9110 (8gm), and for the grants under 2001 Wisconsin Act .... (this act), section 9110 (9c), (9d), and (9e).

SECTION 458m. 20.143 (1) (t) of the statutes is amended to read:

Vetoed In Part

20.143 **(1)** (t) *Forestry education grant program.* From the ~~conservation~~ forestry fund, as a continuing appropriation, the amounts in the schedule for forestry education grants under s. 560.18.

SECTION 459r. 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 chs. 101, 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), and 2001 Wisconsin Act .... (this act), section 9110 (3z), shall be credited to this appropriation.

SECTION 462. 20.145 (1) (g) of the statutes is amended to read:

20.145 **(1)** (g) *General program operations.* The amounts in the schedule for general program operations. Ninety percent of all moneys received under ss. 601.31, 601.32, 601.42 (7), 601.45, and 601.47 and by the commissioner for expenses related to insurance company restructurings, except for restructurings specified in par. (h), shall be credited to this appropriation account.

SECTION 462c. 20.145 (1) (h) of the statutes is amended to read:

20.145 **(1)** (h) *Holding company restructuring expenses.* ~~All~~ Ninety percent of all moneys received

from converting mutual insurance companies under s. 644.07 (11) for expenses, including prorated salaries, incurred by the commissioner and office staff related to restructurings under ch. 644.

SECTION 464. 20.155 (1) (g) of the statutes is amended to read:

20.155 **(1)** (g) *Utility regulation.* The amounts in the schedule for the regulation of utilities. Ninety percent of all moneys received by the commission under s. 196.85, 196.855, or 201.10 (3)~~, except moneys received from mobile home park operators under s. 196.85 (2g),~~ shall be credited to this appropriation. Ninety percent of all receipts from the sale of miscellaneous printed reports and other copied material, the cost of which was originally paid under this paragraph, shall be credited to this appropriation.

SECTION 465b. 20.155 (1) (i) of the statutes is repealed.

SECTION 465d. 20.155 (1) (jm) of the statutes is repealed.

SECTION 465m. 20.165 (1) (gm) of the statutes is amended to read:

20.165 **(1)** (gm) *Applicant investigation reimbursement.* ~~All~~ Ninety percent of all moneys received from applicants for credentials under s. 440.03 (13), for the purpose of conducting investigations under s. 440.03 (13).

Vetoed In Part

SECTION 465p. 20.165 (1) (q) of the statutes is created to read:

20.165 **(1)** (q) *Cemetery and mausoleum trustee disbursements.* From the cemetery management insurance fund, a sum sufficient to make disbursements to trustees under the rules promulgated under s. 157.117 (4) (a).

SECTION 465r. 20.215 (1) (j) of the statutes is created to read:

20.215 **(1)** (j) *Support of arts programs.* All moneys received from the Wisconsin Artistic Endowment Foundation under s. 247.06 (1) (a) for operating support of arts organizations and for grants under the Wisconsin regranting program under s. 44.62.

SECTION 466. 20.215 (1) (km) of the statutes is amended 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 467m. 20.220 of the statutes is created to read:

20.220 Wisconsin Artistic Endowment Foundation. There is appropriated to the Wisconsin Artistic Endowment Foundation for the following programs:

(1) SUPPORT OF THE ARTS. (a) *Education and marketing.* As a continuing appropriation, the amounts in the schedule for public education and marketing relating to the Wisconsin artistic endowment fund.

(q) *General program operations.* From the artistic endowment fund, the amounts in the schedule for general program operations of the foundation.

(r) *Support of the arts.* From the artistic endowment fund, as a continuing appropriation, all moneys received as interest and earnings of the artistic endowment fund, less the amounts appropriated in par. (q), for support of the arts under s. 247.06.

SECTION 469. 20.225 (1) (b) of the statutes is amended to read:

20.225 **(1)** (b) *Energy costs.* The amounts in the schedule to pay for utilities and for fuel, heat, and air conditioning, and to pay costs incurred under ss. 16.858 and 16.895, by or on behalf of the board~~, and to repay to the energy efficiency fund loans made to the board under s. 16.847 (6)~~.

SECTION 475. 20.225 (1) (g) of the statutes is amended to read:

20.225 **(1)** (g) *Gifts, grants, contracts and leases.* ~~All~~ Except as provided in par. (i), all moneys received from gifts, grants, contracts and the lease of excess capacity to carry out the purposes for which received.

SECTION 477. 20.225 (1) (i) of the statutes is created to read:

20.225 **(1)** (i) *Program revenue facilities; principal repayment, interest, and rebates.* A sum sufficient from gifts and grants to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of facilities approved by the building commission for operation by the educational communications board and to make payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing the facilities.

SECTION 479. 20.225 (1) (kb) of the statutes is amended to read:

20.225 **(1)** (kb) *Emergency weather warning system operation.* From the moneys received by the department of ~~administration~~ electronic government for the provision of state telecommunications ~~and data processing services and sale of telecommunications and data processing inventory items primarily~~ to state agencies, the amounts in the schedule for the operation of the emergency weather warning system under s. 39.11 (21).

SECTION 481. 20.235 (intro.) of the statutes is amended to read:

20.235 Higher educational aids board. (intro.) There is appropriated to the ~~department of education~~ higher educational aids board for the following programs:

SECTION 481e. 20.235 (1) (cm) of the statutes is created to read:

20.235 **(1)** (cm) *Nursing student loan program.* The amounts in the schedule for the nursing student loan program under s. 39.393.

SECTION 481m. 20.235 (1) (d) of the statutes is amended to read:

20.235 **(1)** (d) *Dental education contract.* The amounts in the schedule for support of those Wisconsin residents enrolled as full−time students in the pursuit of a doctor of dental surgery (D.D.S.) degree. An amount of $11,330 in the 1993−94 fiscal year and $11,670 in the 1994−95 fiscal year and annually thereafter shall be disbursed under s. 39.46 for each Wisconsin resident enrolled as a full−time student. The maximum number of Wisconsin residents to be funded under this appropriation is ~~100~~ 160 in the ~~1993−94~~ 2001−02 fiscal year and thereafter.

SECTION 483. 20.235 (1) (k) of the statutes is 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. Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each odd−numbered year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 484. 20.235 (1) (km) of the statutes is amended 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. Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each odd−numbered year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 486. 20.245 (1) (title) of the statutes is repealed and recreated to read:

20.245 **(1)** (title) HISTORY SERVICES.

SECTION 487. 20.245 (1) (a) of the statutes is amended to read:

20.245 **(1)** (a) *General program operations~~; archives and research services~~.* The amounts in the schedule for general program operations ~~related to archives and research services~~ of the historical society, except as provided under par. (ag).

SECTION 488. 20.245 (1) (ag) of the statutes is created to read:

20.245 **(1)** (ag) *General program operations; historic sites and museum services.* The amounts in the schedule for the general program operations of the historic sites and the historical society museum.

SECTION 489. 20.245 (1) (am) of the statutes is repealed.

SECTION 490. 20.245 (1) (c) of the statutes is repealed and recreated to read:

20.245 **(1)** (c) *Energy costs.* The amounts in the schedule to pay for utilities and for fuel, heat, and air conditioning, and to pay costs incurred by or on behalf of the historical society under ss. 16.858 and 16.895.

SECTION 491. 20.245 (1) (e) of the statutes is amended to read:

20.245 **(1)** (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 acquisition, construction, development, enlargement, or improvement of facilities of the historical society; for the payment of principal and interest costs incurred in financing the acquisition and installation of systems and equipment necessary to prepare historic records for transfer to new storage facilities; 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 this acquisition and installation.

SECTION 492. 20.245 (1) (g) of the statutes is amended to read:

20.245 **(1)** (g) *Admissions, sales, and other receipts.* All moneys received from admissions, sales, ~~fines, and use of the main library, and other moneys received by the society for research services, except moneys that are otherwise specifically appropriated by law~~ and other receipts and the amount transferred under 2001 Wisconsin Act .... (this act), SECTION 9125 (1mk), for general program operations ~~related to research services~~.

SECTION 493. 20.245 (1) (h) of the statutes is amended to read:

20.245 **(1)** (h) *Gifts and grants.* All moneys received from gifts ~~and~~, grants, ~~except moneys that are otherwise specifically appropriated, for purposes related to research services~~ and bequests, to carry out the purposes for which made or received.

SECTION 493d. 20.245 (1) (hm) of the statutes is created to read:

20.245 **(1)** (hm) *Power's Bluff County Park.* The amounts in the schedule for identifying unmarked American Indian grave sites at Power's Bluff County Park. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18v. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall

revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 493m. 20.245 (1) (hr) of the statutes is created to read:

20.245 **(1)** (hr) *Native tribal history.* The amounts in the schedule to the Merrill Historical Society for a publication of a native tribal history of the upper Wisconsin River valley. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18s. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 494. 20.245 (1) (k) of the statutes is repealed.

SECTION 495. 20.245 (1) (m) of the statutes is amended to read:

20.245 **(1)** (m) *General program operations; federal funds.* All federal funds received ~~for research services~~ as authorized by the governor under s. 16.54 for the purpose of carrying out general program operations.

SECTION 496. 20.245 (1) (r) of the statutes is repealed.

SECTION 497. 20.245 (2) (title) and (a) of the statutes are repealed.

SECTION 498. 20.245 (2) (bd) of the statutes is repealed.

SECTION 499. 20.245 (2) (be) of the statutes is repealed.

SECTION 500. 20.245 (2) (bf) of the statutes is repealed.

SECTION 501. 20.245 (2) (bg) of the statutes is repealed.

SECTION 502. 20.245 (2) (bh) of the statutes is repealed.

SECTION 503. 20.245 (2) (bi) of the statutes is repealed.

SECTION 504. 20.245 (2) (bj) of the statutes is repealed.

SECTION 505. 20.245 (2) (c) of the statutes is repealed.

SECTION 506. 20.245 (2) (e) of the statutes is repealed.

SECTION 507. 20.245 (2) (g) of the statutes is repealed.

SECTION 508. 20.245 (2) (h) of the statutes is repealed.

SECTION 509. 20.245 (2) (j) of the statutes is renumbered 20.245 (1) (j) and amended to read:

20.245 **(1)** (j) *Self−amortizing facilities; principal repayment, interest, and rebates.* A sum sufficient from the revenues received under ~~par.~~ pars. (g) and (h) to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement, or improvement of facilities of the historical society ~~related to historic sites~~ 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 such facilities.

SECTION 510. 20.245 (2) (k) of the statutes is repealed.

SECTION 511. 20.245 (2) (km) of the statutes is renumbered 20.245 (1) (km) and amended to read:

20.245 **(1)** (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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 512. 20.245 (2) (m) of the statutes is repealed.

SECTION 513. 20.245 (2) (r) of the statutes is repealed.

SECTION 514. 20.245 (2) (y) of the statutes is renumbered 20.245 (1) (y).

SECTION 515. 20.245 (3) (title) of the statutes is repealed.

SECTION 516. 20.245 (3) (a) of the statutes is repealed.

SECTION 517. 20.245 (3) (b) of the statutes is repealed.

SECTION 518. 20.245 (3) (c) of the statutes is repealed.

SECTION 519. 20.245 (3) (d) of the statutes is repealed.

SECTION 520. 20.245 (3) (dm) of the statutes is repealed.

SECTION 521. 20.245 (3) (g) of the statutes is repealed.

SECTION 522. 20.245 (3) (gm) of the statutes is repealed.

SECTION 523. 20.245 (3) (h) of the statutes is repealed.

SECTION 524. 20.245 (3) (k) of the statutes is repealed.

SECTION 525. 20.245 (3) (m) of the statutes is repealed.

SECTION 526. 20.245 (3) (n) of the statutes is renumbered 20.245 (1) (n).

SECTION 527. 20.245 (3) (r) of the statutes is repealed.

SECTION 528. 20.245 (4) (title) of the statutes is repealed.

SECTION 529. 20.245 (4) (a) of the statutes is repealed.

SECTION 530. 20.245 (4) (c) of the statutes is repealed.

SECTION 531. 20.245 (4) (e) of the statutes is repealed.

SECTION 532. 20.245 (4) (g) of the statutes is repealed.

SECTION 533. 20.245 (4) (h) of the statutes is repealed.

SECTION 534. 20.245 (4) (k) of the statutes is renumbered 20.245 (1) (ks).

SECTION 535. 20.245 (4) (m) of the statutes is repealed.

SECTION 536. 20.245 (4) (pz) of the statutes is renumbered 20.245 (1) (pz).

SECTION 537. 20.245 (4) (q) of the statutes is renumbered 20.245 (1) (q) and amended to read:

20.245 **(1)** (q) *Endowment ~~principal~~.* As a continuing appropriation, from the historical society trust fund, all moneys, securities, and other assets received, to ~~be credited to the appropriations under par. (r) or sub. (1) (r), (2) (r), (3) (r) or (5) (r), in accordance with~~ carry out the purposes for which the assets are received.

SECTION 538. 20.245 (4) (r) of the statutes is repealed.

SECTION 539. 20.245 (4) (s) of the statutes is repealed.

SECTION 540. 20.245 (4) (t) of the statutes is repealed.

SECTION 541. 20.245 (5) of the statutes is repealed.

SECTION 541d. 20.250 (1) (b) of the statutes is amended to read:

20.250 **(1)** (b) *Family medicine ~~and practice~~ education.* The amounts in the schedule for the development and operation of ~~family practice residency~~ programs to support the recruitment and training of medical students and residents in family and community medicine.

SECTION 541m. 20.250 (1) (c) of the statutes is created to read:

20.250 **(1)** (c) *Principal repayment, interest, and rebates; biomedical research and technology incubator.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction grants under s. 13.48 (31), 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 grants under s. 13.48 (31).

Vetoed In Part

SECTION 541r. 20.255 (1) (b) of the statutes is amended to read:

20.255 **(1)** (b) *General program operations; ~~School~~ Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired.* The amounts in the schedule for the operation and maintenance of the facilities of the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing and the Wisconsin Center for the Blind and Visually Impaired, including the matching of federal funds, but not including expenses financed under par. (js).

SECTION 542. 20.255 (1) (c) of the statutes is amended to read:

Vetoed In Part

20.255 **(1)** (c) *Energy costs; ~~School~~ Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired.* The amounts in the schedule to be used at the facilities of the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing and the Wisconsin Center for the Blind and Visually Impaired to pay for utilities and for fuel, heat and air conditioning~~,~~ and 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)~~.

Vetoed In Part

SECTION 543. 20.255 (1) (dt) of the statutes is repealed.

SECTION 544. 20.255 (1) (dw) of the statutes is amended to read:

20.255 **(1)** (dw) *Pupil assessment.* The amounts in the schedule for the costs of the examinations developed and administered under ~~s.~~ ss. 118.30 and ~~for the review and modification of academic standards, as provided under 1997 Wisconsin Act 27, section 9140 (5r)~~ 121.02 (1) (r).

SECTION 545d. 20.255 (1) (gb) of the statutes is amended to read:

Vetoed In Part

20.255 **(1)** (gb) *~~School~~ Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; nonresident fees.* All moneys received from fees charged nonresident pupils for services provided ~~at~~ by the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing 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 545f. 20.255 (1) (gh) of the statutes is amended to read:

20.255 **(1)** (gh) *~~School~~ Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin 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~~ Educational Services Program for the Deaf and Hard of Hearing and the Wisconsin Center for the Blind and Visually Impaired.

SECTION 545h. 20.255 (1) (gL) of the statutes is amended to read:

20.255 **(1)** (gL) *Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; leasing of space.* All moneys received from leasing space at the facilities of the Wisconsin Educational Services Program for the Deaf and Hard of Hearing under s. 115.52 (6) and at the Wisconsin Center for the Blind and

Vetoed In Part

Visually Impaired under s. 115.525 (6) for the operation and maintenance of the center and program.

SECTION 545j. 20.255 (1) (gs) of the statutes is amended to read:

20.255 **(1)** (gs) ~~*School*~~ *Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; services.* All moneys received from services provided ~~at~~ by the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing under s. 115.52 ~~(6)~~ (5) and ~~at~~ by the Wisconsin Center for the Blind and Visually Impaired under s. 115.525 (5) for the operation and maintenance of the ~~school~~ program and the center.

SECTION 545L. 20.255 (1) (gt) of the statutes is amended to read:

20.255 **(1)** (gt) ~~*School*~~ *Wisconsin Educational Services Program for the Deaf and Hard of Hearing and Wisconsin Center for the Blind and Visually Impaired; pupil transportation.* The amounts in the schedule for the weekend transportation of pupils enrolled in the school operated by the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing 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 546. 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 $3,767,893,500 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)~~.

Vetoed In Part

SECTION 546m. 20.255 (2) (am) of the statutes is created to read:

20.255 **(2)** (am) *Interest on delayed school aid payment.* A sum sufficient to make interest payments to school districts under s. 121.085.

SECTION 547. 20.255 (2) (bi) of the statutes is repealed.

SECTION 548. 20.255 (2) (br) of the statutes is repealed.

SECTION 548m. 20.255 (2) (cp) of the statutes is amended to read:

20.255 **(2)** (cp) *Wisconsin ~~morning~~ school day milk program.* The amounts in the schedule for the Wisconsin ~~morning~~ school day milk program under s. 115.343.

SECTION 549. 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, 2005.~~

SECTION 550. 20.255 (2) (cv) of the statutes is amended to read:

20.255 **(2)** (cv) *Achievement guarantee contracts; supplement.* The amounts in the schedule for aid to school districts under s. 118.43. ~~No funds may be encumbered from this appropriation after June 30, 2003.~~

SECTION 551. 20.255 (2) (cw) of the statutes is amended to read:

20.255 **(2)** (cw) *Aid for transportation ~~to institutions of higher education and technical colleges; part−time open enrollment~~; youth options program.* The amounts in the schedule for the payment of state aid for the transportation of pupils attending an institution of higher education or technical college under s. 118.55 (7g) ~~and for the reimbursement of parents for the costs of transportation of pupils who are eligible for assistance under s. 118.52 (11) (b)~~.

SECTION 552. 20.255 (2) (cy) of the statutes is amended to read:

20.255 **(2)** (cy) *Aid for transportation; ~~full−time~~ open enrollment.* The amounts in the schedule to reimburse parents for the costs of transportation of ~~full−time~~ open enrollment pupils under ~~s.~~ ss. 118.51 (14) (b) and 118.52 (11) (b).

SECTION 553m. 20.255 (2) (fm) of the statutes is amended to read:

20.255 **(2)** (fm) *Charter schools.* A sum sufficient to make the payments to charter schools and to the unified school district under s. 118.40 (2r) (e).

SECTION 558m. 20.255 (2) (kj) of the statutes is created to read:

20.255 **(2)** (kj) *Grant to Beloit College.* The amounts in the schedule for a grant to Beloit College under s. 115.28 (47). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 10t. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year reverts to the appropriation account under s. 20.505 (8) (hm).

SECTION 559m. 20.255 (2) (kL) of the statutes is created to read:

20.255 **(2)** (kL) *Special counselor grants.* The amounts in the schedule for special counselor grants under s. 115.28 (45). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 10s. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 560. 20.255 (2) (km) of the statutes is 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

Vetoed In Part

SECTION 560d. 20.255 (2) (kn) of the statutes is created to read:

20.255 **(2)** (kn) *Federal funds transferred from the department of workforce development; after−school care grant program.* All moneys transferred from the appropriation account under s. 20.445 (3) (md) for after−school care grants under 2001 Wisconsin Act .... (this act), section 9140 (6w). No moneys may be encumbered under this paragraph after June 30, 2003.

SECTION 561. 20.255 (2) (q) of the statutes is repealed.

SECTION 562. 20.255 (3) (ec) of the statutes is repealed.

SECTION 565. 20.275 (1) (es) of the statutes is amended to read:

20.275 **(1)** (es) *Principal, interest and rebates; general purpose revenue — ~~school districts~~ schools.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing educational technology infrastructure financial assistance to school districts and charter school sponsors 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 566. 20.275 (1) (et) of the statutes is amended to read:

20.275 **(1)** (et) *Educational technology training and technical assistance grants.* Biennially, the amounts in the schedule for grants to secured correctional facilities, as defined in s. 44.70 (3r), 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 9, section 9148 (2g).

SECTION 567. 20.275 (1) (f) of the statutes is amended to read:

20.275 **(1)** (f) *Educational technology block grants.* The amounts in the schedule, less the amounts appropriated under pars. (im), (jm), (js), and (mp), to make payments to school districts, secured correctional facilities, as defined in s. 44.70 (3r), and charter school sponsors under s. 44.72 (2) (b) 2.

SECTION 567m. 20.275 (1) (gm) of the statutes is repealed.

SECTION 568. 20.275 (1) (h) of the statutes is amended to read:

20.275 **(1)** (h) *Principal, interest and rebates; program revenue — ~~school districts~~ schools.* 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 educational technology infrastructure financial assistance to school districts and charter school sponsors 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 569g. 20.275 (1) (i) of the statutes is created to read:

20.275 **(1)** (i) *Grants to libraries.* The amounts in the schedule for grants to public libraries under 2001 Wisconsin Act .... (this act), section 9149 (3mk). The first $500,000 of moneys received from the Ameritech Wisconsin settlement, public service commission docket 6720−TI−164, shall be credited to this appropriation account. No moneys may be expended or encumbered from this appropriation after June 30, 2002.

SECTION 569m. 20.275 (1) (im) of the statutes is created to read:

20.275 **(1)** (im) *Educational technology block grants; supplemental.* Except as provided in par. (i), all moneys received from the Ameritech Wisconsin settlement, public service commission docket 6720−TI−164, for payments to school districts under s. 44.72 (2) (b) 2.

SECTION 569o. 20.275 (1) (jm) of the statutes is created to read:

20.275 **(1)** (jm) *Educational technology block grants; Wisconsin Advanced Telecommunications Foundation funds.* All moneys received from the Wisconsin Advanced Telecommunications Foundation, less the amounts credited to the appropriation account under s. 20.865 (4) (gm), to make payments to school districts, secured correctional facilities, as defined in s. 44.70 (3r), and charter school sponsors under s. 44.72 (2) (b) 2.

SECTION 569q. 20.275 (1) (js) of the statutes is created to read:

20.275 **(1)** (js) *Educational technology block grants; Wisconsin Advanced Telecommunications Foundation assessments.* All moneys received from assessments paid under 2001 Wisconsin Act .... (this act), section 9142 (3mk), to make payments to school districts under s. 44.72 (2) (b) 2.

SECTION 570. 20.275 (1) (k) of the statutes is created to read:

20.275 **(1)** (k) *Funds received from other state agencies.* All moneys received from other state agencies to carry out the purposes for which received.

SECTION 571. 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) ~~(a) 8.~~ (h), for the purpose of purchasing such equipment.

SECTION 571m. 20.275 (1) (m) of the statutes is amended to read:

20.275 **(1)** (m) *Federal aid.* ~~All~~ Except as provided under par. (mp), all federal moneys received as autho-

rized under s. 16.54 to be administered and expended in accordance with the provisions of the federal grant or program under which the moneys were received.

SECTION 571r. 20.275 (1) (mp) of the statutes is created to read:

20.275 **(1)** (mp) *Federal e−rate aid.* All federal moneys received under 47 USC 254 for payments to school districts under s. 44.72 (2) (b) 2.

SECTION 571t. 20.275 (1) (q) of the statutes is created to read:

20.275 **(1)** (q) *Computer training.* From the universal service fund, the amounts in the schedule for the grant to the Racine Unified School District under s. 44.72 (3).

SECTION 572. 20.275 (1) (s) of the statutes is amended to read:

20.275 **(1)** (s) *Telecommunications access; school 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)~~ (1) to the extent that the amounts due are not paid from the appropriation under s. ~~20.505~~ 20.530 (1) (is) ~~and,~~; prior to ~~July 1, 2002~~ January 1, 2006, to make grants to school districts under s. 44.73 (6); and, in the 1999−2000 fiscal year, to award a grant to the distance learning network under 1999 Wisconsin Act 9, section 9148 (4w).

SECTION 573. 20.275 (1) (t) of the statutes is amended to read:

20.275 **(1)** (t) *Telecommunications access; private and technical colleges and 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)~~ (2) to the extent that the amounts due are not paid from the appropriation under s. ~~20.505~~ 20.530 (1) (is).

SECTION 574. 20.275 (1) (tm) of the statutes is amended to read:

20.275 **(1)** (tm) *Telecommunications access; 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)~~ (3) to the extent that the amounts due are not paid from the appropriation under s. ~~20.505~~ 20.530 (1) (is) and, prior to ~~July 1, 2002~~ January 1, 2006, to make grants to private schools under s. 44.73 (6).

SECTION 575. 20.275 (1) (tu) of the statutes is amended 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)~~ (4) to the extent that the amounts due are not paid from the appropriation under s. ~~20.505~~ 20.530 (1) (kL).

SECTION 576. 20.275 (1) (tw) of the statutes is created to read:

20.275 **(1)** (tw) *Telecommunications access; secured correctional facilities.* 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 (1) to the extent that the amounts due are not paid from the appropriation under s. 20.530 (1) (ke).

SECTION 577. 20.285 (1) (c) of the statutes is amended to read:

20.285 **(1)** (c) *Energy costs.* The amounts in the schedule to pay for utilities and for fuel, heat and air conditioning, and to pay costs incurred under ss. 16.858 and 16.895, including all operating costs recommended by the department of administration that result from the installation of pollution abatement equipment in state−owned or operated heating, cooling or power plants, by or on behalf of the board of regents~~, and to repay to the energy efficiency fund loans made to the board under s. 16.847 (6)~~.

SECTION 577m. 20.285 (1) (cg) of the statutes is repealed.

SECTION 577o. 20.285 (1) (gs) of the statutes is created to read:

20.285 **(1)** (gs) *Charter school operator payments.* All moneys received from the operator of a charter school under contract with the University of Wisconsin−Parkside under s. 118.40 (2r) (b), for the costs associated with the charter school.

SECTION 579m. 20.285 (1) (kc) of the statutes is created to read:

20.285 **(1)** (kc) *Charter school.* All moneys received from the department of public instruction under s. 118.40 (2r) (e), for the operation of a charter school by the University of Wisconsin−Parkside under s. 118.40 (2r) (b).

SECTION 580m. 20.285 (1) (kd) of the statutes is amended to read:

20.285 **(1)** (kd) *Principal repayment, interest and rebates.* From the revenues credited under par. (h) and sub. (6) (g), 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 self−amortizing university facilities 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 such facilities. For projects authorized by the building commission before July 1, 1998, annually an amount equal to 20% of the principal and interest costs for maintenance of University of Wisconsin−Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph. For projects authorized by the building commission on or after July 1, 1998, but before July 1, 2001, annually an amount equal to 30% of the principal and interest costs for maintenance of Uni-

versity of Wisconsin−Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph. For projects authorized by the building commission on or after July 1, 2001, annually an amount equal to 40% of the principal and interest costs for maintenance of University of Wisconsin−Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph.

Vetoed In Part

SECTION 580t. 20.285 (1) (kj) of the statutes is created to read:

20.285 **(1)** (kj) *Grazing education grants.* The amounts in the schedule for land and water education grants under s. 36.25 (17). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 17c. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm). No funds may be encumbered from this appropriation after June 30, 2006.

SECTION 581. 20.285 (1) (km) of the statutes is amended 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 9, 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 582. 20.285 (1) (kn) of the statutes is amended 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 9, 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 582g. 20.285 (1) (kv) of the statutes is amended to read:

20.285 **(1)** (kv) *Stray voltage research.* All moneys transferred from the appropriation account under s. 20.155 (1) (jm), 1999 stats., for stray voltage research under s. 36.25 (45).

SECTION 582h. 20.285 (1) (kv) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is repealed.

Vetoed In Part

SECTION 582i. 20.285 (1) (qm) of the statutes is amended to read:

20.285 **(1)** (qm) *Grants to forestry cooperatives.* From the ~~conservation~~ forestry fund, the amounts in the schedule for grants to forest cooperatives under s. 36.56.

SECTION 582j. 20.285 (1) (rc) of the statutes is amended to read:

20.285 **(1)** (rc) *Environmental education; forestry.* From the ~~conservation~~ forestry fund, the amounts in the schedule for environmental education grants related to forestry under s. 36.54 (2) and to administer environmental education grants.

Vetoed In Part

SECTION 582k. 20.285 (1) (s) of the statutes is created to read:

20.285 **(1)** (s) *Pest management for schools.* From the agrichemical management fund, the amounts in the schedule to provide training about pest management in and around schools under s. 36.25 (43).

Vetoed In Part

SECTION 582w. 20.292 (1) (cs) of the statutes is created to read:

20.292 **(1)** (cs) *Assistive technology.* The amounts in the schedule to expand the availability of technical assistance, assistive technology, and services for technical college students, and technical college graduates, who have disabilities.

SECTION 583m. 20.292 (1) (hm) of the statutes is created to read:

20.292 **(1)** (hm) *Truck driver training.* All moneys received from truck driver education assessments under s. 349.04 to award grants for truck driver training under s. 38.04 (31).

SECTION 584b. 20.315 of the statutes is repealed.

Vetoed In Part

SECTION 584d. 20.370 (1) (cq) of the statutes is renumbered 20.375 (2) (qh), and 20.375 (2) (qh) (title), as renumbered, is amended to read:

20.375 **(2)** (qh) (title) ~~*Forestry — reforestation*~~ *Reforestation.*

SECTION 584h. 20.370 (1) (cr) of the statutes is renumbered 20.375 (2) (qr), and 20.375 (2) (qr) (title), as renumbered, is amended to read:

20.375 **(2)** (qr) (title) ~~*Forestry — recording*~~ *Recording fees.*

SECTION 584p. 20.370 (1) (cs) of the statutes is renumbered 20.375 (2) (r), and 20.375 (2) (r) (title), as renumbered, is amended to read:

20.375 **(2)** (r) (title) ~~*Forestry — forest*~~ *Forest fire emergencies.*

SECTION 584t. 20.370 (1) (ct) of the statutes is renumbered 20.375 (2) (rm).

SECTION 585g. 20.370 (1) (cu) of the statutes is created to read:

20.370 **(1)** (cu) *Forestry — forestry education curriculum.* From the moneys received as surcharges under s.

28.06 (2m), the amounts in the schedule for the development of a forestry education curriculum under s. 26.39 (2).

Vetoed In Part

SECTION 585gm. 20.370 (1) (cu) of the statutes, as created by 2001 Wisconsin Act .... (this act), is renumbered 20.375 (2) (ru).

SECTION 585h. 20.370 (1) (cv) of the statutes is created to read:

20.370 **(1)** (cv) *Forestry — public education.* As a continuing appropriation, from the moneys received as surcharges under s. 28.06 (2m), the amounts in the schedule to develop a program to educate the public on the value of sustainable forestry.

Vetoed In Part

SECTION 585hm. 20.370 (1) (cv) of the statutes, as created by 2001 Wisconsin Act .... (this act), is renumbered 20.375 (2) (rv).

SECTION 585im. 20.370 (1) (eq) of the statutes is amended to read:

20.370 **(1)** (eq) *Parks and forests — operation and maintenance.* From the heritage state parks and forests trust fund, a sum sufficient for grants under s. 27.016 and for the operation and maintenance of the state parks, of the southern state forests, ~~as defined in s. 27.016 (1) (c),~~ and of state recreation areas as provided in s. 27.016 (7).

SECTION 585j. 20.370 (1) (er) of the statutes is repealed.

Vetoed In Part

SECTION 585k. 20.370 (1) (es) of the statutes is created to read:

20.370 **(1)** (es) *Parks and forests — operation and maintenance; beaches.* From the amounts paid into the conservation fund under s. 20.855 (4) (s), the amounts in the schedule for the development, operation, and maintenance of beaches located in state parks or southern state forests, as defined in s. 27.016 (1) (c).

Vetoed In Part

SECTION 585m. 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 ss. 71.10 (5) (b) and 71.30 (10) (b), the net amounts certified under 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., and all moneys transferred under 2001 Wisconsin Act .... (this act), section 9237 (3k), for the purposes of the endangered resources program, as defined under ss. 71.10 (5) (a) 2. and 71.30 (10) (a) 2. Three percent of the moneys certified under ss. 71.10 (5) (h) 4. and 71.30 (10) (h) 3. in each fiscal year 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 586. 20.370 (1) (hk) of the statutes is amended 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 588m. 20.370 (1) (jk) of the statutes is created to read:

20.370 **(1)** (jk) *Trout management.* From the general fund, the amounts in the schedule for costs associated with the study of coaster brook trout and the reintroduction of coaster brook trout into this state. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8j. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 588r. 20.370 (1) (kk) of the statutes is created to read:

20.370 **(1)** (kk) *Wild crane study.* From the general fund, the amounts in the schedule for the study on crop damage by cranes under 2001 Wisconsin Act .... (this act), section 9137 (6f). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8n. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm). No moneys may be encumbered from this appropriation after June 30, 2003.

SECTION 589. 20.370 (1) (Lk) of the statutes, as affected by 1999 Wisconsin Act 9, section 308L, is amended to read:

20.370 **(1)** (Lk) ~~*Wild crane management*~~ *Reintroduction of whooping cranes.* From the general fund, the amounts in the schedule 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

Vetoed In Part

SECTION 589g. 20.370 (1) (Lt) of the statutes is renumbered 20.375 (2) (sv).

Vetoed In Part

SECTION 589i. 20.370 (1) (Lu) of the statutes is created to read:

20.370 **(1)** (Lu) *Wild animals and plants.* From the Wisconsin outdoor wildlife heritage trust fund, a sum sufficient for activities and programs under ch. 29.

SECTION 590m. 20.370 (1) (mr) of the statutes is created to read:

20.370 **(1)** (mr) *General program operations — park and forest trails, all−terrain vehicle revenues.* The amounts in the schedule from moneys received from all−terrain vehicle fees under s. 23.33 (2) (c) to (e) for the operation and maintenance of trails that are located in state parks or southern state forests, as defined in s. 27.016 (1) (c).

Vetoed In Part

SECTION 591. 20.370 (1) (ms) of the statutes is amended to read:

20.370 **(1)** (ms) *General program operations — state all−terrainvehicle projects.* The amounts in the schedule from moneys received from all−terrain vehicle fees under s. 23.33 (2) (c) to (e) for state all−terrain vehicle projects.

Vetoed In Part

SECTION 591m. 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 ch. 29 and for transfers to the appropriation account under s. 20.285 (1) (kf).

SECTION 591q. 20.370 (1) (mv) of the statutes is created to read:

20.370 **(1)** (mv) *General program operations — forestry funds.* From the forestry fund, the amounts in the schedule for general program operations that relate to the southern state forests.

SECTION 591r. 20.370 (1) (mx) of the statutes is created to read:

20.370 **(1)** (mx) *General program operations — federal forestry funds.* From the forestry fund, all moneys received as federal aid for the southern state forests, as authorized by the governor under s. 16.54, for the purposes for which received.

SECTION 591s. 20.370 (1) (mz) of the statutes is renumbered 20.375 (2) (z).

SECTION 593. 20.370 (2) (du) of the statutes is created to read:

20.370 **(2)** (du) *Solid waste management — site−specific remediation.* From the environmental fund, all moneys not otherwise appropriated, other than fines and forfeitures, that are received under settlement agreements or orders in settlement of actions or proposed actions for violations of chs. 280 to 299 and that are designated to be used to restore or develop environmental resources, to provide restitution, or to make expenditures required under an agreement or order and all moneys received in settlement of actions initiated under 42 USC 9601 to 9675 for environmental remediation, restoration, and development, including the replacement of fish or wildlife, that has not been conducted when the moneys are received, to carry out the purposes for which received.

SECTION 594. 20.370 (2) (eq) of the statutes is amended to read:

20.370 **(2)** (eq) *Solid waste management — dry cleaner environmental response.* From the dry cleaner environmental response fund, the amounts in the schedule for review of remedial action under ~~ss.~~ s. 292.65 ~~and 292.66~~.

SECTION 595. 20.370 (3) (ak) of the statutes is amended 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 596. 20.370 (3) (as) of the statutes is amended to read:

20.370 **(3)** (as) *Law enforcement — all−terrain vehicle enforcement.* The amounts in the schedule from moneys received from all−terrain vehicle fees under s. 23.33 (2) (c) to (e), for state law enforcement operations related to all−terrain vehicles, including actual enforcement, safety training, accident reporting, and similar activities.

SECTION 596g. 20.370 (3) (at) of the statutes is amended 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~~ 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 596j. 20.370 (3) (au) of the statutes is created to read:

20.370 **(3)** (au) *Hunter education and bow hunter education.* The amounts in the schedule to reimburse instructors under the hunter education program and the bow hunter education program under s. 29.591 (3).

SECTION 600d. 20.370 (4) (aq) of the statutes is amended to read:

20.370 **(4)** (aq) *Water resources management — ~~lake and river~~ management activities.* The amounts in the schedule for lake and river management and other water resource management activities.

SECTION 600p. 20.370 (4) (aw) of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to read:

Vetoed In Part

20.370 **(4)** (aw) *Water resources — beach maintenance in state parks and state forests.* The amounts in the schedule for the development, operation,

Vetoed In Part

and maintenance of beaches located in state parks or southern state forests~~, as defined in s. 27.016 (1) (c)~~.

Vetoed In Part

SECTION 600r. 20.370 (4) (ax) of the statutes is created to read:

20.370 **(4)** (ax) *Water resources management — computer accessible information.* From the environmental fund, the amounts in the schedule for providing computer accessible water resource management information.

SECTION 601. 20.370 (4) (bj) of the statutes is amended to read:

20.370 **(4)** (bj) *Storm water management — fees.* From the general fund, the amounts in the schedule for the administration, including enforcement, of the storm water discharge permit program under s. 283.33. All moneys received under s. 283.33 (9) shall be credited to this appropriation account.

SECTION 602. 20.370 (4) (kk) of the statutes is amended 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance of June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 603f. 20.370 (5) (ak) of the statutes is created to read:

20.370 **(5)** (ak) *Resource aids — Wisconsin Conservation Hall of Fame.* From the general fund, the amounts in the schedule for a grant to the Wisconsin Conservation Hall of Fame under 2001 Wisconsin Act .... (this act), section 9137 (5z). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8e. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance of June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 603g. 20.370 (5) (ak) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

Vetoed In Part

SECTION 603i. 20.370 (5) (as) of the statutes is renumbered 20.375 (2) (sL) and amended to read:

20.375 **(2)** (sL) ~~*Recreation*~~ *Resource aids — ~~fish,~~ wildlife ~~and forestry~~ habitat and recreation ~~aids~~.* As a continuing appropriation, the amounts in the schedule for wildlife habitat development and planning on county forest lands~~,~~ under s. 23.09 (17m) and recreational development on county forest lands under s. 23.09 (11).

Vetoed In Part

SECTION 603m. 20.370 (5) (at) of the statutes is renumbered 20.375 (3) (sm).

SECTION 603p. 20.370 (5) (av) of the statutes is renumbered 20.375 (2) (s).

Vetoed In Part

SECTION 603q. 20.370 (5) (aw) of the statutes is amended to read:

20.370 **(5)** (aw) *Resource aids — nonprofit conservation organizations; Great Lakes Forestry Museum.* As a continuing appropriation, the amounts in the schedule for grants to nonstock, nonprofit corporations under ss. 23.0955 (2) and 23.0956 for assistance to nonprofit conservation organizations under ss. 23.0955 and 23.0956 and for a grant to the Great Lakes Forestry Museum under 2001 Wisconsin Act ..... (this act), section 9137 (5mk).

SECTION 603r. 20.370 (5) (aw) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

20.370 **(5)** (aw) *Resource aids — nonprofit conservation organizations~~; Great Lakes Forestry Museum~~.* As a continuing appropriation, the amounts in the schedule for grants to nonstock, nonprofit corporations under ss. 23.0955 (2) and 23.0956 for assistance to nonprofit conservation organizations under ss. 23.0955 and 23.0956 ~~and for a grant to the Great Lakes Forestry Museum under 2001 Wisconsin Act .... (this act), section 9137 (5m)~~.

Vetoed In Part

SECTION 603rb. 20.370 (5) (ax) of the statutes is created to read:

20.370 **(5)** (ax) *Resource aids — Atlas mill renovation.* The amounts in the schedule for renovation of the Atlas mill under 2001 Wisconsin Act .... (this act), section 9137 (8mk). No moneys may be encumbered from this appropriation after June 30, 2002.

Vetoed In Part

SECTION 603rd. 20.370 (5) (ay) of the statutes is renumbered 20.375 (2) (sm).

SECTION 603rf. 20.370 (5) (bq) of the statutes is renumbered 20.375 (2) (t).

SECTION 603rk. 20.370 (5) (br) of the statutes is renumbered 20.375 (2) (tm).

SECTION 603rn. 20.370 (5) (bs) of the statutes is renumbered 20.375 (2) (u).

SECTION 603rp. 20.370 (5) (bt) of the statutes is renumbered 20.375 (2) (um).

SECTION 603rs. 20.370 (5) (bu) of the statutes is renumbered 20.375 (2) (v).

SECTION 603rw. 20.370 (5) (bv) of the statutes is renumbered 20.375 (2) (vm).

SECTION 603u. 20.370 (5) (bw) of the statutes is amended to read:

20.370 **(5)** (bw) *Resource aids — urban forestry, county sustainable forestry, and county forest administrator grants.* The amounts in the schedule for urban forestry grants under s. 23.097, county sustainable forestry

grants under s. 28.11 (5r), and county forest administrator grants under s. 28.11 (5m).

Vetoed In Part

SECTION 603ub. 20.370 (5) (bw) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is renumbered 20.375 (2) (w).

SECTION 603x. 20.370 (5) (bx) of the statutes is renumbered 20.375 (2) (xg).

SECTION 604. 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, for acquiring fire prevention materials, and for training fire fighters under s. 26.145.

Vetoed In Part

SECTION 604m. 20.370 (5) (by) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is renumbered 20.375 (2) (wm).

SECTION 605. 20.370 (5) (cq) of the statutes, as affected by 1999 Wisconsin Act 9, section 319j, is amended to read:

20.370 **(5)** (cq) *Recreation aids — recreational boating and other projects.* As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92, ~~for the grant for Black Point Estate under s. 23.0962,~~ for the Portage levee system and the Portage canal under s. 31.309, for the Southeastern Wisconsin Fox River commission under 2001 Wisconsin Act .... (this act), for development of a state park under s. 23.198, for funding for the Fox River Navigational System Authority under s. 237.08 (2), for a recreational fishing pier under 2001 Wisconsin Act .... (this act), section 9137 (4x), for providing funding for upgrading that part of the Wisconsin River in the city of Wausau that is known as the Wausau Whitewater Course under 2001 Wisconsin Act .... (this act), section 9137 (5e), for funding for a museum in Racine under s. 23.0963, and for the engineering and environmental study under s. 31.307.

Vetoed In Part

Vetoed In Part

Vetoed In Part

SECTION 605b. 20.370 (5) (cq) of the statutes, as affected by 2001 Wisconsin Act .... (this act), section 605, 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 Portage levee system and the Portage canal under s. 31.309, ~~for the Southeastern Wisconsin Fox River commission under 2001 Wisconsin Act .... (this act),~~ for development of a state park under s. 23.198, for funding for the Fox River Navigational System Authority under s. 237.08 (2), ~~for a recreational fishing pier under 2001 Wisconsin Act .... (this act), section 9137 (4x), for providing funding for upgrading that part of the Wisconsin River in the city of Wausau that is known as the Wausau Whitewater Course under 2001 Wisconsin Act .... (this act), section 9137 (5e),~~ for funding for a museum in Racine under s. 23.0963, and for the engineering and environmental study under s. 31.307.

Vetoed In Part

SECTION 605c. 20.370 (5) (cq) of the statutes, as affected by 2001 Wisconsin Act .... (this act), section 605b, is amended to read:

20.370 **(5)** (cq) *Recreation aid — 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, for funding for the Fox River Navigational System Authority under s. 237.08 (2), ~~for funding for a museum in Racine under s. 23.0963,~~ and for the engineering and environmental study under s. 31.307.

SECTION 606. 20.370 (5) (cu) of the statutes is amended to read:

20.370 **(5)** (cu) *Recreation aids — all−terrain vehicle project aids.* As a continuing appropriation, the amounts in the schedule from moneys received from all−terrain vehicle fees under s. 23.33 (2) (c) to (e) to provide aid to towns, villages, cities, counties, and federal agencies for nonstate all−terrain vehicle projects.

SECTION 607. 20.370 (5) (cw) of the statutes is created to read:

20.370 **(5)** (cw) *Recreation aids — supplemental snowmobile trail aids.* As a continuing appropriation, from the snowmobile account in the conservation fund an amount equal to the amount calculated under s. 350.12 (4) (bg) 2. for the purposes specified in s. 350.12 (4) (b).

SECTION 607m. 20.370 (5) (cx) of the statutes is created to read:

20.370 **(5)** (cx) *Recreation aids — all−terrain vehicle safety program.* The amounts in the schedule for grants to organizations to assist with the all−terrain vehicle safety program under s. 23.33 (5m) (d).

SECTION 607q. 20.370 (5) (cz) of the statutes is created to read:

20.370 **(5)** (cz) *Recreation aids — snowmobile−bicycle−pedestrian overpass.* Biennially, from the snowmobile account in the conservation fund, the amounts in the schedule for the payment required under 2001 Wisconsin Act .... (this act), section 9137 (4p) for a snowmobile−bicycle−pedestrian overpass.

SECTION 607s. 20.370 (5) (cz) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

Vetoed In Part

SECTION 608e. 20.370 (5) (da) of the statutes is amended to read:

20.370 **(5)** (da) *Aids in lieu of taxes.* From the general fund, a sum sufficient to pay aids to municipalities for state lands under ss. 70.113 and 70.114 that are under the jurisdiction of the department.

SECTION 608m. 20.370 (5) (dq) of the statutes is amended to read:

Vetoed In Part

20.370 **(5)** (dq) *Aids in lieu of taxes.* A sum sufficient to pay aids to municipalities for state lands under s. 70.113 that are under the jurisdiction of the department.

Vetoed In Part

SECTION 608s. 20.370 (5) (dx) of the statutes is renumbered 20.375 (2) (ym).

SECTION 609. 20.370 (5) (er) of the statutes is amended to read:

20.370 **(5)** (er) *Enforcement aids — all−terrain vehicle enforcement.* The amounts in the schedule from moneys received from all−terrain vehicle fees under s. 23.33 (2) (c) to (e) for local law enforcement aids.

SECTION 610. 20.370 (5) (ft) of the statutes is created to read:

20.370 **(5)** (ft) *Venison processing; voluntary contributions.* All moneys received from voluntary contributions under s. 29.565 to be used for payments under the venison processing and donation program under s. 29.89 and for promotional and educational activities and materials to encourage voluntary contributions under s. 29.565.

SECTION 611. 20.370 (6) (aq) of the statutes is repealed.

SECTION 613e. 20.370 (6) (ba) of the statutes is repealed.

SECTION 613p. 20.370 (6) (bk) of the statutes is created to read:

20.370 **(6)** (bk) *Environmental aids — wastewater and drinking water grant.* The amounts in the schedule for the wastewater and drinking water grant under s. 281.73. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 17f. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm). No moneys may be encumbered from this appropriation after June 30, 2005.

SECTION 614. 20.370 (6) (bq) of the statutes is repealed.

SECTION 615e. 20.370 (6) (bv) of the statutes is created to read:

20.370 **(6)** (bv) *Recycling efficiency incentive grants.* From the recycling fund, the amounts in the schedule for recycling efficiency incentive grants under s. 287.235.

Vetoed In Part

SECTION 615t. 20.370 (6) (dc) of the statutes is created to read:

20.370 **(6)** (dc) *Land spreading reduction pilot program.* The amounts in the schedule for the land spreading reduction pilot program under s. 281.74.

SECTION 616b. 20.370 (6) (dk) of the statutes is repealed.

SECTION 618. 20.370 (6) (eq) of the statutes is amended to read:

20.370 **(6)** (eq) *Environmental aids — dry cleaner environmental response.* Biennially, from the dry cleaner environmental response fund, the amounts in the schedule for financial assistance under ~~ss.~~ s. 292.65 ~~and 292.66~~ and to make transfers required under s. 292.65 (11).

SECTION 620c. 20.370 (6) (eu) of the statutes is created to read:

20.370 **(6)** (eu) *Environmental aids — brownfields green space grants.* Biennially, from the environmental fund, the amounts in the schedule for brownfields green space grants under s. 292.79.

SECTION 621. 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). No moneys may be expended or encumbered from this appropriation after June 30, 2003.

Vetoed In Part

SECTION 621b. 20.370 (7) (au) of the statutes, as created by 2001 Wisconsin Act .... (this act), is renumbered 20.375 (3) (u) and amended to read:

20.375 **(3)** (u) *State forest acquisition and development — principal repayment and interest.* ~~From the conservation fund, the~~ 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), (ts), and (tz). No moneys may be expended or encumbered from this appropriation after June 30, 2003.

SECTION 621d. 20.370 (7) (ba) of the statutes is amended to read:

20.370 **(7)** (ba) *Debt service — remedial action.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing remedial action under ss. 281.83 and 292.31 and for the payment of this state's share of environmental repair that is funded under 42 USC 960l to 9675 to the extent that these payments are not made under par. (bq).

SECTION 621f. 20.370 (7) (bq) of the statutes is created to read:

20.370 **(7)** (bq) *Principal repayment and interest — remedial action.* From the environmental fund, the amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing remedial action under ss. 281.83 and 292.31 and for the payment of this state's share of environmental repair that is funded under 42 USC 960l to 9675.

Vetoed In Part

SECTION 621h. 20.370 (7) (da) of the statutes is created to read:

20.370 **(7)** (da) *Principal repayment and interest — municipal flood control and riparian restoration cost−sharing.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing cost−sharing grants for municipal

Vetoed In Part

flood control and riparian restoration projects under s. 20.866 (2) (ti) and in financing grants for dam rehabilitation projects under s. 31.387 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 621hc. 20.370 (7) (fa) of the statutes is amended to read:

20.370 **(7)** (fa) *Resource maintenance and development — state funds.* As a continuing appropriation, the amounts in the schedule for the maintenance and development of state parks under ch. 27; ~~of recreation areas, other than game or fish refuges, in state forests under ch. 28;~~ of lands owned, managed, supervised or controlled by the department in the lower Wisconsin state riverway as defined in s. 30.40 (15); and of other recreational lands owned by the department, and for the maintenance of the ice age trail. Of the amounts appropriated under this paragraph, $50,000 may be expended only to match at the ratio of 1 to 1 funds received under par. (gg) from a county, city, village, town or organization after August 9, 1989, that are given specifically for the purchase of equipment and materials for maintenance of the ice age trail. At least $150,000 in each fiscal year shall be expended from this appropriation for maintaining and developing historic sites at least $10,000 of which shall be expended in each fiscal year for maintaining and developing Heritage Hill state park.

SECTION 621hL. 20.370 (7) (ft) of the statutes is amended to read:

20.370 **(7)** (ft) *Resource acquisition and development — boating access.* From the conservation fund, as a continuing appropriation, the amounts in the schedule for state recreational boating projects which provide public access to inland waters, as defined in s. 29.001 (45), which are lakes in the region identified under s. ~~25.29 (7) (a)~~ 25.28 (3) (am).

SECTION 621hx. 20.370 (7) (mc) of the statutes is amended to read:

20.370 **(7)** (mc) *Resource maintenance and development — state park~~, forest~~ and riverway roads.* As a continuing appropriation, the amounts in the schedule for state park and southern state forest roads and roads in the lower Wisconsin state riverway as defined in s. 30.40 (15) under s. 84.28 and for the maintenance of roads in state parks under ch. 27 and recreation areas in southern state forests under ch. 28 which are not eligible for funding under s. 84.28. The department may expend up to $400,000 from this appropriation in each fiscal year for these state park and forest roads and roads in the lower Wisconsin state riverway as defined in s. 30.40 (15) under s. 84.28 and shall expend the balance from the appropriation for the maintenance of roads which are not eligible for funding under s. 84.28.

SECTION 622. 20.370 (7) (mk) of the statutes is created to read:

20.370 **(7)** (mk) *General program operations — service funds.* From the general fund, all moneys received by the department from the department and from other state agencies for facilities, materials, or services provided by the department relating to resource acquisition or development to pay for expenses associated with those facilities, materials, or services.

SECTION 623. 20.370 (9) (hk) of the statutes is amended to read:

20.370 **(9)** (hk) *Approval fees to Lac du Flambeau band−servicefunds.* 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 624. 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 as specified under ss. 23.33 (2) (o), 29.556, 30.52 (1m) (e), and 350.12 (3h) (g) for licensing, for the issuing and renewing of certificates and registrations by the department under ss. 23.33 (2) (i) and (ig), 30.52 (1m) (a) and (ag), and 350.12 (3h) (a) and (ag).

SECTION 624m. 20.370 (9) (iq) of the statutes is amended to read: **Vetoed In Part**

20.370 **(9)** (iq) *Natural resources magazine.* All moneys received from subscriptions and other revenues generated by the Wisconsin natural resources magazine, and all moneys transferred under 2001 Wisconsin Act .... (this act), section 9237 (5z), to be used for its production, handling, and distribution.

SECTION 625. 20.370 (9) (jL) of the statutes is amended to read:

20.370 **(9)** (jL) *Fox River management; fees.* From the general fund, all moneys received from user fees imposed under s. 30.93 (4) ~~or 30.94 (5)~~ for the management and operation of the Fox River navigational system and for expenses of the Fox River management commission under s. 30.93 ~~and, after the date on which the governor makes the certification under s. 30.94 (8), for the management, operation, restoration and repair of the Fox River navigational system and expenses of the Fox−Winnebago regional management commission under s. 30.94~~. No moneys may be encumbered from this appropriation after the date on which the state and the Fox River Navigational System Authority enter into the lease agreement specified in s. 237.06.

SECTION 626. 20.370 (9) (ju) of the statutes is amended to read:

20.370 **(9)** (ju) *Fox River management.* Biennially, the amounts in the schedule for the management and operation of the Fox River navigational system and for expenses of the Fox River management commission under s. 30.93 ~~and, after the date on which the governor makes the certification under s. 30.94 (8), for the management, operation, restoration and repair of the Fox River navigational system and expenses of the Fox–Winnebago regional management commission~~. No moneys may be encumbered from this appropriation after the date on which the state and the Fox River Navigational System Authority enter into the lease agreement specified in s. 237.06.

SECTION 627. 20.370 (9) (my) of the statutes is amended to read:

20.370 **(9)** (my) *General program operations — federal funds.* All moneys received as federal aid ~~for the restoration and repair of the Fox River navigational system, for expenses of the Fox River management commission, for the Fox–Winnebago regional management commission and~~ for communications, customer services and aids administration, as authorized by the governor under s. 16.54, for the purposes for which received.

SECTION 628. 20.370 (9) (nq) of the statutes is amended to read:

20.370 **(9)** (nq) *Aids administration — dry cleaner environmental response.* From the dry cleaner environmental response fund, the amounts in the schedule to administer ~~ss.~~ s. 292.65 ~~and 292.66~~.

SECTION 629. 20.373 of the statutes is created to read:

20.373 Fox River Navigational System Authority. There is appropriated, from the conservation fund, to the Fox River Navigational System Authority for the following program:

(1) INITIAL COSTS. (r) *Establishment and operation.* As a continuing appropriation, the amounts in the schedule for the establishment of the Fox River Navigational System Authority and for the initial costs of operating the Fox River Navigational System Authority and the Fox River navigational system.

Vetoed In Part

SECTION 629db. 20.375 (intro.) of the statutes is created to read:

20.375 Forestry, department of. (intro.) There is appropriated from the forestry fund, or from other funds if so indicated, to the department of forestry for the following programs:

SECTION 629dj. 20.375 (2) (title) of the statutes is created to read:

20.375 **(2)** (title) FORESTRY.

SECTION 629dk. 20.375 (2) (h) of the statutes is created to read:

20.375 **(2)** (h) *General program operations — private and public sources.* From the general fund, all moneys not otherwise appropriated that are received from private or public sources, other than state agencies and the federal government, for facilities, materials, or services provided by the department relating to state forests, other than southern state forests, to pay for expenses associated with those facilities, materials, or services.

Vetoed In Part

SECTION 629dL. 20.375 (2) (k) of the statutes is created to read:

20.375 **(2)** (k) *General program operations — service funds.* From the general fund, all moneys received by the department from the department and from other state agencies for facilities, materials, or services provided by the department relating to state forests, other than southern state forests, under an agreement or other arrangement with the department or other state agencies to pay for expenses associated with those facilities, materials, or services.

SECTION 629dm. 20.375 (2) (q) of the statutes is created to read:

20.375 **(2)** (q) *General program operations.* The amounts in the schedule for the general program operations of state forests, other than southern state forests, under ch. 26, 27, and 28 and subch. VI of ch. 77.

SECTION 629dn. 20.375 (2) (qf) of the statutes is created to read:

20.375 **(2)** (qf) *Forestry acquisition and development.* As a continuing appropriation, the amounts in the schedule for land acquisition, development, and improvement on state forest land, other than land in the southern state forests.

SECTION 629do. 20.375 (2) (rq) of the statutes is created to read:

20.375 **(2)** (rq) *Resource aids — private conservation organizations; Great Lakes Forestry Museum.* As a continuing appropriation, the amounts in the schedule for annual grants to nonprofit conservation organizations under ss. 23.0955 and 23.0956 and for a grant to the Great Lakes Forestry Museum under 2001 Wisconsin Act .... (this act), section 9137 (5mk).

Vetoed In Part

SECTION 629dom. 20.375 (2) (rq) of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to read:

20.375 **(2)** (rq) *Resource aids — private conservation organizations; ~~Great Lakes Forestry Museum~~.* As a continuing appropriation, the amounts in the schedule for annual grants to nonprofit conservation organizations under ss. 23.0955 and 23.0956 ~~and for a grant to the Great Lakes Forestry Museum under 2001 Wisconsin Act .... (this act), section 9137 (5mk)~~.

Vetoed In Part

SECTION 629dp. 20.375 (2) (x) of the statutes is created to read:

20.375 **(2)** (x) *General program operations — federal funds.* Except as provided in par. (z), all moneys received as federal aid for activities relating to state forests, as authorized by the governor under s. 16.54, for the purposes for which received.

SECTION 629dq. 20.375 (3) (title) of the statutes is created to read:

Vetoed In Part

20.375 **(3)** (title) DEPARTMENTWIDE.

SECTION 629ds. 20.375 (3) (b) of the statutes is created to read:

20.375 **(3)** (b) *Resource maintenance and development — state forest roads.* From the general fund, as a continuing appropriation, the amounts in the schedule for state forest roads, other than roads in southern state forests, under s. 84.28 and for the maintenance of roads in recreation areas in state forests, other than southern state forests, under ch. 28 that are not eligible for funding under s. 84.28.

SECTION 629dsm. 20.375 (3) (c) of the statutes is created to read:

20.375 **(3)** (c) *Resource maintenance and development — state funds.* From the general fund, as a continuing appropriation, the amounts in the schedule for the maintenance and development of recreation areas, other than game or fish refuges, on state forest and under ch. 28, other than land in southern state forests.

Vetoed In Part

SECTION 629dt. 20.375 (3) (d) of the statutes is created to read:

20.375 **(3)** (d) *Aids in lieu of taxes.* From the general fund, a sum sufficient to pay aids to municipalities for state lands under ss. 70.113 and 70.114 that are under the jurisdiction of the department.

SECTION 629dy. 20.375 (3) (r) of the statutes is created to read:

20.375 **(3)** (r) *Taxes and assessments.* The amounts in the schedule to pay taxes and assessments that are or may become a lien on property under the control of the department.

SECTION 629dz. 20.375 (3) (s) of the statutes is created to read:

20.375 **(3)** (s) *Aids in lieu of taxes.* A sum sufficient to pay aids to municipalities for state lands under s. 70.113 that are under the jurisdiction of the department.

SECTION 629dzb. 20.375 (3) (sg) of the statutes is created to read:

20.375 **(3)** (sg) *State snowmobile trails and areas.* From the snowmobile account in the conservation fund, the amounts in the schedule for state snowmobile trails and areas in the state forests, other than the southern state forest.

SECTION 629dzd. 20.375 (3) (sr) of the statutes is created to read:

20.375 **(3)** (sr) *State all−terrain vehicle projects.* From the conservation fund, the amounts in the schedule from moneys received from the all−terrain vehicle fees under s. 23.33 (2) (c) to (e) for state all−terrain vehicle projects in the state forests, other than the southern state forests.

SECTION 629dzi. 20.375 (3) (t) of the statutes is created to read:

20.375 **(3)** (t) *Gifts and grants.* All moneys received from gifts, grants, or bequests for administrative services relating to state forests, other than southern state forests.

Vetoed In Part

SECTION 629fb. 20.375 (3) (tm) of the statutes is created to read:

20.375 **(3)** (tm) *Promotional activities and publications.* All moneys received from subscriptions and other revenues generated by promotional activities, photographs, slides, videotapes, artwork, publications, magazines, and other periodicals to be used for these promotional activities, photographs, slides, videotapes, artwork, publications, and magazines and for educational and informational activities concerning conservation and forestry.

SECTION 629fd. 20.375 (3) (tn) of the statutes is created to read:

20.375 **(3)** (tn) *Administrative facilities — 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 administrative office, laboratory, equipment storage, or maintenance facilities.

SECTION 629fg. 20.375 (3) (um) of the statutes is created to read:

20.375 **(3)** (um) *Forestry land endowment fund.* From the forestry land endowment fund, a sum sufficient for preserving, developing, managing, or maintaining land as provided in s. 23.0919 (2).

SECTION 629fj. 20.375 (3) (v) of the statutes is created to read:

20.375 **(3)** (v) *Facilities acquisition, development, and maintenance.* As a continuing appropriation, the amounts in the schedule for the acquisition, development, and construction costs of new structures and buildings and for the maintenance costs of existing structures and buildings under the control of the department.

SECTION 629fm. 20.375 (3) (x) of the statutes is created to read:

20.375 **(3)** (x) *General program operations — federal funds.* All moneys received as federal aid for activities relating to administrative services of the state forests, other than southern state forests, as authorized by the governor under s. 16.54, for the purposes for which received.

Vetoed In Part

SECTION 629n. 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), and 2001 Wisconsin Act .... (this act), section 9151 (1mk). 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

Vetoed In Part

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 for grants to America's Black Holocaust Museum in the city of Milwaukee.

SECTION 630. 20.380 (1) (kg) of the statutes is amended to read:

20.380 **(1)** (kg) *Tourism marketing; gaming revenue.* ~~All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6.~~ Biennially, the amounts in the schedule for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17, for operating the heritage tourism program under s. 41.19, and for the grants under s. 41.11 (7) and under 1999 Wisconsin Act 9, section 9149 (2c) and (2tw). 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 for grants to the Milwaukee Public Museum for Native American exhibits and activities. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each odd–numbered year shall revert to the appropriation account under s. 20.505 (8) (hm).

Vetoed In Part

SECTION 631. 20.380 (1) (km) of the statutes is amended 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.~~ 6b. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 631r. 20.380 (2) (c) of the statutes is created to read:

20.380 **(2)** (c) *Kickapoo reserve management board; information technology support.* The amounts in the schedule for information technology support services to the Kickapoo reserve management board.

SECTION 632. 20.380 (2) (dq) of the statutes is renumbered 20.380 (2) (r) and amended to read:

20.380 **(2)** (r) *Kickapoo valley reserve; aids in lieu of taxes.* ~~A~~ From the conservation fund, a sum sufficient to pay aids to taxing jurisdictions for the Kickapoo valley reserve under s. 41.41 (10).

SECTION 632c. 20.380 (2) (kc) of the statutes is created to read:

20.380 **(2)** (kc) *Kickapoo valley reserve; law enforcement services.* The amounts in the schedule to provide law enforcement services in the Kickapoo valley reserve under s. 41.41 (2). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6c. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

Vetoed In Part

.**SECTION 632g.** 20.380 (2) (q) of the statutes is amended to read:

20.380 **(2)** (q) *Kickapoo reserve management board; general program operations.* From the ~~conservation~~ forestry fund, the amounts in the schedule for the general program operations of the Kickapoo reserve management board under s. 41.41.

Vetoed In Part

SECTION 632m. 20.395 (1) (ar) of the statutes is amended to read:

20.395 **(1)** (ar) *Corrections of transportation aid payments.* A sum sufficient to make the corrections of transportation aid payments under s. 86.30 (2) (f) 1. and to make the payment specified in 2001 Wisconsin Act .... (this act), section 9159 (3q).

SECTION 632n. 20.395 (1) (ar) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

20.395 **(1)** (ar) *Corrections of transportation aid payments.* A sum sufficient to make the corrections of transportation aid payments under s. 86.30 (2) (f) 1. ~~and to make the payment specified in 2001 Wisconsin Act .... (this act), section 9159 (3q).~~

SECTION 633. 20.395 (1) (bs) of the statutes is amended to read:

20.395 **(1)** (bs) ~~*Demand management and ride–sharing grants*~~ *Transportation employment and mobility, state funds.* ~~The~~ As a continuing appropriation, the amounts in the schedule for the ~~demand management and ride–sharing grant~~ transportation employment and mobility program under s. 85.24 (3) (d) and for the grant under 2001 Wisconsin Act .... (this act), section 9152 (5).

SECTION 634. 20.395 (1) (bv) of the statutes is amended to read:

20.395 **(1)** (bv) *Transit and ~~demand management~~ transportation employment and mobility aids, local funds.* All moneys received from any local unit of government or other source for urban mass transit purposes under s. 85.20, for rural public transportation purposes under s. 85.23, or for ~~demand management and ride–~~

~~sharing purposes~~ transportation employment and mobility purposes under s. 85.24 that are not funded from other appropriations under this subsection, for such purposes.

SECTION 635. 20.395 (1) (bx) of the statutes is amended to read:

20.395 **(1)** (bx) *Transit and ~~demand management~~ transportation employment and mobility aids, federal funds.* All moneys received from the federal government for urban mass transit purposes under s. 85.20, for rural public transportation purposes under s. 85.23, or for ~~demand management and ride−sharing~~ transportation employment and mobility purposes under s. 85.24 that are not funded from other appropriations under this subsection, for such purposes.

SECTION 636. 20.395 (1) (gr) of the statutes is created to read:

20.395 **(1)** (gr) *Grants to local professional football stadium districts, state funds.* The amounts in the schedule for the purpose of awarding grants under 2001 Wisconsin Act .... (this act), section 9152 (4).

SECTION 637. 20.395 (1) (gr) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 646c. 20.395 (2) (eq) of the statutes is amended to read:

20.395 **(2)** (eq) *Highway and local bridge improvement assistance, state funds.* As a continuing appropriation, the amounts in the schedule for bridge development, construction, and rehabilitation under s. 84.18, for the development and construction of bridges under ss. 84.12 and 84.17, for payments to local units of government for jurisdictional transfers under s. 84.16 ~~and~~, for the improvement of the state trunk highway system under 1985 Wisconsin Act 341, section 6 (1), and to provide for the payments specified under 2001 Wisconsin Act .... (this act), section 9152 (3d).

Vetoed In Part

SECTION 649m. 20.395 (2) (fr) of the statutes is amended to read:

20.395 **(2)** (fr) *Local roads improvement program, state funds.* As a continuing appropriation, the amounts in the schedule for the local roads improvement program under s. 86.31, and for the ~~payment~~ payments required under ~~1997 Wisconsin Act 27, section 9149 (4z)~~ 2001 Wisconsin Act .... (this act), section 9152 (4x) and (4z).

Vetoed In Part

SECTION 654p. 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 9, section 9150 (9g), and for the purpose specified under 2001 Wisconsin Act .... (this act), section 9152 (5g).

SECTION 654r. 20.395 (2) (gx) of the statutes is amended to read:

Vetoed In Part

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 9, section 9150 (9g), and for the purpose specified under 2001 Wisconsin Act .... (this act), section 9152 (5g), for such purposes.

Vetoed In Part

SECTION 654t. 20.395 (3) (bq) of the statutes is amended to read:

20.395 **(3)** (bq) *Major highway development, state funds.* As a continuing appropriation, the amounts in the schedule for major development of state trunk and connecting highways ~~and~~, for the disadvantaged business demonstration and training program under s. 84.076, and for the highway corridor planning grant program under s. 85.027.

SECTION 655. 20.395 (3) (ck) of the statutes is created to read:

20.395 **(3)** (ck) *West Canal Street reconstruction, service funds.* From the general fund, as a continuing appropriation, the amounts in the schedule for the grant under s. 84.03 (3) (c) . All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 21. shall be credited to this appropriation account.

Vetoed In Part

SECTION 656k. 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); for the disadvantaged business demonstration and training program under s. 84.076; for the transfers required under 1999 Wisconsin Act 9, section 9250 (1); and for the purposes described under 1999 Wisconsin Act 9, section 9150 (8g)~~.~~, and 2001 Wisconsin Act .... (this act), section 9152 (4e). This paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects under s. 84.014, or to the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems, unless incidental to the improvement of existing state trunk and connecting highways.

Vetoed In Part

SECTION 656m. 20.395 (3) (cr) of the statutes is created to read:

20.395 **(3)** (cr) *Southeast Wisconsin freeway rehabilitation, state funds.* As a continuing appropriation, the amounts in the schedule for rehabilitation of southeast Wisconsin freeways, including reconstruction and interim repair of the Marquette interchange in Milwaukee County, and for the grant under s. 84.03 (3) (a). This paragraph does not apply to the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems, unless incidental to rehabilitation of southeast Wisconsin freeways. No moneys may be encumbered from this appropriation account after June 30, 2011. Notwithstanding s. 20.001 (3) (c), any unencumbered balance in this appropriation account on July 1, 2011, shall be transferred to the appropriation account under par. (cq).

Vetoed In Part

SECTION 657k. 20.395 (3) (cv) of the statutes is amended to read:

20.395 **(3)** (cv) *State highway rehabilitation, local funds.* All moneys received from any local unit of government or other source for the specific information sign program under s. 86.195; 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 the railroad and utility alteration and relocation loan program under s. 84.065 and for the disadvantaged business demonstration and training program under s. 84.076, for such purposes. This paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects under s. 84.014.

SECTION 658b. 20.395 (3) (cw) of the statutes is created to read:

20.395 **(3)** (cw) *Southeast Wisconsin freeway rehabilitation, local funds.* All moneys received from any local unit of government or other source for rehabilitation of southeast Wisconsin freeways, including reconstruction and interim repair of the Marquette interchange in Milwaukee County, for such purposes. No moneys may be encumbered from this appropriation account after June 30, 2011. Notwithstanding s. 20.001 (3) (c), any unencumbered balance in this appropriation account on July 1, 2011, shall be transferred to the appropriation account under par. (cv).

Vetoed In Part

SECTION 658t. 20.395 (3) (cx) of the statutes is amended to read:

20.395 **(3)** (cx) *State highway rehabilitation, federal funds.* All moneys received from the federal government 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 and for the disadvantaged business demonstration and training program under s. 84.076, for such purposes. This paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects under s. 84.014, or to the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems, unless incidental to the improvement of existing state trunk and connecting highways.

Vetoed In Part

SECTION 659b. 20.395 (3) (cy) of the statutes is created to read:

20.395 **(3)** (cy) *Southeast Wisconsin freeway rehabilitation, federal funds.* All moneys received from the federal government for rehabilitation of southeast Wisconsin freeways, including reconstruction and interim repair of the Marquette interchange in Milwaukee County, and for the grant under s. 84.03 (3) (a), for such purposes. This paragraph does not apply to the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems, unless incidental to rehabilitation of southeast Wisconsin freeways. No moneys may be encumbered from this appropriation account after June 30, 2011. Notwithstanding s. 20.001 (3) (c), any unencumbered balance in this appropriation account on July 1, 2011, shall be transferred to the appropriation account under par. (cx).

SECTION 660. 20.395 (3) (eq) of the statutes is amended to read:

20.395 **(3)** (eq) *Highway maintenance, repair, and traffic operations, state funds.* Biennially, 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~~ for permit issuance and other highway operations, including the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, and intelligent transportation systems, 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. This para-

graph does not apply to special maintenance activities under s. 84.04 on roadside improvements.

SECTION 661. 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 662. 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~~ for permit issuance and other highway operations, including the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, and intelligent transportation systems, 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 663. 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),~~ for such purposes.

SECTION 664. 20.395 (3) (jh) of the statutes is created to read:

20.395 **(3)** (jh) *Utility facilities within highway rights−of−way state funds.* From the general fund, all moneys received from telecommunications providers, as defined in s. 196.01 (8p), or cable telecommunications service providers, as defined in s. 196.01 (1r), for activities related to locating, accommodating, operating, or maintaining utility facilities within highway rights−of−way, for such purposes.

SECTION 665. 20.395 (3) (jj) of the statutes is created to read:

20.395 **(3)** (jj) *Damage claims.* From the general fund, all moneys received as payment for losses of and damage to state property for costs associated with repair or replacement of such property, for such purposes.

SECTION 666. 20.395 (3) (js) of the statutes is created to read:

20.395 **(3)** (js) *Telecommunications services, service funds.* All moneys received from other state agencies as payment for telecommunications services described in s. 84.01 (31), except moneys received under sub. (5) (dk), for costs associated with the services.

SECTION 667. 20.395 (4) (aq) of the statutes is amended to read:

20.395 **(4)** (aq) *Departmental management and operations, state funds.* The amounts in the schedule for departmental planning and administrative activities and the administration and management of departmental programs except those programs under subs. (2) (bq), (cq), and (dq) and (3) (iq), including those activities in s. 85.07 and including not less than $220,000 in each fiscal year to reimburse the department of justice for legal services provided the department under s. 165.25 (4) (a) and including activities related to the ~~demand management and ride−sharing~~ transportation employment and mobility program under s. 85.24 that are not funded from the appropriation under sub. (1) (bs), (bv) or (bx), the ~~minority civil engineer~~ scholarship and loan repayment incentive grant program under s. 85.107, and the Type 1 motorcycle, moped, and motor bicycle safety program under s. 85.30 and to match federal funds for mass transit planning.

SECTION 669. 20.395 (4) (av) of the statutes is amended to read:

20.395 **(4)** (av) *Departmental management and operations, local funds.* All moneys received from any local unit of government or other source for departmental planning and administrative activities, for the administration and management of departmental programs except those programs under subs. (2) (bv) and (dv) and (3) (iv), and for activities related to the ~~demand management and ride−sharing~~ transportation employment and mobility program under s. 85.24 that are not funded from the appropriation under sub. (1) (bs), (bv), or (bx), for such purposes.

SECTION 670. 20.395 (4) (ax) of the statutes is amended to read:

20.395 **(4)** (ax) *Departmental management and operations, federal funds.* All moneys received from the federal government for the administration and management of departmental programs except those programs under subs. (2) (bx) and (dx) and (3) (ix), and for departmental planning and administrative activities

including all moneys received as federal aid as authorized by the governor under s. 16.54 to promote highway safety and continue the local traffic safety representatives program and for purposes of s. 85.07 and for activities related to the ~~demand management and ride-sharing~~ transportation employment and mobility program under s. 85.24 that are not funded from the appropriation under sub. (1) (bs), (bv), or (bx), and for the transfers under 2001 Wisconsin Act .... (this act), section 9152 (2t), and to transfer to the appropriation account under s. 20.505 (1) (z) the amounts in the schedule under s. 20.505 (1) (z) for such purposes. **Vetoed In Part**

Vetoed In Part **SECTION 671h.** 20.395 (5) (ds) of the statutes is created to read:

20.395 **(5)** (ds) *Extrication training grants, state funds.* The amounts in the schedule for extrication training grants under s. 85.285.

Vetoed In Part **SECTION 672L.** 20.395 (5) (jt) of the statutes is created to read:

20.395 **(5)** (jt) *Pretrial intoxicated driver intervention programs, service funds.* All moneys received from the office of justice assistance in the department of administration for the purpose of awarding grants under s. 85.53.

Vetoed In Part **SECTION 676r.** 20.410 (1) (be) of the statutes is created to read:

20.410 **(1)** (be) *Postconviction evidence testing costs.* The amounts in the schedule for the costs of performing forensic deoxyribonucleic acid testing for indigent persons under s. 974.07, pursuant to a court order issued under s. 974.07 (12).

SECTION 677. 20.410 (1) (cm) of the statutes is repealed.

SECTION 678. 20.410 (1) (f) of the statutes is amended to read:

20.410 **(1)** (f) *Energy costs.* The amounts in the schedule to be used at state correctional institutions to pay for utilities and for fuel, heat and air conditioning~~,~~ and 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 679. 20.410 (1) (fm) of the statutes is repealed.

SECTION 680. 20.410 (1) (gr) of the statutes is amended to read:

20.410 **(1)** (gr) *Home detention services.* The amounts in the schedule to obtain, install, operate, and monitor electronic equipment for the home detention program under s. 302.425. All moneys received under s. 302.425 (3m) or (4) shall be credited to this appropriation. ~~On June 30, 1992, June 30, 1993, and June 30, 1994, one-third of the amount expended in fiscal year 1990-91 from the appropriation under par. (cm) shall lapse to the general fund.~~

SECTION 681. 20.410 (1) (j) of the statutes is repealed.

SECTION 682. 20.410 (1) (jz) of the statutes is created to read:

20.410 **(1)** (jz) *Operations and maintenance.* All moneys received by the department from fees paid by employees of the department and by vendors, to provide administrative services.

SECTION 683. 20.410 (3) (bb) of the statutes is repealed.

SECTION 684d. 20.410 (3) (d) of the statutes is renumbered 20.505 (6) (d) and amended to read:

20.505 **(6)** (d) *Youth diversion.* The amounts in the schedule for youth diversion services under s. ~~301.265 (1) and (3)~~ 16.964 (8) (a) and (c).

SECTION 685d. 20.410 (3) (kj) of the statutes is renumbered 20.505 (6) (kj) and amended to read:

20.505 **(6)** (kj) *Youth diversion program.* The amounts in the schedule for youth diversion services under s. ~~301.265 (1) and (3)~~ 16.964 (8) (a) and (c). All moneys transferred from the appropriation account under ~~s. 20.505 (6)~~ par. (j) 8. shall be credited to this appropriation account.

SECTION 686. 20.410 (3) (kp) of the statutes is repealed.

SECTION 687. 20.410 (3) (o) of the statutes is repealed.

SECTION 687m. 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 operating training programs under ss. 111.09 (3), 111.71 (5), and 111.94 (3). All moneys received from arbitrators and arbitration panel members, and individuals who are interested in serving in such positions, and from individuals and organizations who participate in other collective bargaining training programs conducted by the commission, shall be credited to this appropriation account.

SECTION 688. 20.432 (1) (k) of the statutes is amended to read:

20.432 **(1)** (k) *Contracts with other state agencies.* ~~The amounts in the schedule for activities of the board on aging and long-term care under s. 16.009.~~ All moneys received by the board on aging and long-term care from contracts with other state agencies ~~shall be credited to this appropriation~~, for the purposes for which they are received.

SECTION 688d. 20.432 (1) (kc) of the statutes is created to read: **Vetoed In Part**

20.432 **(1)** (kc) *Volunteer coordination.* The amounts in the schedule for coordination of volunteer ombudsmen. All moneys transferred from the appropriation account under s. 20.435 (6) (g) shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30

Vetoed In Part

of each fiscal year shall revert to the appropriation under s. 20.435 (6) (g).

SECTION 689. 20.433 (1) (b) of the statutes is repealed.

SECTION 689d. 20.433 (1) (g) of the statutes is amended to read:

20.433 **(1)** (g) *General program operations.* From all moneys received under s. 69.22 ~~(1) (c)~~ (1m), the amounts in the schedule to be used for the expenses of the child abuse and neglect prevention board under s. 48.982 (2) and (3), for the general program operations of the early childhood family education center grant program under s. 48.982 (6) and the right from the start program under s. 48.982 (7) and for technical assistance to right from the start grant recipients under s. 48.982 (7) (a).

SECTION 689e. 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)~~ (1m), less the amounts appropriated under par. (g), to be used for grants to organizations under s. 48.982 (4), (6) and (7).

SECTION 690. 20.433 (1) (i) of the statutes is amended to read:

20.433 **(1)** (i) *Gifts and grants.* All moneys received as contributions, gifts, grants, and bequests, other than moneys received for the children's trust fund and deposited in the appropriation ~~accounts~~ account under ~~pars.~~ par. (q) ~~and (r)~~, to carry out the purposes for which made and received.

SECTION 691d. 20.433 (1) (q) of the statutes is amended to read:

20.433 **(1)** (q) *Children's trust fund; gifts and 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 692. 20.433 (1) (r) of the statutes is repealed.

SECTION 693. 20.434 (1) (a) of the statutes is amended to read:

20.434 **(1)** (a) *General program operations.* The amounts in the schedule for the general program operations of the adolescent pregnancy prevention and pregnancy services board under s. 46.93 (3) ~~and 1995 Wisconsin Act 27, section 9102 (1z)~~.

SECTION 694. 20.434 (1) (g) of the statutes is created to read:

20.434 **(1)** (g) *Adolescent pregnancy prevention and intervention conference.* All moneys received from gifts, grants, and bequests relating to conferences conducted by the board and all proceeds from those conferences, for payment of the costs of conducting those conferences.

SECTION 695. 20.434 (1) (kp) of the statutes is amended to read:

20.434 **(1)** (kp) *Interagency and intra−agency programs.* ~~All~~ From all moneys received from other state agencies for the administration of the adolescent pregnancy prevention programs and pregnancy services under s. 46.93, the amounts in the schedule for that purpose.

SECTION 696. 20.435 (1) (jb) of the statutes is amended to read:

20.435 **(1)** (jb) *Congenital disorders; operations.* From all moneys received under s. 253.13 (2), the amounts in the schedule to be used to administer the program under s. 253.13 and for the costs of consulting with appropriate experts as specified in s. 253.13 (5).

SECTION 697. 20.435 (2) (bj) of the statutes is amended to read:

20.435 **(2)** (bj) ~~*Conditional*~~ *Competency examinations and conditional and supervised release* ~~*treatment and*~~ *services.* Biennially, the amounts in the schedule for competency examinations in a county with a population of 500,000 or more, and 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) 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 698. 20.435 (2) (f) of the statutes is amended to read:

20.435 **(2)** (f) *Energy costs.* The amounts in the schedule to be used at mental health institutes and centers for the developmentally disabled to pay for utilities and for fuel, heat and air conditioning~~,~~ and 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 699. 20.435 (2) (g) of the statutes is created to read:

20.435 **(2)** (g) *Alternative services of institutes and centers.* The amounts in the schedule to provide services under ss. 46.043 and 51.06 (1r). All moneys received as payments for services under ss. 46.043 and 51.06 (1r) shall be credited to this appropriation account.

SECTION 700. 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, other than under s. 51.06 (1r), 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, other than under s. 46.043, 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. 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 701. 20.435 (3) (db) of the statutes is repealed.

SECTION 701h. 20.435 (3) (fp) of the statutes is created to read:

Vetoed In Part

20.435 **(3)** (fp) *Food pantry grants and administration.* The amounts in the schedule for costs of administering the grant program under s. 46.766 (5) and for grants awarded under s. 46.766 (2).

SECTION 702f. 20.435 (3) (j) of the statutes is created to read:

20.435 **(3)** (j) *Statewide automated child welfare information system receipts.* All moneys received from counties under s. 46.45 (2) (a), for the costs of implementing and operating the statewide automated child welfare information system established under s. 46.03 (7) (g).

SECTION 704. 20.435 (3) (kw) of the statutes is amended to read:

20.435 **(3)** (kw) *Interagency and intra−agency aids; Milwaukee child welfare services.* The amounts in the schedule for providing services to children and families under s. 48.48 (17). All moneys received from other state agencies and all moneys received by the department from the department for ~~providing services to children and families under s. 48.48 (17), for such purposes~~ this purpose shall be credited to this appropriation account.

SECTION 704x. 20.435 (4) (title) of the statutes is amended to read:

20.435 **(4)** (title) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; HEALTH CARE FINANCING; OTHER SUPPORT PROGRAMS.

SECTION 705. 20.435 (4) (a) of the statutes is amended 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 and medical assistance eligibility determinations under s. 49.45 (2) (a) 3.

SECTION 706. 20.435 (4) (bm) of the statutes is amended to read:

20.435 **(4)** (bm) *Medical assistance and badger care administration; contract costs, insurer reports, and resource centers.* Biennially, the amounts in the schedule to provide the state share of administrative contract costs for the medical assistance program under ~~ss.~~ s. 49.45 and the badger care health care program under s. 49.665, other than payments to counties and tribal governing bodies under s. 49.33 (8), to develop and implement a registry of recipient immunizations, to reimburse insurers for their costs under s. 49.475, 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 pars. (bc) ~~and (p)~~, (p), and (x).

SECTION 707aL. 20.435 (4) (bn) of the statutes is created to read:

20.435 **(4)** (bn) *Income maintenance.* Biennially, the amounts in the schedule for payments under s. 49.33 (8) relating to the administration of the medical assistance program and the badger care health care program under s. 49.665.

SECTION 707am. 20.435 (4) (bn) of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to read:

20.435 **(4)** (bn) *Income maintenance.* Biennially, the amounts in the schedule for payments under s. 49.33 (8) relating to the administration of the medical assistance

program ~~and~~, the badger care health care program under s. 49.665, and the food stamp program.

Vetoed In Part

SECTION 707r. 20.435 (4) (bu) of the statutes is created to read:

20.435 **(4)** (bu) *Health insurance supplement.* The amounts in the schedule for the health insurance supplement for community disability service providers under 2001 Wisconsin Act .... (this act), section 9123 (13q).

Vetoed In Part

SECTION 707s. 20.435 (4) (bu) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 707u. 20.435 (4) (bv) of the statutes is created to read:

20.435 **(4)** (bv) *Prescription drug assistance for elderly; aids.* Biennially, the amounts in the schedule for payment to pharmacies and pharmacists under s. 49.688 (7) for prescription drug assistance for elderly persons.

SECTION 708. 20.435 (4) (gm) of the statutes is amended 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~~ $310,100 in fiscal year ~~1999−2000~~ 2001−02 and $297,200 $309,300 in fiscal year ~~2000−01~~ 2002−03 shall be credited to this appropriation account.

SECTION 709j. 20.435 (4) (iL) of the statutes is created to read:

20.435 **(4)** (iL) *Medical assistance provider assessments.* All moneys received from assessments charged under s. 49.45 (2) (b) 9., for performance by the department of audits and investigations under s. 49.45 (3) (g).

SECTION 710. 20.435 (4) (im) of the statutes is amended to read:

20.435 **(4)** (im) *Medical assistance; recovery of correct payments.* All moneys received from the recovery of correct medical assistance payments under ss. 49.496 and 867.035 and rules promulgated under s. 46.286 (7), for payments to counties and tribal governing bodies under s. 49.496 (4), for payment of claims under s. 867.035 (3), for payments to the federal government for its share of medical assistance benefits recovered ~~and~~, for the state share of medical assistance benefits under subch. IV of ch. 49 as ~~provided~~ specified in ss. 49.496 (5) and 867.035 (4), and for the state share of medical assistance benefits provided under s. 46.284 (5).

SECTION 711. 20.435 (4) (in) of the statutes is amended to read:

20.435 **(4)** (in) *Community options program; family care; recovery of costs ~~of care recovery~~ administration.* From the moneys received from the recovery of costs of care under ss. 46.27 (7g) and 867.035 and under rules promulgated under s. 46.286 (7) for enrollees who are ineligible for medical assistance, the amounts in the schedule for administration of the recovery of costs of the care.

SECTION 711g. 20.435 (4) (j) of the statutes is created to read:

20.435 **(4)** (j) *Prescription drug assistance for elderly; manufacturer rebates.* All moneys received from rebate payments by manufacturers under s. 49.688 (6), to be used for payment to pharmacies and pharmacists under s. 49.688 (7) for prescription drug assistance for elderly persons.

SECTION 711h. 20.435 (4) (jb) of the statutes is created to read:

20.435 **(4)** (jb) *Prescription drug assistance for elderly; enrollment fees.* All moneys received from payment of enrollment fees under s. 49.688 (3), to be used for administration of the program under s. 49.688.

SECTION 712c. 20.435 (4) (je) of the statutes is created to read:

20.435 **(4)** (je) *Disease aids; drug manufacturer rebates.* All moneys received from rebate payments by manufacturers under s. 49.687 (3), to be used to assist victims of disease, as provided in ss. 49.68, 49.683, and 49.685.

SECTION 713. 20.435 (4) (kb) of the statutes is 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 713g. 20.435 (4) (kt) of the statutes is created to read:

20.435 **(4)** (kt) *Medical assistance outreach and reimbursements for tribes.* Biennially, the amounts in the schedule to fund medical assistance outreach activities that are conducted by tribal governing bodies and to reimburse tribal, federally qualified health centers for costs of providing health care services under the medical assistance program under subch. IV of ch. 49. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 7. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each odd−numbered year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 713hk. 20.435 (4) (ky) of the statutes is amended 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 713k. 20.435 (4) (L) of the statutes is created to read:

20.435 **(4)** (L) *Medical assistance and food stamp fraud and error reduction.* All moneys received as the state's share of the recovery of overpayments and incorrect payments under ss. 49.497 (1) and 49.793 (2) and all moneys received from counties and tribal governing bodies as a result of any error reduction activities in the medical assistance and food stamp programs under ss. 49.45 (2) (a) 3m., 49.197, and 49.79 (9), for contracts under s. 49.197 (5), for any activities to reduce error and fraud under ss. 49.45 (2) (a) 3m. and 49.79 (9), to pay federal sanctions under the food stamp program, and for food stamp reinvestment activities under reinvestment agreements with the federal department of agriculture that are designed to improve the food stamp program.

SECTION 714. 20.435 (4) (nn) of the statutes is created to read:

20.435 **(4)** (nn) *Federal aid; income maintenance.* All moneys received from the federal government for the costs of contracting for the administration of the medical assistance program under subch. IV of ch. 49 and the badger care health care program under s. 49.665, other than moneys received under par. (pa), for payments under s. 49.33 (8).

SECTION 714am. 20.435 (4) (nn) of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to read:

20.435 **(4)** (nn) *Federal aid; income maintenance.* All moneys received from the federal government for the costs of contracting for the administration of the medical assistance program under subch. IV of ch. 49 and the badger care health care program under s. 49.665 and the food stamp program, other than moneys received under par. (pa), for payments under s. 49.33 (8).

SECTION 715. 20.435 (4) (o) of the statutes is 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 and for transfer to the medical assistance trust fund, for those purposes.

SECTION 716. 20.435 (4) (pa) of the statutes is 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, other than moneys received under par. (nn), to reimburse insurers for their costs under s. 49.475 and for services of resource centers under s. 46.283.

SECTION 716gb. 20.435 (4) (pv) of the statutes is created to read:

20.435 **(4)** (pv) *Food stamps; electronic benefits transfer.* All moneys received from the federal government for electronic food stamp benefits transfers, to be expended for the purposes specified. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 717. 20.435 (4) (w) of the statutes is created to read:

20.435 **(4)** (w) *Medical assistance trust fund.* From the medical assistance trust fund, biennially, the amounts in the schedule for meeting costs of medical assistance administered under ss. 46.27, 46.275 (5), 46.278 (6), 46.283 (5), 46.284 (5), 49.45, and 49.472 (6) and for administrative costs associated with augmenting the amount of federal moneys received under 42 CFR 433.51. The department may transfer from this appropriation to the appropriation account under par. (x) moneys in the amount and for the purpose specified in 2001 Wisconsin Act .... (this act), section 9123 (8e).

SECTION 717b. 20.435 (4) (w) of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to read:

20.435 **(4)** (w) *Medical assistance trust fund.* From the medical assistance trust fund, biennially, the amounts in the schedule for meeting costs of medical assistance administered under ss. 46.27, 46.275 (5), 46.278 (6), 46.283 (5), 46.284 (5), 49.45, and 49.472 (6) and for administrative costs associated with augmenting the amount of federal moneys received under 42 CFR 433.51. ~~The department may transfer from this appropriation to the appropriation account under par. (x) moneys in the amount and for the purpose specified in 2001 Wisconsin Act .... (this act), section 9123 (8e).~~

SECTION 717bd. 20.435 (4) (wm) of the statutes is created to read:

20.435 **(4)** (wm) *Medical assistance trust fund; nursing homes.* From the medical assistance trust fund, a sum sufficient equal to the balance in the fund, less the amounts appropriated under pars. (w) and (x), for meeting medical assistance reimbursement costs under s. 49.45 (6m) and (6u). **Vetoed In Part**

SECTION 717c. 20.435 (4) (x) of the statutes is created to read:

20.435 **(4)** (x) *Health care for low−income families.* From the medical assistance trust fund, all moneys received for the badger care health care program for low−income families under s. 49.665 and all moneys transferred from the appropriation account under par. (w) in the amount and for the purpose specified in 2001 Wisconsin Act .... (this act), section 9123 (8e).

SECTION 717d. 20.435 (4) (x) of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to read:

20.435 **(4)** (x) *Health care for low−income families.* From the medical assistance trust fund, all moneys

received for the badger care health care program for low−income families under s. 49.665 ~~and all moneys transferred from the appropriation account under par. (w) in the amount and for the purpose specified in 2001 Wisconsin Act .... (this act), section 9123 (8e)~~.

SECTION 718. 20.435 (5) (am) of the statutes is amended to read:

20.435 **(5)** (am) *Services, reimbursement and payment related to ~~acquired~~ human immunodeficiency ~~syndrome~~ virus.* The amounts in the schedule for the purchase of services under s. 252.12 (2) (a) for individuals with respect to ~~acquired~~ human immunodeficiency ~~syndrome~~ virus and related infections, including hepatitis C virus infection, to subsidize premium payments under ss. 252.16 and 252.17, for ~~HIV prevention~~ grants for the prevention of human immunodeficiency virus infection and related infections, including hepatitis C virus infection, 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.

Vetoed In Part

SECTION 718s. 20.435 (5) (ca) of the statutes is created to read:

20.435 **(5)** (ca) *Grants for childhood asthma.* The amounts in the schedule to provide grants under s. 253.065.

SECTION 719b. 20.435 (5) (cb) of the statutes is repealed and recreated to read:

20.435 **(5)** (cb) *Well−woman program.* The amounts in the schedule for the well−woman program under s. 255.06.

SECTION 719d. 20.435 (5) (cc) of the statutes is amended to read:

20.435 **(5)** (cc) *Cancer ~~treatment, training, follow−up~~, control and prevention.* The amounts in the schedule for cancer control and prevention grants under s. 255.05~~, for the breast cancer screening program under s. 255.06, for grants for training to perform colposcopic examinations and follow−up activities under s. 255.07 and for breast cancer screening activities under 1997 Wisconsin Act 27, section 9123 (10). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds for grants under s. 255.05, funds for screening and services under s. 255.06 and funds for grants under s. 255.07 between fiscal years under this paragraph~~. All funds allocated by the department under s. 255.05 (2) but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

SECTION 720. 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 ~~1999−2000~~ 2001−02 the difference between $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 ~~1999−2000~~ 2001−02 and not to exceed in fiscal year ~~2000−01~~ 2002−03 the difference between $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 ~~2000−01~~ 2002−03 for the provision of vaccine to immunize children under s. 252.04 (1).

SECTION 720g. 20.435 (5) (dg) of the statutes is repealed.

SECTION 720k. 20.435 (5) (dm) of the statutes is created to read:

20.435 **(5)** (dm) *Rural health dental clinics.* The amounts in the schedule for the rural health dental clinics under s. 146.65.

SECTION 720m. 20.435 (5) (fh) of the statutes is amended 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 and 2001 Wisconsin Act .... (this act), section 9123 (14e).

SECTION 720n. 20.435 (5) (kb) of the statutes is created to read:

20.435 **(5)** (kb) *Minority health.* The amounts in the schedule for the minority health program under s. 146.185 (3) and (4). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6e. shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 721. 20.435 (5) (ke) of the statutes is 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 721r. 20.435 (6) (a) of the statutes is amended to read:

20.435 **(6)** (a) *General program operations; ~~projects; council on~~ physical disabilities; publicity activities.* The amounts in the schedule for general program operations, including field services and administrative services, ~~for the demonstration projects under 1999 Wisconsin Act 9, section 9123 (3) (a) and~~ for operation of the council on physical disabilities under s. 46.29 , and for the assistive technology and adaptive equipment program under 2001 Wisconsin Act .... (this act), section 9123 (15j) (a) and for publicity activities under s. 46.858.

Vetoed In Part

Vetoed In Part

Vetoed In Part

SECTION 721s. 20.435 (6) (a) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

20.435 **(6)** (a) *General program operations; council on physical disabilities; publicity activities.* The amounts in the schedule for general program operations, including field services and administrative services, for operation of the council on physical disabilities under s. 46.29~~, and for the assistive technology and adaptive equipment program under 2001 Wisconsin Act .... (this act), section 9123 (15j) (a)~~ and for publicity activities under s. 16.858.

Vetoed In Part

SECTION 721w. 20.435 (6) (g) of the statutes is amended to read:

20.435 **(6)** (g) *Nursing facility resident protection.* 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) to finance nursing facility resident protection under s. 49.499. Notwithstanding s. 20.001 (3) (c), the department shall transfer from this appropriation to the appropriation account under s. 20.432 (1) (kc) $35,300 in fiscal year 2001−02 and $40,200 in fiscal year 2002−03 and each fiscal year thereafter.

SECTION 722. 20.435 (6) (gg) of the statutes is repealed.

SECTION 722d. 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), 49.45 (47) (c), 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. (4) (gm), shall be credited to this appropriation account.

SECTION 725. 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 and for the assistive technology and adaptive equipment program under 2001 Wisconsin Act .... (this act), section 9123 (15j) (b) and (c). 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)~~ (a) and 20.002 (1), ~~there is transferred at the end of the 1999−2000 fiscal year~~ the department shall transfer from this appropriation account 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 9, section 9223 (3c)~~ funds allocated by the department under s. 46.48 (30) but unexpended on June 30 of each year.

Vetoed In Part

SECTION 725b. 20.435 (7) (bc) of the statutes, as affected by 2001 Wisconsin Act .... (this act), 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 ~~and for the assistive technology and adaptive equipment program under 2001 Wisconsin Act .... (this act), section 9123 (15j) (b) and (c)~~. 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) (a) and 20.002 (1), the department shall transfer from this appropriation account to the appropriation account

for the department of workforce development under s. 20.445 (3) (dz) funds allocated by the department under s. 46.48 (30) but unexpended on June 30 of each year.

SECTION 726n. 20.435 (7) (bL) of the statutes is amended to read:

20.435 **(7)** (bL) *Community support ~~program grants~~ programs.* The amounts in the schedule for one−time grants under s. 51.423 (3) to counties that currently do not operate certified community support programs and for community support program services under s. 51.421 (3) (e). Notwithstanding s. 20.002 (1), the department of health and family services may transfer from this appropriation to the appropriation under par. (bc) funds as specified in par. (bc).

Vetoed In Part

SECTION 726p. 20.435 (7) (c) of the statutes is amended to read:

20.435 **(7)** (c) *Independent living centers.* The amounts in the schedule for the purpose of making grants to independent living centers for the severely disabled under s. 46.96 and under 2001 Wisconsin Act .... (this act), section 9123 (15j) (d).

SECTION 726q. 20.435 (7) (c) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

20.435 **(7)** (c) *Independent living centers.* The amounts in the schedule for the purpose of making grants to independent living centers for the severely disabled under s. 46.96 ~~and under 2001 Wisconsin Act .... (this act), section 9123 (15j) (d).~~

SECTION 727. 20.435 (7) (im) of the statutes is amended to read:

20.435 **(7)** (im) *Community options program; family care benefit; recovery of costs.* From the moneys received from the recovery of costs of care under ss. 46.27 (7g) and 867.035 and under rules promulgated under s. 46.286 (7) for enrollees who are ineligible for medical assistance, all moneys not appropriated under sub. (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 728p. 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 s. ~~20.505 (8) (hm) 1.~~ 20.566 (8) (q) shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance of this appropriation account at the end of each fiscal year shall be transferred to the lottery fund.

SECTION 729. 20.435 (7) (kL) of the statutes is 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. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18c. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 730. 20.435 (7) (km) of the statutes is 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 731. 20.435 (7) (kn) of the statutes is amended to read:

20.435 **(7)** (kn) *Elderly nutrition; home−delivered and congregate meals.* The amounts in the schedule for home−delivered and congregate meals under the state supplement to the federal congregate nutrition projects under s. 46.80 (5) (a). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18dm. shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account s. 20.505 (8) (hm).

SECTION 732d. 20.435 (7) (kw) of the statutes is repealed.

SECTION 732m. 20.435 (7) (o) of the statutes is amended to read:

20.435 **(7)** (o) *Federal aid; community aids.* All federal moneys received in amounts pursuant to allocation plans developed by the department for the provision or purchase of services authorized under par. (b); all federal moneys received as child welfare funds under 42 USC 620 to 626 as limited under s. 48.985; ~~all moneys transferred under 1997 Wisconsin Act 237, section 9222 (3), from the appropriation account under par. (md);~~ all federal temporary assistance for needy families moneys received under 42 USC 601 to 619 that are authorized to be used to purchase or provide social services under 42 USC 1397 to 1397e; and all unanticipated federal social services block grant funds received under 42 USC 1397 to 1397e, in accordance with s. 46.49 (2), for distribution under s. 46.40. Disbursements from this appropriation may be made directly to counties for social and mental hygiene services under s. 46.03 (20) (b) or 46.031 or directly to counties in accordance with federal requirements for the disbursal of federal funds.

SECTION 732q. 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~~ and all moneys that are received under 42 USC 1396 to 1396v in reimbursement of the cost of providing targeted case management services to children whose care is not eligible for reimbursement under 42 USC 670 to 679a, to be used as provided in s. 46.46 and 2001 Wisconsin Act .... (this act), sections 9123 (8z) and 9223 (5zk).

Vetoed In Part

SECTION 732r. 20.435 (8) (mb) of the statutes, as affected by 2001 Wisconsin Act .... (this act), 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 and all moneys that are received under 42 USC 1396 to 1396v in reimbursement of the cost of providing targeted case management services to children whose care is not eligible for reimbursement under 42 USC 670 to 679a, to be used as provided in s. 46.46 ~~and 2001 Wisconsin Act .... (this act), sections 9123 (8z) and 9223 (5zk)~~. All moneys received under this paragraph in excess of the moneys necessary to support the costs specified in s. 46.46 shall be deposited in the general fund as a nonappropriated receipt.

SECTION 736g. 20.445 (1) (kt) of the statutes is created to read:

20.445 **(1)** (kt) *Transfer of Indian gaming receipts; trade masters pilot program.* The amounts in the schedule for the trade masters pilot program under s. 106.01 (11). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18dr. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 736t. 20.445 (3) (br) of the statutes is repealed.

SECTION 737. 20.445 (3) (dz) of the statutes 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 learnfare program under s. 49.26, the work experience and job search program under s. 49.36, and the food stamp program under s. 49.124; for ~~payment distribution~~ payments to counties and tribal governing bodies 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 hospital paternity incentive payments under s. 69.14 (1) (cm); for job training services under the workforce attachment and advancement program under s. 49.173; and for funeral expenses under s. 49.30. 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. Notwithstanding ss. 20.001 (3) and 20.002 (1), the department of health and family services shall credit or deposit into this appropriation account funds for the purposes of this appropriation that the department transfers from the appropriation account under s. 20.435 (7) (bc). All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

SECTION 737am. 20.445 (3) (dz) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

20.445 **(3)** (dz) *Wisconsin works and other public assistance administration and benefits.* The amounts in the schedule, 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 learnfare program under s. 49.26, the work experience and job search program under s. 49.36, and the food stamp employment and training program under s. ~~49.124~~ 49.13; for payments to counties ~~and~~, tribal governing bodies ~~under s. 49.33 (8); and for payments to~~, and Wisconsin works agencies; for hospital paternity incentive payments under s. 69.14 (1) (cm); for job training services under the workforce attachment and advancement program under s. 49.173; and for funeral expenses under s. 49.30. 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. Notwithstanding ss. 20.001 (3) and 20.002 (1), the department of health and family services shall credit or deposit into this appropriation account funds for the purposes of this appropriation that the department transfers from the appropriation account under s. 20.435 (7) (bc). All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1

unless transferred to the next calendar year by the joint committee on finance.

SECTION 737e. 20.445 (3) (em) of the statutes is repealed.

SECTION 737f. 20.445 (3) (fs) of the statutes is created to read:

20.445 **(3)** (fs) *Child support order conversion assistance.* The amounts in the schedule to provide assistance to county child support agencies for the costs of converting child support orders to fixed−sum orders, to be allocated to counties on the basis of the number of percentage−expressed or mixed orders in a county in cases in which the state is a real party in interest under s. 767.075 (1).

SECTION 738. 20.445 (3) (ja) of the statutes 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 or otherwise owed 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), and under s. 49.855 (4) from the department of revenue or the department of administration that were withheld by the department of revenue or the internal revenue service for unpaid fees ordered or otherwise owed under s. 767.29 (1) (d), 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 739. 20.445 (3) (kp) of the statutes is amended to read:

20.445 **(3)** (kp) *Delinquent support ~~and~~, maintenance, and fee payments.* All moneys received from ~~the department of revenue and~~ the department of administration under s. 49.855 (4m) that were withheld for child support, family support, maintenance, medical expenses, or birth expenses, to be distributed in accordance with state law and federal regulations, and that were withheld for unpaid fees ordered or otherwise owed under s. 767.29 (1) (d), for costs associated with receiving and disbursing support and support−related payments, including any contract costs.

SECTION 740. 20.445 (3) (L) of the statutes is amended to read:

20.445 **(3)** (L) *Welfare fraud and error reduction~~; state operations~~ activities and food stamp sanctions.* ~~From the~~ All 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)~~,~~ and 49.497 (1), ~~the amounts in the schedule~~ all moneys received from counties and tribal governing bodies as a result of error reduction activities under s. 49.197, and all moneys transferred under 2001 Wisconsin Act .... (this act), section 9258 (2q), 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~~ under s. 49.197, to pay federal sanctions under the food stamp program, and for food stamp reinvestment activities under reinvestment agreements with the federal department of agriculture that are designed to improve the food stamp program.

SECTION 740am. 20.445 (3) (L) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

20.445 **(3)** (L) *Welfare fraud and error reduction activities and food stamp sanctions.* All moneys received as the state's share of the recovery of overpayments and incorrect payments under s. 49.191 (3) (c), 1997 stats., and s. 49.195, 1997 stats., ~~and ss. 49.125 (2) and 49.497 (1), all moneys received from counties and tribal governing bodies as a result of error reduction activities under s. 49.197,~~ and all moneys transferred under 2001 Wisconsin Act .... (this act), section 9258 (2q), for activities to reduce error and fraud under s. 49.197~~, to pay federal sanctions under the food stamp program, and for food stamp reinvestment activities under reinvestment agreements with the federal department of agriculture that are designed to improve the food stamp program~~ relating to the aid to families with dependent children program and the Wisconsin works program.

SECTION 740f. 20.445 (3) (Lm) of the statutes is repealed.

SECTION 741. 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)~~,~~ and (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 742. 20.445 (3) (mc) of the statutes, as affected by 1999 Wisconsin Act 9, section 474ac, 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)~~,~~ and (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 743dc. 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), (kn), 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 and all moneys recovered under s. 49.143 (3) shall be credited to this appropriation account.

Vetoed In Part

SECTION 743m. 20.445 (3) (pm) of the statutes is amended to read:

20.445 **(3)** (pm) *Food stamp employment and training program; administration.* All federal moneys received for the administrative costs associated with the food stamp employment and training program under s. ~~49.124 (1m)~~ 49.13, to carry out that purpose.

SECTION 743o. 20.445 (3) (ps) of the statutes is amended to read:

20.445 **(3)** (ps) *Food stamp employment and training program; aids.* All federal moneys received for the provision or purchase of services for the food stamp employment and training program under s. ~~49.124 (1m)~~ 49.13, to carry out that purpose.

SECTION 743r. 20.445 (3) (pv) of the statutes is amended to read:

20.445 **(3)** (pv) ~~*Food stamps; electronic*~~ *Electronic benefits transfer.* All moneys received from the federal government for the electronic ~~food stamp benefits transfers~~ transfer of benefits administered by the department of workforce development, to be expended for the purposes specified. Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 744. 20.445 (3) (qm) of the statutes is created to read:

20.445 **(3)** (qm) *Child support state operations and reimbursement for claims and expenses; unclaimed payments.* From the support collections trust fund, a sum sufficient equal to the amounts credited under s. 20.912 (1) to the support collections trust fund and the amounts not distributable under par. (r) for administering the program under s. 49.22 and all other purposes specified in s. 49.22 and for reimbursing the state treasurer under s. 177.265.

SECTION 745. 20.445 (3) (r) of the statutes is amended to read:

20.445 **(3)** (r) *Support receipt and disbursement program; payments.* From the support collections trust fund, except as provided in par. (qm), all moneys received under s. 49.854, except for moneys received under s. 49.854 (11) (b), all moneys received under ss. 767.265 and 767.29 for child or family support, maintenance, spousal support, health care expenses, or birth expenses, ~~and~~ all other moneys received under judgments or orders in actions affecting the family, as defined in s. 767.02 (1), and all moneys received under s. 49.855 (4) from the department of revenue or the department of administration that were withheld by the department of revenue or the internal revenue service for delinquent child support, family support, or maintenance or outstanding court−ordered amounts for past support, medical expenses, or birth expenses, for disbursement to the persons for whom the payments are awarded, for returning seized funds under s. 49.854 (5) (f), and, if assigned under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775 (2) (bm), for transfer to the appropriation account under par. (k). Estimated disbursements under this paragraph shall not be included in the schedule under s. 20.005.

SECTION 746. 20.445 (5) (kg) of the statutes is amended 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 747. 20.445 (5) (na) of the statutes is amended to read:

20.445 **(5)** (na) *Federal program aids.* All federal moneys received for the purchase of goods and services under ch. 47 and for the purchase of vocational rehabilitation programs for individuals or organizations. The department shall, in each state fiscal year, transfer to s. 20.435 (7) (kc) up to ~~$200,000~~ $300,000.

SECTION 749d. 20.445 (6) (b) of the statutes is repealed.

SECTION 750. 20.445 (6) (bm) of the statutes is repealed.

SECTION 751d. 20.445 (6) (c) of the statutes is repealed.

SECTION 753m. 20.445 (6) (u) of the statutes is amended to read:

Vetoed In Part

20.445 **(6)** (u) *General enrollee operations;* ~~*conservation*~~ *forestry fund.* Biennially, from the ~~conservation~~ forestry fund, the amounts in the schedule for the payment of Wisconsin conservation corps enrollee compensation and for the payment of other Wisconsin conservation corps costs for activities authorized under s. 106.215 (7) (a) ~~or (c)~~ if those costs are not paid by project sponsors. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers.

SECTION 759. 20.445 (6) (w) of the statutes is repealed.

Vetoed In Part

SECTION 759p. 20.445 (6) (y) of the statutes is amended to read:

20.445 **(6)** (y) *Administrative support; ~~conservation~~ forestry fund.* From the ~~conservation~~ forestry fund, the amounts in the schedule for the payment of administrative expenses related to the Wisconsin conservation corps program.

SECTION 760. 20.445 (7) (ga) of the statutes is created to read:

20.445 **(7)** (ga) *Auxiliary services.* All moneys received from fees collected under s. 106.12 (4), for the delivery of services under s. 106.12 (4).

SECTION 760r. 20.445 (7) (kc) of the statutes is repealed.

SECTION 761. 20.445 (7) (kd) of the statutes is amended to read:

20.445 **(7)** (kd) *Transfer of Indian gaming receipts; work−based learning programs.* The amounts in the schedule for work−based learning programs. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18j. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 762. 20.445 (7) (m) of the statutes is created to read:

20.445 **(7)** (m) *Federal funds.* All federal moneys received as authorized under s. 16.54 for the purposes of the programs administered by the governor's work−based learning board, for those purposes.

SECTION 764qy. 20.455 (2) (fm) of the statutes is amended 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.~~

SECTION 766. 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). All moneys transferred from par. (i) for the purpose of this appropriation shall be credited to this appropriation.

SECTION 767. 20.455 (2) (ja) of the statutes is amended to read:

20.455 **(2)** (ja) *Law enforcement training fund, state operations.* The amounts in the schedule to finance state operations associated with the administration of the law enforcement training fund and to finance training for state law enforcement personnel, as provided in s. 165.85 (5) (b). All moneys transferred from par. (i) for the purpose of this appropriation shall be credited to this appropriation.

SECTION 768. 20.455 (2) (jb) of the statutes is amended to read:

20.455 **(2)** (jb) *Crime laboratory equipment and supplies.* 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) for the purpose of this appropriation shall be credited to this appropriation.

SECTION 769. 20.455 (2) (k) of the statutes is amended to read:

20.455 **(2)** (k) *Interagency and intra−agency assistance; ~~investigations~~.* All moneys received from the department or any other state agency regarding ~~anti−drug abuse~~ law enforcement assistance ~~and drug investigations and analysis~~ to carry out the purposes for which received.

SECTION 770. 20.455 (2) (kd) of the statutes is amended to read:

20.455 **(2)** (kd) *Drug law enforcement ~~and~~, crime laboratories, and genetic evidence activities.* The amounts in the schedule for activities relating to drug law enforcement, drug law violation prosecution assistance ~~and~~, activities of the state and regional crime laboratories, and for transferring to the appropriation account under s. 20.475 (1) (km) the amounts in the schedule under s. 20.475 (1) (km). All moneys transferred from the appropriation account under par. (Lm) shall be credited to this appropriation account.

Vetoed In Part

SECTION 770n. 20.455 (2) (kh) of the statutes is created to read:

20.455 **(2)** (kh) *Automated fingerprint identification system grants.* The amounts in the schedule for grants to local law enforcement agencies under 2001 Wisconsin Act .... (this act), section 9131 (2c), for automated fingerprint identification system work stations and for installation of Badgernet lines. All moneys transferred from the appropriation account under s. 20.505 (6) (j) 16. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30, 2002, shall revert to the appropriation account under s. 20.505 (6) (j).

Vetoed In Part

SECTION 770p. 20.455 (2) (kh) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 771m. 20.455 (2) (kt) of the statutes is 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 the appropriation account under s. 20.505 (8) (hm) 15g. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 772m. 20.455 (2) (ku) of the statutes is amended to read:

20.455 **(2)** (ku) *County–tribal programs, state operations.* The amounts in the schedule to finance the activities of the department of justice associated with county–tribal law enforcement programs under s. 165.90. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 15h. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 773. 20.455 (2) (ma) of the statutes is amended to read:

20.455 **(2)** (ma) *Federal aid, drug enforcement.* All moneys received from the federal government under subtitle K of title I of P.L. 99–570 for state programs, except as provided under s. 20.505 (6) ~~(pc)~~ (m), as authorized by the governor under s. 16.54, for drug law enforcement programs to work with local law enforcement agencies in a coordinated effort and for operating costs of the crime laboratory in the city of Wausau.

SECTION 774. 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 776. 20.465 (1) (f) of the statutes is amended to read:

20.465 **(1)** (f) *Energy costs.* The amounts in the schedule to be used at military buildings under control of the department to pay for utilities and for fuel, heat and air conditioning~~,~~ and 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 777. 20.465 (1) (h) of the statutes is amended to read:

20.465 **(1)** (h) *Intergovernmental services.* The amounts in the schedule to provide services to local units of government for fire, crash and rescue emergencies and to provide assistance under s. 166.30. All moneys received from local units of government for services provided for fire, crash, and rescue emergencies and as reimbursement from other states and territories for any losses, damages, or expenses incurred when units or members of the Wisconsin national guard are activated in state status to provide assistance under s. 166.30 shall be credited to this appropriation.

SECTION 778. 20.465 (3) (a) of the statutes is amended to read:

20.465 **(3)** (a) *General program operations.* The amounts in the schedule for the general program operations of the division of emergency management ~~including, but not limited to, central administrative support services by the department~~.

SECTION 779. 20.465 (3) (dh) of the statutes is repealed.

SECTION 780. 20.465 (3) (h) of the statutes is created to read:

20.465 **(3)** (h) *Interstate emergency assistance.* The amounts in the schedule to provide assistance under s. 166.30. All moneys received under s. 166.30 (9) as reimbursement from other states and territories for any losses, damages, or expenses incurred when the division of emergency management provides assistance under s. 166.30 shall be credited to this appropriation account.

SECTION 781. 20.475 (1) (f) of the statutes is amended 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 9, 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 781m. 20.475 (1) (g) of the statutes is created to read: **Vetoed In Part**

20.475 **(1)** (g) *Fees from vehicle–related offenses.* The amounts in the schedule for salaries and fringe benefits of district attorneys and state employees of the office of the district attorney. All moneys received from penalties under s. 59.25 (3) (jm) by the state treasurer shall be credited to this appropriation account.

SECTION 783. 20.475 (1) (km) of the statutes is created to read:

20.475 **(1)** (km) *Deoxyribonucleic acid evidence activities.* The amounts in the schedule for deoxyribonucleic acid evidence activities. All moneys transferred from s. 20.455 (2) (kd) for the purpose of this appropriation shall be credited to this appropriation account.

SECTION 783t. 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 at King, the Southern Wisconsin Veterans Retirement Center, and veterans facilities. All moneys received under par. (m) and s. 45.37 (9) (d) and (9d) shall be credited to this appropriation.

SECTION 784. 20.485 (2) (b) of the statutes is repealed.

SECTION 785. 20.485 (2) (c) of the statutes is amended to read:

20.485 **(2)** (c) *Operation of Wisconsin veterans museum.* From the general fund, the amounts in the schedule for the operation of the Wisconsin veterans museum under s. ~~45.01~~ 45.014.

SECTION 785e. 20.485 (2) (e) of the statutes is amended to read:

20.485 **(2)** (e) *Veterans memorial grants.* From the general fund, as a continuing appropriation, the amounts in the schedule for the veterans memorial grant program under s. 45.04 and for the grant under 2001 Wisconsin Act .... (this act), section 9157 (8g).

SECTION 785g. 20.485 (2) (eg) of the statutes is created to read:

20.485 **(2)** (eg) *Victorious charge monument grant.* From the general fund, the amounts in the schedule to provide a grant to the Milwaukee Arts Board for the restoration of the Victorious Charge Civil War monument under 2001 Wisconsin Act .... (this act), section 9157 (7v). No moneys may be encumbered or expended from this appropriation after June 30, 2002.

SECTION 786. 20.485 (2) (kg) of the statutes is amended 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 787. 20.485 (2) (km) of the statutes is amended 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 787k. 20.485 (2) (kt) of the statutes is created to read:

20.485 **(2)** (kt) *Operation of Wisconsin veterans museum; Indian gaming receipts.* The amounts in the schedule for the operation of the Wisconsin veterans museum under s. 45.014. All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 13v. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 788. 20.485 (2) (m) of the statutes is amended to read:

20.485 **(2)** (m) *Federal aid ~~projects~~; veterans training.* All moneys received from the federal government for ~~specific limited term projects~~ the education and training of war orphans to be expended for the purposes specified.

SECTION 788s. 20.485 (2) (rm) of the statutes is amended to read:

20.485 **(2)** (rm) *Veterans assistance ~~program~~.* Biennially, the amounts in the schedule for general program operations of the veterans assistance program under s. 45.357 , for the emergency aid pilot program under 2001 Wisconsin Act .... (this act), section 9157 (8c), and for a grant to establish a supportive living environment for veterans under 2001 Wisconsin Act .... (this act), section 9157 (6c) . **Vetoed In Part** **Vetoed In Part** **Vetoed In Part**

SECTION 788sf. 20.485 (2) (rm) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

20.485 **(2)** (rm) *Veterans assistance.* Biennially, the amounts in the schedule for general program operations of the veterans assistance program under s. 45.357~~, for the emergency aid pilot program under 2001 Wisconsin Act .... (this act), section 9157 (8c),~~ and for a grant to establish a supportive living environment for veterans under 2001 Wisconsin Act .... (this act), section 9157 (6c). **Vetoed In Part**

SECTION 789. 20.485 (2) (s) of the statutes is created to read:

20.485 **(2)** (s) *Transportation grant.* The amounts in the schedule to provide transportation services grants under ss. 45.353 (3m) and 45.43 (7m).

SECTION 791. 20.485 (2) (vj) of the statutes is created to read:

20.485 **(2)** (vj) *Education center grant.* Biennially, the amounts in the schedule for a grant to the Wisconsin Veterans War Memorial/Milwaukee, Inc., under 2001 Wisconsin Act .... (this act), section 9157 (4).

SECTION 792. 20.485 (2) (vj) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 792j. 20.485 (2) (vw) of the statutes is amended to read: **Vetoed In Part**

20.485 **(2)** (vw) *Payments to veterans organizations for claims service.* The amounts in the schedule to pay veterans organizations for claims services as prescribed in s. 45.353 (2) and (3) and to provide the annual grant under s. 45.353 (3r).

SECTION 793. 20.485 (2) (wd) of the statutes is amended to read:

20.485 **(2)** (wd) *Operation of Wisconsin veterans museum.* The amounts in the schedule for the operation of the Wisconsin veterans museum under s. ~~45.01~~ 45.014.

SECTION 794. 20.485 (3) (rm) of the statutes is amended to read:

20.485 **(3)** (rm) *Other reserves.* As a continuing appropriation from the veterans mortgage loan repayment fund, all moneys deposited and held in the veterans mortgage loan repayment fund to pay costs under s. 45.79 (7) (a) 5. to 8. and 10., for the purposes under s. 45.79 (7) (a) 5. to 8. and 10.

SECTION 795. 20.485 (3) (wd) of the statutes is created to read:

20.485 **(3)** (wd) *Loan−servicing administration.* From the veterans mortgage loan repayment fund, the amounts in the schedule for administrative costs of servicing loans under s. 45.79 (5) (a) 10.

SECTION 796. 20.485 (3) (wg) of the statutes is created to read:

20.485 **(3)** (wg) *Escrow payments, recoveries, and refunds.* From the veterans mortgage loan repayment fund, all moneys received by the department under s. 45.79 (5) (a) 6. to make payments required of the department under s. 45.79 (5) (a) 6.

SECTION 797. 20.485 (3) (wp) of the statutes is created to read:

20.485 **(3)** (wp) *Loan−servicing rights.* Biennially, from the veterans mortgage loan repayment fund, the amounts in the schedule to purchase loan−servicing rights from authorized lenders under s. 45.79 (5) (a) 10.

SECTION 798. 20.485 (5) (m) of the statutes is repealed.

SECTION 800. 20.505 (1) (cm) (title) of the statutes is amended to read:

20.505 **(1)** (cm) (title) *Comprehensive planning grants; general purpose revenue.*

SECTION 801. 20.505 (1) (dm) of the statutes is created to read:

20.505 **(1)** (dm) *Sale of tobacco settlement payments.* The amounts in the schedule to pay the costs incurred by the secretary of administration in any sale of the state's right to receive any of the payments under the tobacco settlement agreement under s. 16.63 (2) and in organizing and initially capitalizing any corporation or company under s. 16.63 (3).

SECTION 802. 20.505 (1) (e) of the statutes is repealed.

SECTION 802c. 20.505 (1) (f) of the statutes is repealed.

SECTION 802m. 20.505 (1) (fe) of the statutes is created to read:

20.505 **(1)** (fe) *Wisconsin Patient Safety Institute, Inc., grants.* The amounts in the schedule to provide grants to the Wisconsin Patient Safety Institute, Inc.

SECTION 803b. 20.505 (1) (ie) of the statutes is amended to read:

20.505 **(1)** (ie) *Land information board; general program operations; incorporations and annexations.* From the moneys received by the land information board under s. 59.72 (5) (a), the amounts in the schedule for general program operations of the board under s. 16.967 and for reviews of proposed municipal incorporations and annexations by the department.

SECTION 804. 20.505 (1) (if) of the statutes is created to read:

20.505 **(1)** (if) *Comprehensive planning grants; program revenue.* From the moneys received by the department under s. 59.72 (5) (a), the amounts in the schedule to provide comprehensive planning grants to local governments under s. 16.965 (2).

SECTION 804g. 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 pars. (ie), (if), and (ik) for the purpose of providing aids to counties for land information projects under s. 16.967 (7).

SECTION 808. 20.505 (1) (im) of the statutes is amended to read:

20.505 **(1)** (im) *Services to nonstate governmental units.* The amounts in the schedule to provide services and to repurchase inventory items that are provided primarily to purchasers other than state agencies and to transfer to the appropriation account under par. (kc) the amounts received from school districts under s. 16.85 (15). All moneys received from the sale of services~~, other than services provided under par. (is),~~ and inventory items which are provided primarily to purchasers other than state agencies shall be credited to this appropriation account.

SECTION 809b. 20.505 (1) (is) of the statutes is repealed.

SECTION 810. 20.505 (1) (iu) of the statutes is amended to read:

20.505 **(1)** (iu) *Plat and proposed incorporation and annexation review.* All moneys received from service fees for plat review~~,~~ and from fees imposed under s. 16.53 (14) for reviews of proposed municipal incorporations and annexations, to be used for the purposes of providing plat review services under s. 70.27 and ch. 236 and conducting reviews of proposed municipal incorporations and annexations.

SECTION 811. 20.505 (1) (j) of the statutes is amended to read:

20.505 **(1)** (j) *Gifts ~~and donations~~, grants, and bequests.* All moneys not otherwise appropriated under this section received from gifts, grants, and bequests ~~and devises~~ made to the department, any division, or other body attached to or in the department and to any special or executive committee, to carry out the purposes for which made and received.

SECTION 812b. 20.505 (1) (ja) of the statutes is renumbered 20.530 (1) (ja).

SECTION 813aw. 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 (ku) and subs. (2) (k) and (5) (ka), and to repurchase inventory items sold primarily to state agen-

cies 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 (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

SECTION 813b. 20.505 (1) (ka) of the statutes, as affected by 1999 Wisconsin Act 9, section 519, 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 (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 (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation account.

SECTION 814. 20.505 (1) (kb) of the statutes is amended to read:

20.505 **(1)** (kb) *Transportation, records, and document services.* The amounts in the schedule to provide state vehicle and aircraft fleet, mail transportation, document sales, and records services ~~and inventory items~~ primarily to state agencies; to transfer the proceeds of document sales to state agencies publishing documents; and to provide for the general program operations of the public records board under s. 16.61. All moneys received from the provision of state vehicle and aircraft fleet, mail transportation, document sales, and records services ~~and sale of inventory items~~ primarily to state agencies, from documents sold on behalf of state agencies, and from services provided to state agencies by the public records board shall be credited to this appropriation account, except that the proceeds of the sale provided for in 2001 Wisconsin Act .... (this act), section 9401 (20j) shall be deposited in the general fund as general purpose revenue — earned.

SECTION 814m. 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. 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. All moneys transferred from the appropriation account under par. (im) shall be credited to this appropriation account.

SECTION 815. 20.505 (1) (kd) of the statutes is repealed.

SECTION 816. 20.505 (1) (ke) of the statutes is renumbered 20.530 (1) (ke) and amended to read:

20.530 **(1)** (ke) *Telecommunications ~~and data processing~~ services; state agencies; veterans services.* The amounts in the schedule to provide ~~state~~ telecommunications services ~~and data processing oversight and management services and telecommunications and data processing inventory items primarily~~ to state agencies ~~and to provide for the initial costs of establishment and operation of the division of information technology services~~ and to provide veterans services under s. 22.07 (9). All moneys received from the provision of ~~state~~ telecommunications ~~and data processing~~ services ~~and sale of telecommunications and data processing inventory items primarily~~ to state agencies under ss. 22.05 and 22.07 or under s. 44.73 (2) (d), other than moneys received and disbursed under par. (kL) and s. 20.225 (1) (kb), ~~and all reimbursements of advances received by the division of information technology services~~ shall be credited to this appropriation account.

SECTION 817. 20.505 (1) (kf) of the statutes is created to read:

20.505 **(1)** (kf) *Procurement services.* Biennially, the amounts in the schedule for administration of the department's procurement functions under subch. IV of ch. 16. All moneys received from state agencies under s. 16.71 (6) for procurement services provided by the department to the agencies and from assessments for procurement savings realized by the agencies receiving those services shall be credited to this appropriation account.

Vetoed In Part

Vetoed In Part

Vetoed In Part

SECTION 818. 20.505 (1) (kL) of the statutes is repealed.

SECTION 818m. 20.505 (1) (km) of the statutes is created to read:

20.505 **(1)** (km) *University of Wisconsin−Green Bay programming.* The amounts in the schedule to provide funding for programming at the University of Wisconsin−Green Bay under s. 16.40 (23). All moneys transferred from the appropriation account under sub. (8) (hm) 18r. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance of this appropriation on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 819. 20.505 (1) (kp) of the statutes is renumbered 20.530 (1) (kp) and amended to read:

20.530 **(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~~ 22.03 (9). All moneys transferred from the appropriation ~~account~~ accounts

under ~~sub.~~ s. 20.505 (6) (kt) and ~~(pc)~~ (m) shall be credited to this appropriation account.

SECTION 820. 20.505 (1) (kq) of the statutes is renumbered 20.530 (1) (kq) and amended to read:

20.530 **(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~~ 22.03 (9). All moneys transferred from the appropriation account under s. 20.505 (6) (j) 12. shall be credited to this appropriation account.

SECTION 821. 20.505 (1) (kr) of the statutes is repealed.

SECTION 824. 20.505 (1) (ku) of the statutes is amended 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under sub. (8) (hm).

SECTION 825. 20.505 (1) (ma) of the statutes is repealed.

SECTION 826. 20.505 (1) (mb) of the statutes is amended to read:

20.505 **(1)** (mb) *Federal ~~energy grants and contracts~~ aid.* All ~~federal~~ moneys received ~~under federal energy grants or contracts~~ from the federal government not otherwise appropriated under this section, as authorized by the governor under s. 16.54, to carry out the purposes for which ~~made~~ received.

SECTION 827. 20.505 (1) (mc) of the statutes is repealed.

SECTION 828. 20.505 (1) (n) of the statutes is repealed.

SECTION 830. 20.505 (1) (s) of the statutes is repealed.

SECTION 831. 20.505 (1) (z) of the statutes is amended to read:

20.505 **(1)** (z) *Transportation planning grants to local governmental units.* Biennially, 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)~~ (4) (ax) shall be credited to this appropriation account.

SECTION 832. 20.505 (3) (title) of the statutes is amended to read:

20.505 **(3)** (title) ~~COMMITTEES AND; INTERSTATE BODIES~~ UTILITY PUBLIC BENEFITS AND AIR QUALITY IMPROVEMENT.

SECTION 833. 20.505 (3) (a) of the statutes is renumbered 20.505 (4) (ba).

SECTION 834. 20.505 (3) (b) of the statutes is renumbered 20.505 (4) (ea).

SECTION 835. 20.505 (3) (c) of the statutes is repealed.

SECTION 836. 20.505 (3) (g) of the statutes is repealed.

SECTION 837. 20.505 (3) (h) of the statutes is repealed.

SECTION 838. 20.505 (3) (m) of the statutes is repealed.

SECTION 839. 20.505 (4) (title) of the statutes is amended to read:

20.505 **(4)** (title) ATTACHED DIVISIONS~~, BOARDS, COUNCILS AND COMMISSIONS~~ AND OTHER BODIES.

SECTION 840. 20.505 (4) (c) of the statutes is repealed.

SECTION 842. 20.505 (4) (e) of the statutes is renumbered 20.292 (1) (cm) and amended to read:

20.292 **(1)** (cm) *~~Technical college capacity~~ Capacity building program.* The amounts in the schedule for capacity building program grants to technical college district boards under s. ~~16.004 (14)~~ 38.04 (19).

SECTION 843. 20.505 (4) (gm) of the statutes is repealed.

SECTION 844. 20.505 (4) (h) of the statutes is amended to read:

20.505 **(4)** (h) *Program services.* The amounts in the schedule to carry out the responsibilities of divisions, commissions, and boards ~~and commissions~~ attached to the department of administration, other than the board on aging and long−term care, the adolescent pregnancy prevention and pregnancy services board, and the public records board, and to carry out the responsibilities of special and executive committees. All moneys received from fees which are authorized by law or administrative rule to be collected by any division, board or commission attached to the department, other than the board on aging and long−term care, the adolescent pregnancy prevention and pregnancy services board, and the public records board, and all moneys received from fees that are authorized by law or executive order to be collected by any special or executive committee shall be credited to this appropriation account and used to carry out the purposes for which collected.

SECTION 845. 20.505 (4) (is) of the statutes is renumbered 20.530 (1) (ir) and amended to read:

20.530 **(1)** (ir) *Relay service.* The amounts in the schedule for a statewide telecommunications relay service ~~and for general program operations~~. All moneys received from the assessments authorized under s. 196.858 shall be credited to this appropriation account.

SECTION 846m. 20.505 (4) (kb) of the statutes is created to read:

20.505 **(4)** (kb) *National and community service board; administrative support.* The amounts in the schedule for the administration of the national and community service program under s. 16.22. All moneys received by the department from other state agencies for that purpose shall be credited to this appropriation account.

Vetoed In Part

SECTION 848r. 20.505 (5) (c) of the statutes is repealed.

SECTION 849. 20.505 (5) (ka) of the statutes is amended to read:

20.505 **(5)** (ka) *Facility operations and maintenance; police and protection functions.* The amounts in the schedule for the purpose of financing the costs of operation of state−owned or operated facilities that are not funded from other appropriations, including custodial and maintenance services; minor projects; utilities, fuel, heat and air conditioning; costs incurred under ss.16.858 and 16.895 by or on behalf of the department; ~~repayment to the energy efficiency fund loans made to the department under s. 16.847 (6);~~ and supplementing the costs of operation of child care facilities for children of state employees under s. 16.841; and for police and protection functions under s. 16.84 (2) and (3). All moneys received from state agencies for the operation of such facilities, parking rental fees established under s. 16.843 (2) (bm) and miscellaneous other sources, all moneys received from assessments under s. 16.895, all moneys received for the performance of gaming protection functions under s. 16.84 (3), and all moneys transferred from the appropriation account under s. 20.865 (2) (e) for this purpose shall be credited to this appropriation account.

SECTION 850. 20.505 (5) (q) of the statutes is repealed.

SECTION 852n. 20.505 (6) (j) (intro.) of the statutes is amended to read:

20.505 **(6)** (j) *Penalty assessment surcharge receipts.* (intro.) 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 9, sections 9201 (2m), (2n) and (2p), 9211 (2g), 9230 (1), (2m) and (3m), 9238 (1h) and 9239 (1h) and (2h)~~ 2001 Wisconsin Act .... (this act), sections 9201 (6c) (a), (b), and (c), 9211 (2c), and 9240 (1c), for the purpose of transferring the following amounts to the following appropriation accounts:

SECTION 853d. 20.505 (6) (j) 8. of the statutes is amended to read:

20.505 **(6)** (j) 8. The amount transferred to ~~s. 20.410 (3)~~ par. (kj) shall be the amount in the schedule under ~~s. 20.410 (3)~~ par. (kj).

SECTION 854. 20.505 (6) (j) 12. of the statutes is amended to read:

20.505 **(6)** (j) 12. The amount transferred to ~~sub.~~ s. 20.530 (1) (kq) shall be the amount in the schedule under ~~sub.~~ s. 20.530 (1) (kq).

Vetoed In Part

SECTION 855n. 20.505 (6) (j) 16. of the statutes is created to read:

20.505 **(6)** (j) 16. The amount transferred to s. 20.455 (2) (kh) shall be the amount in the schedule under s. 20.455 (2) (kh).

SECTION 855p. 20.505 (6) (j) 16. of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 856d. 20.505 (6) (k) of the statutes is amended to read:

20.505 **(6)** (k) ~~*Anti−drug*~~*Law enforcement* ~~*program*~~ *programs and youth diversion — administration.* The amounts in the schedule for ~~the purpose of~~ administering ~~federal~~ grants for law enforcement assistance and for administering the youth diversion program under s. 16.964 (8). All moneys transferred from the appropriation account under par. (j) 13. shall be credited to this appropriation account.

SECTION 857d. 20.505 (6) (km) of the statutes is created to read:

20.505 **(6)** (km) *Interagency and intra−agency aids.* All moneys received from other state agencies and all moneys received by the department from the department, for aids to individuals and organizations.

SECTION 859. 20.505 (6) (kq) of the statutes is amended 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. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

Vetoed In Part

SECTION 859r. 20.505 (6) (kr) of the statutes is created to read:

20.505 **(6)** (kr) *Grants for cooperative county−tribal law enforcement.* The amounts in the schedule to provide grants to counties for cooperative law enforcement activities with Indian tribes as provided under 2001 Wisconsin Act .... (this act), section 9101 (21k). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 15r. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 859s. 20.505 (6) (kr) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 860m. 20.505 (6) (ks) of the statutes is amended to read:

20.505 **(6)** (ks) *Tribal law enforcement assistance.* The amounts in the schedule to provide grants for tribal law enforcement under s. 16.964 (6). All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 15. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered bal-

ance on June 30 of each year shall revert to the appropriation account under s. 20.505 (8) (hm).

SECTION 862. 20.505 (6) (m) of the statutes is amended to read:

20.505 **(6)** (m) *Federal aid, ~~planning and administration~~ justice assistance, state operations.* All moneys received from the federal government ~~to be allocated to state agencies for planning and administration of programs to improve the administration of criminal justice~~ for state agency operations for justice assistance to carry out the purpose for which received.

SECTION 863. 20.505 (6) (o) of the statutes is repealed.

SECTION 864. 20.505 (6) (p) of the statutes is amended to read:

20.505 **(6)** (p) *Federal aid, ~~criminal justice improvement projects,~~ local assistance and aids.* All moneys received from the federal government ~~to be allocated to local governments~~ for project grants to improve the administration of criminal justice.

SECTION 865. 20.505 (6) (pa) of the statutes is repealed.

SECTION 866. 20.505 (6) (pb) of the statutes is repealed.

SECTION 867. 20.505 (6) (pc) of the statutes is repealed.

SECTION 868. 20.505 (7) (b) of the statutes is amended to read:

20.505 **(7)** (b) *Housing grants and loans.* Biennially, the amounts in the schedule for grants and loans under s. 16.33 and for grants under s. 16.336.

SECTION 869. 20.505 (7) (d) of the statutes is repealed.

SECTION 870. 20.505 (7) (dm) of the statutes is repealed.

SECTION 871. 20.505 (7) (fm) of the statutes is amended to read:

20.505 **(7)** (fm) *Shelter for homeless and transitional housing grants.* The amounts in the schedule for transitional housing grants under s. 16.339 and for grants to agencies and shelter facilities for homeless individuals and families as provided under s. 16.352. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under 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 transferred to the next calendar year by the joint committee on finance.

SECTION 872. 20.505 (7) (g) of the statutes is repealed.

SECTION 873. 20.505 (7) (gm) of the statutes is repealed.

SECTION 874. 20.505 (7) (h) of the statutes is amended to read:

20.505 **(7)** (h) *~~Interest on real estate trust accounts~~ Funding for the homeless.* All moneys received from interest on real estate trust accounts under s. 452.13 for grants under s. 16.351, and all moneys received under s. 704.05 (5) (a) 2., for grants to agencies and shelter facilities for homeless individuals and families under s. 16.352 (2) (a) and (b).

SECTION 879g. 20.505 (8) (b) of the statutes is created to read:

20.505 **(8)** (b) *General program operations.* The amounts in the schedule for general program operations under ch. 562.

SECTION 880. 20.505 (8) (hm) (intro.) of the statutes is amended to read:

20.505 **(8)** (hm) *Indian gaming receipts.* (intro.) All moneys received as Indian gaming receipts, as defined in s. 569.01 (1m), all moneys transferred under 2001 Wisconsin Act .... (this act), sections 9201 (5mk), 9205 (1mk), 9210 (3mk), 9223 (5mk), 9224 (1mk), 9225 (1mk), 9231 (1mk), 9237 (4mk), 9240 (1mk), 9251 (1mk), 9256 (1mk), 9257 (2mk), and 9258 (2mk), and all moneys that revert to this appropriation account from the appropriation accounts specified in subds. 1c. to 19., less the amounts appropriated under par. (h) and s. 20.455 (2) (gc), for the purpose of annually transferring the following amounts:

SECTION 880c. 20.505 (8) (hm) 1. of the statutes is repealed.

SECTION 880g. 20.505 (8) (hm) 2m. of the statutes is created to read:

20.505 **(8)** (hm) 2m. The amount transferred to s. 20.115 (1) (k) shall be the amount in the schedule under s. 20.115 (1) (k).

SECTION 881. 20.505 (8) (hm) 4h. of the statutes is amended to read:

20.505 **(8)** (hm) 4h. The amount transferred to s. 20.245 ~~(2)~~ (1) (km) shall be the amount in the schedule under s. 20.245 ~~(2)~~ (1) (km).

SECTION 881i. 20.505 (8) (hm) 6. of the statutes is amended to read:

20.505 **(8)** (hm) 6. The amount transferred to s. 20.380 (1) (kg) ~~and (km) combined~~ shall be ~~$4,000,000~~ the amount in the schedule under s. 20.380 (1) (kg).

SECTION 881k. 20.505 (8) (hm) 6b. of the statutes is created to read:

20.505 **(8)** (hm) 6b. The amount transferred to s. 20.380 (1) (km) shall be the amount in the schedule under s. 20.380 (1) (km).

SECTION 881r. 20.505 (8) (hm) 6c. of the statutes is created to read:

20.505 **(8)** (hm) 6c. The amount transferred to s. 20.380 (2) (kc) shall be the amount in the schedule under s. 20.380 (2) (kc).

SECTION 881t. 20.505 (8) (hm) 6e. of the statutes is created to read:

20.505 **(8)** (hm) 6e. The amount transferred to s. 20.435 (5) (kb) shall be the amount in the schedule under s. 20.435 (5) (kb).

SECTION 882. 20.505 (8) (hm) 6m. of the statutes is repealed.

SECTION 884. 20.505 (8) (hm) 6o. of the statutes is created to read:

20.505 **(8)** (hm) 6o. The amount transferred to s. 20.143 (1) (ko) shall be the amount in the schedule under s. 20.143 (1) (ko).

SECTION 885c. 20.505 (8) (hm) 6r. of the statutes is amended to read:

20.505 **(8)** (hm) 6r. The amount transferred to s. 20.143 (1) (kr) shall be ~~$388,700~~ the amount in the schedule under s. 20.143 (1) (kr).

SECTION 885h. 20.505 (8) (hm) 7. of the statutes is amended to read:

20.505 **(8)** (hm) 7. The amount transferred to ~~the appropriation account under~~ s. 20.435 (4) ~~(ky)~~ (kt) shall be ~~$2,055,000 in fiscal year 1999−2000 and $2,115,000 in fiscal year 2000−01~~ the amount in the schedule under s. 20.435 (4) (kt).

SECTION 885m. 20.505 (8) (hm) 8e. of the statutes is created to read:

20.505 **(8)** (hm) 8e. The amount transferred to s. 20.370 (5) (ak) shall be the amount in the schedule under s. 20.370 (5) (ak).

SECTION 885n. 20.505 (8) (hm) 8e. of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 886m. 20.505 (8) (hm) 8j. of the statutes is created to read:

20.505 **(8)** (hm) 8j. The amount transferred to s. 20.370 (1) (jk) shall be the amount in the schedule under s. 20.370 (1) (jk).

SECTION 887m. 20.505 (8) (hm) 8n. of the statutes is created to read:

20.505 **(8)** (hm) 8n. The amount transferred to s. 20.370 (1) (kk) shall be the amount in the schedule under s. 20.370 (1) (kk).

SECTION 887r. 20.505 (8) (hm) 10s. of the statutes is created to read:

20.505 **(8)** (hm) 10s. The amount transferred to s. 20.255 (2) (kL) shall be the amount in the schedule under s. 20.255 (2) (kL).

SECTION 887s. 20.505 (8) (hm) 10t. of the statutes is created to read:

20.505 **(8)** (hm) 10t. The amount transferred to s. 20.255 (2) (kj) shall be the amount in the schedule under s. 20.255 (2) (kj).

SECTION 887t. 20.505 (8) (hm) 13v. of the statutes is created to read:

20.505 **(8)** (hm) 13v. The amount transferred to s. 20.485 (2) (kt) shall be the amount in the schedule under s. 20.485 (2) (kt).

Vetoed In Part

SECTION 890g. 20.505 (8) (hm) 15r. of the statutes is created to read:

20.505 **(8)** (hm) 15r. The amount transferred to sub. (6) (kr) shall be the amount in the schedule under sub. (6) (kr).

Vetoed In Part

SECTION 890h. 20.505 (8) (hm) 15r. of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

Vetoed In Part

SECTION 890n. 20.505 (8) (hm) 17c. of the statutes is created to read:

20.505 **(8)** (hm) 17c. The amount transferred to s. 20.285 (1) (kj) shall be the amount in the schedule under s. 20.285 (1) (kj).

SECTION 890p. 20.505 (8) (hm) 17e. of the statutes is repealed.

SECTION 890r. 20.505 (8) (hm) 17f. of the statutes is created to read:

20.505 **(8)** (hm) 17f. The amount transferred to s. 20.370 (6) (bk) shall be the amount in the schedule under s. 20.370 (6) (bk).

SECTION 891c. 20.505 (8) (hm) 18dr. of the statutes is created to read:

20.505 **(8)** (hm) 18dr. The amount transferred to s. 20.445 (1) (kt) shall be the amount in the schedule under s. 20.445 (1) (kt).

SECTION 891m. 20.505 (8) (hm) 18r. of the statutes is created to read:

20.505 **(8)** (hm) 18r. The amount transferred to s. 20.505 (1) (km) shall be the amount in the schedule under s. 20.505 (1) (km).

SECTION 891p. 20.505 (8) (hm) 18s. of the statutes is created to read:

20.505 **(8)** (hm) 18s. The amount transferred to s. 20.245 (1) (hr) shall be the amount in the schedule under s. 20.245 (1) (hr).

SECTION 891t. 20.505 (8) (hm) 18v. of the statutes is created to read:

20.505 **(8)** (hm) 18v. The amount transferred to s. 20.245 (1) (hm) shall be the amount in the schedule under s. 20.245 (1) (hm).

SECTION 892. 20.505 (8) (hm) 20. of the statutes is created to read:

20.505 **(8)** (hm) 20. The amount transferred to the environmental fund shall be $500,000 in fiscal year 2001−02 and $1,000,000 in fiscal year 2002−03.

SECTION 893. 20.505 (8) (hm) 21. of the statutes is created to read:

20.505 **(8)** (hm) 21. The amount transferred to s. 20.395 (3) (ck) shall be the amount in the schedule under s. 20.395 (3) (ck).

SECTION 894. 20.505 (8) (hm) 21. of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 901. 20.505 (10) (title) of the statutes is repealed.

SECTION 902. 20.505 (10) (q) of the statutes is renumbered 20.505 (3) (q) and amended to read:

20.505 **(3)** (q) *General program operations; utility public benefits*. From the utility public benefits fund, the amounts in the schedule for general program operations under s. 16.957.

SECTION 903. 20.505 (10) (r) and (s) of the statutes are renumbered 20.505 (3) (r) and (s).

SECTION 904. 20.505 (11) (title) of the statutes is repealed.

SECTION 905. 20.505 (11) (r) of the statutes is renumbered 20.505 (3) (rr).

SECTION 906j. 20.510 (1) (bm) of the statutes is created to read:

20.510 **(1)** (bm) *Training of chief inspectors.* Biennially, the amounts in the schedule for training of chief inspectors under s. 7.31.

SECTION 906m. 20.510 (1) (c) of the statutes is created to read:

20.510 **(1)** (c) *Voting system transitional assistance.* Biennially, the amounts in the schedule to provide assistance to counties and municipalities in eliminating punch card voting systems under s. 7.08 (7) and 2001 Wisconsin Act .... (this act), section 9115 (20x) . **Vetoed In Part**

SECTION 906n. 20.510 (1) (c) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 910d. 20.512 (1) (k) of the statutes is amended to read: **Vetoed In Part**

20.512 **(1)** (k) *Funds received from other state agencies.* The amounts in the schedule for providing employment services and materials to state agencies. All moneys received from other state agencies for the purpose of providing employment services and materials to state agencies shall be credited to this appropriation account.

SECTION 910m. 20.515 (1) (b) of the statutes is repealed.

SECTION 910q. 20.515 (1) (v) of the statutes, as affected by 1999 Wisconsin Act 9, is repealed and recreated to read:

20.515 **(1)** (v) *Provision of benefits.* Biennially, from the public employee trust fund, the amounts in the schedule for providing benefits under the Wisconsin retirement system.

SECTION 910r. 20.515 (1) (v) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 910t. 20.515 (2) (g) of the statutes is amended to read: **Vetoed In Part**

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 and for lapsing to the general fund the amounts required under s. 40.98 (6m).

SECTION 912. 20.525 (1) (kb) of the statutes is amended to read:

20.525 **(1)** (kb) *Assistance from department of workforce development.* All moneys received from the department of workforce 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 914. 20.530 of the statutes is created to read:

20.530 Electronic government, department of. There is appropriated to the department of electronic government for the following program:

(1) INFORMATION TECHNOLOGY MANAGEMENT AND SERVICES. (g) *Gifts, grants, and bequests.* All moneys received from gifts, grants, and bequests, to be used to carry out the purposes for which made and received. **Vetoed In Part**

(is) *Information technology and telecommunications services; nonstate entities.* From the sources specified in ss. 22.05 (2) (b) and (c), 22.09 (2), and 44.73 (2) (d), to provide computer services, telecommunications services, and supercomputer services to state authorities, units of the federal government, local governmental units, and entities in the private sector, the amounts in the schedule. **Vetoed In Part**

(it) *Electronic communication services; nonstate entities.* From the source specified in s. 22.09 (3), to provide electronic communications services to state authorities, units of the federal government, local governmental units, and entities in the private sector, the amounts in the schedule. **Vetoed In Part**

(kf) *Electronic communications services; state agencies.* From the source specified in s. 22.09 (3), to provide electronic communications services to state agencies, the amounts in the schedule. **Vetoed In Part**

(kL) *Printing, mail processing, and information technology processing services to agencies.* From the sources specified in ss. 22.05 and 22.07, to provide printing, mail processing, and information technology processing services to state agencies, the amounts in the schedule. **Vetoed In Part**

(kr) *Information technology development and management services.* From the source specified in s. 22.03 (11), to provide information technology development and management services to executive branch agencies under s. 22.03, the amounts in the schedule. **Vetoed In Part**

(m) *Federal aid.* All moneys received from the federal government, as authorized by the governor under s. 16.54, to be used for the purposes for which received.

SECTION 915. 20.550 (1) (a) of the statutes is amended to read:

20.550 **(1)** (a) *Program administration.* The amounts in the schedule for program administration costs of the office of the state public defender, ~~including the costs of interpreters and of discovery materials and~~ excluding the costs under pars. (e) and (fb).

SECTION 916. 20.550 (1) (f) of the statutes is amended to read:

20.550 **(1)** (f) ~~*Transcript and record payments*~~ *Transcripts, discovery, and interpreters.* The amounts in the schedule for the costs of interpreters and discovery materials and for the compensation of court reporters or clerks

of circuit court for preliminary examination, trial and appeal transcripts, and the payment of related costs under s. 967.06.

SECTION 917. 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~~ 66.0615 (1m) (a) and (b) and subchs. VIII and IX of ch. 77. An amount equal to 2.55% of all moneys received from the taxes imposed under s. ~~66.75~~ 66.0615 (1m) (a) and (b) and subchs. VIII and IX of ch. 77 shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), at the end of each fiscal year the unencumbered balance in this appropriation account that exceeds 10% of the expenditures from this appropriation during the fiscal year shall be transferred to the appropriation account under s. 20.835 (4) (gg).

SECTION 917m. 20.566 (1) (h) of the statutes is amended to read:

20.566 **(1)** (h) *Debt collection.* From moneys received from the collection of debts owed to state agencies under ss. 71.93 and 565.30 (5), from the collection of unpaid fines, forfeitures, costs, assessments, surcharges, and restitution payments under s. 565.30 (5r) (b), and from moneys received from the collection of debts owed to municipalities and counties under s. 71.935, the amounts in the schedule to pay the administrative expenses of the department of revenue for the collection of those debts, fines, forfeitures, costs, assessments, surcharges, and restitution payments. Notwithstanding s. 20.001 (3) (a), at the end of the fiscal year the unencumbered balance of this appropriation account lapses to the general fund.

Vetoed In Part

SECTION 917r. 20.566 (1) (hp) of the statutes is amended to read:

20.566 **(1)** (hp) *Administration of endangered resources; professional football district voluntary payments; professional baseball park district voluntary payments.* The amounts in the schedule for the payment of all administrative costs, including data processing costs, incurred in administering ss. 71.10 (5) ~~and~~, (5e), and (5f) and 71.30 (10). All moneys certified under ss. 71.10 (5) (h) 1. and 71.30 (10) (h) 1. and the moneys specified for deposit in this appropriation under s. 71.10 (5e) (h) 4. and (5f) (h) 4. shall be credited to this appropriation.

SECTION 918. 20.566 (3) (c) of the statutes is amended to read:

20.566 **(3)** (c) *Expert professional services.* ~~The~~ Biennially, the amounts in the schedule to pay the expenses associated with the employment of accountants, appraisers, counsel and other special assistants to aid in tax determination, property valuation, assessment of property, and other functions related to the administration of state taxes, oversight of local property tax administration, and administration of property tax relief programs.

SECTION 919. 20.566 (3) (g) of the statutes is amended to read:

20.566 **(3)** (g) *Services.* The amounts in the schedule to provide services, except as provided in sub. (2) (h). All moneys received from services rendered by the department, except as provided in sub. (2) (h), shall be credited to the appropriation. Insofar as practicable all such services shall be billed at cost. ~~The unencumbered balance of this appropriation on June 30 of any year shall lapse to the general fund.~~

SECTION 920. 20.566 (3) (k) of the statutes is amended to read:

20.566 **(3)** (k) *Internal services.* The amounts in the schedule to provide internal services to departmental ~~program revenue and segregated revenue funded~~ programs. All moneys received by the department from the department for this purpose shall be credited to this appropriation account.

SECTION 920c. 20.566 (8) (a) of the statutes is repealed.

SECTION 920f. 20.566 (8) (b) of the statutes is repealed.

SECTION 920g. 20.566 (8) (c) of the statutes is repealed.

SECTION 920h. 20.566 (8) (q) of the statutes is amended to read:

20.566 **(8)** (q) *General program operations.* From the lottery fund, the amounts in the schedule for general program operations under ch. 565. Annually, of the moneys appropriated under this paragraph, an amount equal to the amounts in the schedule under s. 20.435 (7) (kg) shall be transferred to the appropriation account under s. 20.435 (7) (kg).

SECTION 920i. 20.585 (2) (a) (title) of the statutes is amended to read:

20.585 **(2)** (a) (title) *Administrative expenses; ~~general fund~~ college tuition and expenses program.*

SECTION 920k. 20.585 (2) (am) (title) of the statutes is amended to read:

20.585 **(2)** (am) (title) *Administrative expenses ~~for~~; college savings program~~; general fund~~.*

SECTION 920L. 20.585 (2) (q) (title) of the statutes, as created by 2001 Wisconsin Act 7, is amended to read:

20.585 **(2)** (q) (title) *Payment of qualified higher education expenses and refunds; college tuition and expenses program.*

SECTION 920p. 20.585 (2) (s) (title) of the statutes is amended to read:

20.585 **(2)** (s) (title) *Administrative expenses; ~~tuition trust fund~~ college tuition and expenses program.*

SECTION 920t. 20.585 (2) (t) (title) of the statutes, as created by 2001 Wisconsin Act 7, is amended to read:

20.585 **(2)** (t) (title) ~~*College savings program; payment*~~ *Payment of qualified higher education expenses and refunds; college savings program.*

SECTION 920x. 20.585 (2) (tm) of the statutes, as affected by 2001 Wisconsin Act 7, is amended to read:

20.585 **(2)** (tm) ~~*General program operations; reimbursement*~~ *Administrative expenses; college savings program.* From the college savings program trust fund, ~~all moneys received from the vendor of the college savings program under s. 16.255 (3) (a) for general programs operations~~ the amounts in the schedule for the administrative expenses of the college savings program under s. 14.64.

Vetoed In Part

SECTION 926m. 20.625 (1) (c) of the statutes is amended to read:

20.625 **(1)** (c) *Court interpreter fees.* The amounts in the schedule to pay interpreter fees reimbursed under s. ~~885.37 (4) (a) 2.~~ 758.19 (8).

Vetoed In Part

SECTION 926r. 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 927. 20.680 (2) (ga) of the statutes is created to read:

20.680 **(2)** (ga) *Court commissioner training.* All moneys received from fees for court commissioner training programs under s. 757.69 (8), for those purposes.

SECTION 928. 20.680 (2) (kd) of the statutes is repealed.

SECTION 931m. 20.835 (1) (e) (title) of the statutes is amended to read:

20.835 **(1)** (e) (title) *State aid;* ~~*computers*~~ *tax exempt property.*

SECTION 933. 20.835 (3) (q) of the statutes is amended to read:

20.835 **(3)** (q) *Lottery and gaming credit.* From the lottery fund, a sum sufficient to make the payments under s. 79.10 (5) and (6m) (c).

SECTION 933j. 20.835 (3) (s) of the statutes is created to read:

20.835 **(3)** (s) *Lottery and gaming credit; late applications.* From the lottery fund, a sum sufficient to make payments for the lottery and gaming credit under s. 79.10 (10) (bm) and (bn).

SECTION 934. 20.835 (4) (gg) of the statutes is amended to read:

20.835 **(4)** (gg) *Local taxes.* All moneys received from the taxes imposed under s. 66.0615 (1m) (a) and (b) and subchs. VIII and IX of ch. 77, and from the appropriation account under s. 20.566 (1) (gg), for distribution to the districts under subch. II of ch. 229 that impose those taxes, except that 2.55% of ~~those~~ the moneys received from the taxes imposed under s. 66.0615 (1m) (a) and (b) and subchs. VIII and IX of ch. 77 shall be credited to the appropriation account under s. 20.566 (1) (gg).

SECTION 935. 20.855 (1) (dm) of the statutes is created to read:

20.855 **(1)** (dm) *Interest reimbursements to federal government.* A sum sufficient to pay any interest reimbursement to the federal government relating to the timing of transfers of federal grant funds for programs that are funded with moneys from the general fund and that are covered in an agreement between the federal department of the treasury and the state under the federal Cash Management Improvement Act of 1990, as amended.

SECTION 937m. 20.855 (4) (fm) of the statutes is created to read:

20.855 **(4)** (fm) *Transfer to transportation fund; hub facility exemptions.* Beginning on July 1, 2004, and on July 1 of every fiscal year thereafter, to be transferred to the transportation fund, a sum sufficient in an amount equal to the amount to be paid into the transportation fund, as determined under s. 76.31.

SECTION 938. 20.855 (4) (rc) of the statutes is created to read:

20.855 **(4)** (rc) *Transfer to general fund.* From the permanent endowment fund, the amounts in the schedule to be transferred to the general fund.

SECTION 939. 20.855 (4) (rc) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 940. 20.855 (4) (rh) of the statutes is created to read:

20.855 **(4)** (rh) *Annual transfer from permanent endowment fund to general fund.* From the permanent endowment fund, to be transferred to the general fund, a sum sufficient equal to the amount that is required to be transferred to the general fund under s. 16.519 (2) .

Vetoed In Part

SECTION 941. 20.855 (4) (rp) of the statutes is created to read:

20.855 **(4)** (rp) *Transfer to general fund; 2001−02 fiscal year.* From the permanent endowment fund, the amounts in the schedule to be transferred to the general fund no later than June 30, 2002, except that the amounts in the schedule shall be reduced by any payments under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998, that is received by the state in fiscal year 2001−02.

SECTION 942. 20.855 (4) (rp) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 943. 20.855 (4) (rv) of the statutes is created to read:

20.855 **(4)** (rv) *Transfer to general fund; 2002−03 fiscal year.* From the permanent endowment fund, the amounts in the schedule to be transferred to the general fund no later than June 30, 2003, except that the amounts in the schedule shall be reduced by any payments under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998, that is received by the state in fiscal year 2002−03.

SECTION 944. 20.855 (4) (rv) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 946. 20.865 (1) (cb) of the statutes is repealed.

SECTION 947. 20.865 (1) (cc) of the statutes is created to read:

20.865 **(1)** (cc) *Compensation and related adjustments.* The amounts in the schedule to supplement the appropriations to state agencies for the increased cost incurred during the 2001−03 fiscal biennium of compensation and fringe benefits, other than health insurance benefits, resulting from pay adjustments with an effective date after July 2, 2000, and before July 1, 2001.

SECTION 948. 20.865 (1) (cc) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 949. 20.865 (1) (em) of the statutes is amended to read:

20.865 **(1)** (em) *Financial and procurement services.* The amounts in the schedule to supplement the general purpose revenue appropriations of state agencies for charges assessed by the department of administration under ss. 16.53 (13) and 16.71 (6) for financial and procurement services performed on behalf of the agencies ~~under s. 16.53 (13)~~, except charges for procurement savings identified under s. 16.71 (6). Supplemental funding from this appropriation for assessments made under s. 16.71 (6) in any fiscal year is limited to those state agencies having total procurements of less than $100,000,000 in the preceding fiscal year, as determined by the department of administration.

SECTION 950. 20.865 (1) (ib) of the statutes is repealed.

SECTION 951. 20.865 (1) (id) of the statutes is created to read:

20.865 **(1)** (id) *Compensation and related adjustments; nonfederal program revenues.* From the appropriate program revenue and program revenue−service accounts, a sum sufficient to supplement the appropriations to state agencies for the increased cost incurred during the 2001−03 fiscal biennium of compensation and fringe benefits, other than health insurance benefits, resulting from pay adjustments with an effective date after July 2, 2000, and before July 1, 2001.

SECTION 952. 20.865 (1) (id) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 953. 20.865 (1) (js) of the statutes is amended to read:

20.865 **(1)** (js) *Financial and procurement services; program revenues.* From the appropriate program revenue and program revenue−service appropriations, a sum sufficient to supplement the program revenue appropriations to state agencies for charges assessed by the department of administration under ss. 16.53 (13) and 16.71 (6) for financial and procurement services performed on behalf of the agencies ~~under s. 16.53 (13)~~, except charges for procurement savings identified under s. 16.71 (6). Supplemental funding from this appropriation for assessments made under s. 16.71 (6) in any fiscal year is limited to those state agencies having total procurements of less than $100,000,000 in the preceding fiscal year, as determined by the department of administration.

SECTION 954. 20.865 (1) (mb) of the statutes is created to read:

20.865 **(1)** (mb) *Compensation and related adjustments; federal program revenues.* From the appropriate federal program revenue accounts, a sum sufficient to supplement the appropriations to state agencies for the increased cost incurred during the 2001−03 fiscal biennium of compensation and fringe benefits, other than health insurance benefits, resulting from pay adjustments with an effective date after July 2, 2000, and before July 1, 2001.

SECTION 955. 20.865 (1) (mb) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 956. 20.865 (1) (sb) of the statutes is created to read:

20.865 **(1)** (sb) *Compensation and related adjustments; nonfederal segregated revenues.* From the appropriate segregated funds derived from nonfederal segregated revenues, a sum sufficient to supplement the appropriations to state agencies for the increased cost incurred during the 2001−03 fiscal biennium of compensation and fringe benefits, other than health insurance benefits, resulting from pay adjustments with an effective date after July 2, 2000, and before July 1, 2001.

SECTION 957. 20.865 (1) (sb) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 958. 20.865 (1) (ts) of the statutes is amended to read:

20.865 **(1)** (ts) *Financial and procurement services; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the appropriations to state agencies for charges assessed by the department of administration under ss. 16.53 (13) and 16.71 (6) for financial and procurement services performed on behalf of the agencies ~~under s. 16.53 (13)~~, except charges for procurement savings identified under s. 16.71 (6). Supplemental funding from this appropriation for assessments made under s. 16.71 (6) in any fiscal year is limited to those state agencies having total procurements of less than $100,000,000 in the preceding fiscal year, as determined by the department of administration.

SECTION 959. 20.865 (1) (xb) of the statutes is created to read:

20.865 **(1)** (xb) *Compensation and related adjustments; federal segregated revenues.* From the appropriate segregated funds derived from federal segregated revenues, a sum sufficient to supplement the appropriations to state agencies for the increased cost incurred during the 2001−03 fiscal biennium of compensation and fringe benefits, other than health insurance benefits, resulting from pay adjustments with an effective date after July 2, 2000, and before July 1, 2001.

SECTION 960. 20.865 (1) (xb) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 961ab. 20.865 (2) (a) of the statutes is amended to read:

20.865 **(2)** (a) ~~*Space management and child care*~~ *Private facility rental increases.* The amounts in the schedule to finance the unbudgeted costs of ~~remodeling, moving, additional rental costs and move−related vacant space costs~~ rental increases under leases of private facilities occupied by state agencies, except costs financed under s. 20.855 (3) (a)~~, and the unbudgeted costs of assessments for child care facilities under s. 16.841 (4) incurred by state agencies~~.

SECTION 961c. 20.865 (2) (am) of the statutes is created to read:

20.865 **(2)** (am) *Space management and child care.* The amounts in the schedule to finance the unbudgeted costs of remodeling, moving, additional rental costs, and move−related vacant space costs, except costs financed under s. 20.855 (3) (a), resulting from relocations of state agencies directed by the department of administration, and the unbudgeted costs of assessments for child care facilities under s. 16.841 (4) incurred by state agencies.

SECTION 961d. 20.865 (2) (g) of the statutes is amended to read:

20.865 **(2)** (g) ~~*Space management and child care*~~ *Private facility rental increases; program revenues.* From the appropriate program revenue and program revenue−service accounts, a sum sufficient to supplement the appropriations to state agencies to finance the unbudgeted costs of ~~remodeling, moving, additional rental costs and move−related vacant space costs and the unbudgeted costs of assessments for child care facilities under s 16.841 (4) incurred~~ rental increases under leases of private facilities occupied by state agencies.

SECTION 961dk. 20.865 (2) (gm) of the statutes is created to read:

20.865 **(2)** (gm) *Space management and child care; program revenues.* From the appropriate program revenue and program revenue−service accounts, a sum sufficient to finance the unbudgeted costs of remodeling, moving, additional rental costs, and move−related vacant space costs resulting from relocations of state agencies directed by the department of administration, and the unbudgeted costs of assessments for child care facilities under s. 16.841 (4) incurred by state agencies.

SECTION 961e. 20.865 (2) (q) of the statutes is amended to read:

20.865 **(2)** (q) ~~*Space management and child care*~~ *Private facility rental increases; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the appropriations to state agencies to finance the unbudgeted costs of ~~remodeling, moving, additional rental costs and move−related vacant space costs and the unbudgeted costs of assessments for child care facilities under s. 16.841 (4) incurred~~ rental increases under leases of private facilities occupied by state agencies.

SECTION 961f. 20.865 (2) (qm) of the statutes is created to read:

20.865 **(2)** (qm) *Space management and child care; segregated revenues.* From the appropriate segregated funds, a sum sufficient to finance the unbudgeted costs of remodeling, moving, additional rental costs, and move−related vacant space costs resulting from relocations of state agencies directed by the department of administration, and the unbudgeted costs of assessments for child care facilities under s. 16.841 (4) incurred by state agencies.

SECTION 961m. 20.865 (4) (gm) of the statutes is created to read:

20.865 **(4)** (gm) *Wisconsin Advanced Telecommunications Foundation funds supplementation.* All moneys received from the Wisconsin Advanced Telecommunications Foundation, not to exceed $4,479,700, for the purposes specified in 2001 Wisconsin Act .... (this act), section 9101 (10) (a) 1. to 5., 7., 11., and 14. and (b), or for the purposes specified by the joint committee on finance under 2001 Wisconsin Act .... (this act), section 9132 (3x).

SECTION 961r. 20.865 (4) (k) of the statutes is created to read:

20.865 **(4)** (k) *Public assistance programs supplementation.* All moneys transferred under 2001 Wisconsin Act .... (this act), section 9258 (2w), to supplement appropriations as provided in s. 13.101 cash benefit payments to Wisconsin works participants under s. 49.148, for child care benefits under s. 49.155 (3m), and for payments under s. 48.57 (3m) and (3n) . **Vetoed In Part**

SECTION 962. 20.866 (1) (u) of the statutes, as affected by 1999 Wisconsin Act 146, section 6, 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) and (i), 20.245 (1) (e)~~,~~ ~~(2) (e)~~ and (j), ~~(4) (e) and (5) (e),~~ 20.250 (1) (c) and (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), (au), (ba), (bq), (ca), (cb), (cc), (cd), (ce), (cf), (da), (ea), (eq), and (er), 20.395 (6) (af), (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), (bm), (bp), (br), (bt), (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

Vetoed In Part

Vetoed In Part

SECTION 962b. 20.866 (1) (u) of the statutes, as affected by 2001 Wisconsin Act 2001 .... (this act), 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) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (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), ~~(au),~~ (ba), (bq), (ca), (cb), (cc), (cd), (ce), (cf), (da), (ea), (eq), and (er), 20.375 (3) (tn) and (u), 20.395 (6) (af), (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) (g) and (kc), 20.855 (8) (a) and 20.867 (1) (a) and (b) (bm), and (3) (a), (b), (bm), (bp), (br), (bt), (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 962e. 20.866 (2) (s) of the statutes 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 ~~$856,708,700~~ $1,052,005,900 for this purpose.

SECTION 962g. 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 ~~$513,941,400~~ $732,009,800 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 962m. 20.866 (2) (ta) of the statutes is amended 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~~ $572,000,000 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 2000−01, may not exceed $46,000,000 in fiscal year 2001−02, and may not exceed $60,000,000 in each fiscal year beginning with fiscal year 2002−03 and ending with fiscal year 2009−10.

SECTION 963. 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 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 under ss. 281.58 and 281.59. The state may contract public debt in an amount not to exceed ~~$552,743,200~~ $637,743,200 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. 200.49 (2) (b). Moneys from this appropriation account may be expended for the 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 purposes of s. 281.57 (10m) and (10r).

SECTION 965. 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 s. 281.65. The state may contract public debt in an amount not to exceed ~~$56,763,600~~ $75,763,600 for this purpose.

SECTION 966. 20.866 (2) (tg) of the statutes is amended to read:

20.866 **(2)** (tg) *Natural resources; environmental repair.* From the capital improvement fund, a sum sufficient for the department of natural resources to fund investigations and remedial action under s. 292.11 (7) (a) or 292.31 and remedial action under s. 281.83 and for payment of this state's share of environmental repair that is funded under 42 USC 6991 to 6991i or 42 USC 9601 to 9675. The state may contract public debt in an amount not to exceed ~~$43,000,000~~ $48,000,000 for this purpose. Of this amount, ~~$5,000,000~~ $7,000,000 is allocated for remedial action under s. 281.83.

SECTION 967. 20.866 (2) (th) of the statutes is amended 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 ~~and 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~~ $17,700,000 for this purpose.

Vetoed In Part

Vetoed In Part

SECTION 967e. 20.866 (2) (ti) of the statutes is created to read:

20.866 **(2)** (ti) *Natural resources; municipal flood control and riparian restoration and dam rehabilitation.* 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 and to provide grants for dam rehabilitation projects under s. 31.387. The state may contract public debt in an amount not to exceed $9,000,000 for this purpose. Of this amount, $500,000 is allocated in fiscal biennium 2001−03 for dam rehabilitation grants under s. 31.387.

SECTION 967m. 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 ~~$3,050,900~~ $6,770,400 for this purpose.

SECTION 968c. 20.866 (2) (tL) of the statutes is amended to read:

20.866 **(2)** (tL) *Natural resources; segregated revenue supported dam 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 for dam safety projects under s. 31.385. The state may contract public debt in an amount not to exceed ~~$6,350,000~~ $6,600,000 for this purpose.

SECTION 969. 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 (10e), (10f), (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~~ $893,493,400 for this purpose.

SECTION 969e. 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 ~~$23,376,600~~ $30,576,400 for this purpose.

Vetoed In Part

SECTION 969eg. 20.866 (2) (tu) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

20.866 **(2)** (tu) *Natural resources and forestry; segregated revenue supported facilities.* From the capital improvement fund, a sum sufficient for the department of natural resources and the department of forestry 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 $30,576,400 for this purpose.

SECTION 970. 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 ~~$22,000,000~~ $25,000,000 for this purpose.

SECTION 971. 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 ~~$23,500,000~~ $28,000,000 for these purposes.

SECTION 971m. 20.866 (2) (uwz) of the statutes is amended to read:

20.866 **(2)** (uwz) *Transportation; local roads for job preservation, state funds.* From the capital improvement fund, a sum sufficient for the department of transportation to award grants under s. 86.312. The state may contract public debt in an amount not to exceed ~~$10,000,000~~ $2,000,000 for this purpose.

SECTION 971n. 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 ~~$697,679,300~~ $787,694,900 for this purpose.

SECTION 971r. 20.866 (2) (v) of the statutes 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 ~~$125,705,700~~ $128,322,900 for this purpose.

SECTION 972. 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 ~~$6,575,000~~ $13,575,000 for this purpose.

Vetoed In Part

SECTION 972m. 20.866 (2) (wr) of the statutes is repealed.

SECTION 973ar. 20.866 (2) (xe) of the statutes is created to read:

20.866 **(2)** (xe) *Building commission; refunding tax−supported and self−amortizing general obligation debt.* From the capital improvement fund, a sum sufficient to refund the whole or any part of any unpaid indebtedness used to finance tax−supported or self−amortizing facilities. The state may contract public debt in an amount not to exceed $75,000,000 for this purpose. Such indebtedness shall be construed to include any premium and interest payable with respect thereto. Debt incurred by this paragraph shall be incurred before June 30, 2003, and shall be repaid under the appropriations providing for the retirement of public debt incurred for tax−supported and self−amortizing facilities in proportional amounts to the purposes for which the debt was refinanced.

SECTION 973c. 20.866 (2) (y) of the statutes, as affected by 2001 Wisconsin Act 12, 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 ~~$430,246,600~~ $463,367,100 for this purpose.

SECTION 973e. 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 ~~$36,188,400~~ $45,007,500 for this purpose.

SECTION 973h. 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 ~~$105,370,400~~ $115,839,400 for this purpose.

SECTION 973L. 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 ~~$1,056,769,500~~ $1,396,101,000 for this purpose. Of this amount:

SECTION 973p. 20.866 (2) (z) 3m. of the statutes is created to read:

20.866 **(2)** (z) 3m. An amount equal to $158,500,000 is allocated for the biostar initiative. The total amount of debt authorized under this subdivision may not exceed the following amounts on the following dates:

a. Prior to July 1, 2003, $18,000,000.

b. July 1, 2003, to June 30, 2005, $63,500,000.

c. July 1, 2005, to June 30, 2007, $95,500,000.

d. July 1, 2007, to June 30, 2009, $127,500,000.

e. July 1, 2009, or thereafter, $158,500,000.

SECTION 973r. 20.866 (2) (z) 4m. of the statutes is created to read:

20.866 **(2)** (z) 4m. An amount equal to $30,000,000 is allocated for the repair and renovation of University of Wisconsin System facilities.

SECTION 973t. 20.866 (2) (zbg) of the statutes is created to read:

20.866 **(2)** (zbg) *HR Academy, Inc.* From the capital improvement fund, a sum sufficient for the building commission to provide a grant to HR Academy, Inc., in the city of Milwaukee to aid in the construction of a youth and family center in the city of Milwaukee. The state may contract public debt in an amount not to exceed $1,500,000 for this purpose.

SECTION 973y. 20.866 (2) (zbh) of the statutes is created to read:

20.866 **(2)** (zbh) *Medical College of Wisconsin, Inc.; biomedical research and technology incubator.* From the capital improvement fund, a sum sufficient to provide a grant to the Medical College of Wisconsin, Inc., to aid in the construction of a biomedical research and technology incubator. The state may contract public debt in an amount not to exceed $25,000,000 for this purpose.

SECTION 974r. 20.866 (2) (zbq) of the statutes is created to read:

20.866 **(2)** (zbq) *Racine County; Discovery Place museum.* From the capital improvement fund, a sum sufficient to provide a grant to Racine County, to aid in the construction of the Discovery Place museum as part of the Heritage museum. The state may contract public debt in an amount not to exceed $1,000,000 for this purpose.

SECTION 975. 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 financial assistance.* From the capital improvement fund, a sum sufficient for the technology for educational achievement in Wisconsin board to provide educational technology infrastructure 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~~ $3,000,000 for this purpose.

SECTION 977. 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 ~~$8,658,100~~ $16,658,100 for this purpose before July 1, 2003, and an amount not to exceed $22,858,100 for this purpose on and after July 1, 2003.

SECTION 977e. 20.866 (2) (ze) of the statutes is amended to read:

20.866 **(2)** (ze) *Historical society; self−amortizing facilities.* From the capital improvement fund, a sum sufficient for the historical society to acquire, construct, develop, enlarge or improve facilities at historic sites, but not including the Wisconsin history center. The state may contract public debt in an amount not to exceed $3,173,600 for this purpose.

SECTION 977h. 20.866 (2) (zgh) of the statutes is created to read:

20.866 **(2)** (zgh) *Historical society; Wisconsin history center.* From the capital improvement fund, a sum sufficient for the historical society to construct a Wisconsin history center. The state may contract public debt in an amount not to exceed $131,500,000 for this purpose.

SECTION 977n. 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 ~~$20,417,300~~ $22,421,900 for this purpose.

SECTION 978. 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 ~~$2,020,500,000~~ $2,120,840,000 for this purpose.

SECTION 978b. 20.866 (2) (zp) of the statutes is amended to read:

20.866 **(2)** (zp) *Veterans affairs; self−amortizing facilities.* From the capital improvement fund, a sum sufficient for the department of veterans affairs to acquire, construct, develop, enlarge or improve facilities at state veterans homes. The state may contract public debt in an amount not to exceed ~~$15,941,000~~ $29,520,900 for this purpose.

SECTION 978h. 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 ~~$3,887,100~~ $13,587,100 for this purpose.

SECTION 978p. 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 ~~$44,787,100~~ $84,787,100 for this purpose.

SECTION 978s. 20.867 (3) (bm) of the statutes is created to read:

20.867 **(3)** (bm) *Principal repayment, interest, and rebates; HR Academy, Inc.* 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 youth and family center for HR Academy, Inc., in the city of Milwaukee, 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 youth and family center for the HR Academy, Inc.

SECTION 978t. 20.867 (3) (bt) of the statutes is created to read:

20.867 **(3)** (bt) *Principal repayment, interest, and rebates; Discovery Place museum.* 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 (32r), 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 (32r).

SECTION 979. 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)~~ (1) (j), 20.285 (1) (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)~~ (1) (j), 20.285 (1) (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 980. 20.867 (3) (k) of the statutes is amended to read:

20.867 **(3)** (k) *Interest rebates on obligation proceeds; program revenues.* All moneys transferred from the appropriations under pars. (g) and (i) and ss. 20.190 (1) (j), 20.245 ~~(2)~~ (1) (j), 20.285 (1) (kd), 20.410 (1) (ko) and 20.505 (5) (g) and (kc) to make the payments determined by the building commission under s. 13.488 (1) (m) on the proceeds of obligations specified in those paragraphs.

Vetoed In Part

SECTION 980c. 20.867 (6) of the statutes is created to read:

20.867 **(6)** CASH BUILDING PROJECTS FUND. (a) *General fund transfer.* From the general fund, to be transferred to the cash building projects fund, a sum sufficient equal to the amount that is required to be transferred to the cash building projects fund under s. 16.518 (4).

(q) *Payment of cash in lieu of borrowing.* From the cash building projects fund, a sum sufficient to permit payment of cash in lieu of borrowing for the purposes for which the contracting of public debt is authorized under s. 20.866 (2).

SECTION 981. 20.875 (1) (a) of the statutes is repealed and recreated to read:

20.875 **(1)** (a) *General fund transfer.* A sum sufficient equal to the amount that is required to be transferred under s. 16.518 (3).

SECTION 983. 20.903 (2) (b) of the statutes is amended to read:

20.903 **(2)** (b) Notwithstanding sub. (1), liabilities may be created and moneys expended from the appropriations under ss. 20.370 (8) (mt), 20.395 (4) (eq), (er) and (es) and 20.505 (1) (im), (ka), (kb), and (kc) ~~and (kd)~~ in an additional amount not exceeding the depreciated value of equipment for operations financed under ss. 20.370 (8) (mt), 20.395 (4) (eq), (er) and (es) and 20.505 (1) (im), (ka), (kb), and (kc) ~~and (kd)~~. The secretary of administration may require such statements of assets and liabilities as he or she deems necessary before approving expenditure estimates in excess of the unexpended moneys in the appropriation account.

SECTION 983m. 20.9145 of the statutes is created to read: **Vetoed In Part**

20.9145 Sale of residual state property. (1) In this section, "residual state property" means vacant state−owned land, together with any improvements thereon, that are not utilized under any statutory program, or any plan or proposal of a state agency.

(2) No later than the end of the 2−year period beginning on the effective date of this subsection .... [revisor inserts date], each state agency that has jurisdiction over residual state property shall solicit bids for the sale of the property.

(3) A state agency selling residual state property under sub. (2) shall sell the property to the highest responsible bidder, if any, who offers to pay at least the fair market value of the property.

(4) No later than September 1 annually, each state agency that sold a parcel of residual state property in the preceding fiscal year shall file a report with the cochairpersons of the joint committee on finance specifying the location and size of the parcel, the date sold, the estimated fair market value, the sale price and the allocation of the proceeds of the sale.

(5) This section does not apply to residual state property that is leased to a person other than a state agency on the effective date of this subsection .... [revisor inserts date], if the lease contains terms that preclude sale of the property during the term of the lease, until the lease expires or the lease is modified, renewed, or extended, whichever first occurs.

SECTION 983mn. 20.9145 of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 984. 20.916 (8) (a) of the statutes is amended to read:

20.916 **(8)** (a) The secretary of employment relations shall recommend to the joint committee on employment relations uniform travel schedule amounts for travel by

state officers and employees whose compensation is established under s. 20.923 or 230.12. Such amounts shall include maximum permitted amounts for meal and lodging costs, special allowance expenses under sub. (9) (d), and porterage tips, except as authorized under s. 16.53 (12) (c). In lieu of the maximum permitted amounts for expenses under sub. (9) (b), (c), and (d), the secretary may recommend to the committee a per diem amount and method of reimbursement for any or all expenses under sub. (9) (b), (c), and (d). ~~The secretary shall also recommend to the committee the amount of the allowance for legislative expenses under s. 13.123 (1) (a) 1.~~

SECTION 985. 20.916 (8) (b) of the statutes is amended to read:

20.916 **(8)** (b) The approval process for the uniform travel schedule amounts ~~and allowances for legislative expenses~~ under this subsection shall be the same as that provided under s. 230.12 (3) (b). The approved amounts for the uniform travel schedule ~~and legislative expense allowances~~ shall be incorporated into the compensation plan under s. 230.12 (1).

Vetoed In Part

SECTION 988m. 20.923 (4) (f) 7y. of the statutes is created to read:

20.923 **(4)** (f) 7y. Forestry, department of: secretary.

SECTION 989. 20.923 (4) (h) 2. of the statutes is created to read:

20.923 **(4)** (h) 2. Electronic government, department of: secretary (chief information officer).

SECTION 989m. 20.923 (4g) (intro.) of the statutes is amended to read:

20.923 **(4g)** UNIVERSITY OF WISCONSIN SYSTEM SENIOR EXECUTIVE POSITIONS. (intro.) A compensation plan consisting of 9 university senior executive salary groups is established for certain administrative positions at the University of Wisconsin System. The salary ranges and adjustments to the salary ranges for the university senior executive salary groups 1 and 2 shall be contained in the recommendations of the secretary of employment relations under s. 230.12 (3) (e). The salary ranges and adjustments to the salary ranges for university senior executive salary groups 3 to 9 shall be determined by the board of regents of the University of Wisconsin System based on an analysis of salaries paid for similar positions at comparable universities in other states. The board of regents ~~of the University of Wisconsin System~~ shall set the salaries for these positions within the ranges to which the positions are assigned to reflect the hierarchical structure of the system, to recognize merit, to permit orderly salary progression and to recognize competitive factors. The salary of any incumbent in the positions identified in pars. (ae) to (f) may not exceed the maximum of the salary range for the group to which the position is assigned. The positions are assigned as follows:

SECTION 993. 20.923 (6) (dm) of the statutes is repealed.

SECTION 993i. 20.923 (6) (m) of the statutes is amended to read:

20.923 **(6)** (m) University of Wisconsin System: deans, principals, professors, instructors, research assistants, librarians and other teachers, as defined in s. 40.02 (55), ~~and~~ the staff of the environmental education board, and instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) (cm).

SECTION 994. 20.924 (1) (h) of the statutes is repealed.

SECTION 994d. 20.924 (1) (i) of the statutes is created to read:

20.924 **(1)** (i) Shall not acquire or lease or authorize the acquisition or leasing of any building, structure, or facility, or portion thereof, for initial occupancy by the department of corrections for the purpose of confining persons serving a sentence of imprisonment to the Wisconsin state prisons or for the purpose of confining juveniles alleged or found to be delinquent unless one of the following applies:

1. If the building, structure, or facility was converted for that purpose, the conversion either was completed before January 1, 2001, or began after the building, structure, or facility was enumerated in the authorized state building program.

2. If the building, structure, or facility was not converted for that purpose, the construction of the building, structure, or facility either was completed before January 1, 2001, or began after the building, structure, or facility was enumerated in the authorized state building program.

Vetoed In Part

SECTION 994e. 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 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 995. 20.924 (4) of the statutes is amended to read:

20.924 **(4)** In addition to the authorized building program for the historical society, the society may expend any funds which are made available from the appropriations under s. 20.245 (1) (ag), (g), (h) ~~and~~, (m), ~~(2) (a) to (bi), (g), (h) and (m), (3) (g), (h), (m) and (n), (4) (g), (h) and (m) and (5) (a), (g), (h) and (m)~~ and (n).

SECTION 1013m. 21.25 (1) of the statutes is amended to read:

21.25 **(1)** The department of military affairs ~~shall~~ may 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~~ If the department administers the Badger Challenge program under this subsection, it shall recruit 25% of ~~the 2000−01~~ each class ~~of the program~~ from families who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq. ~~The~~ If the department of military affairs administers the Badger Challenge program under this subsection, it shall promulgate rules for administering the Badger Challenge program.

SECTION 1024. 21.49 (1) (b) 2. of the statutes is amended to read:

21.49 **(1)** (b) 2. Any accredited institution of higher education, as defined ~~by rule by the higher educational aids board~~ in 20 USC 1002.

Vetoed In Part

SECTION 1024bg. 21.49 (2) (c) of the statutes is created to read:

21.49 **(2)** (c) A member of the U.S. armed forces, including the Wisconsin national guard, for 10 years or more.

SECTION 1024bi. 21.49 (2) (d) of the statutes is amended to read:

21.49 **(2)** (d) Failing to meet the national guard service eligibility criteria established by the department ~~by rule~~ or absent without leave for more than 9 unit training assemblies.

SECTION 1024bk. 21.49 (2) (f) of the statutes is created to read:

21.49 **(2)** (f) Failing to achieve a minimum grade point average of 2.0 or an average grade of "C" for the semester for which reimbursement is requested.

Vetoed In Part

SECTION 1024c. 21.49 (3) (a) of the statutes is amended to read:

21.49 **(3)** (a) Any eligible guard member upon satisfactory completion of a full−time or part−time course in a qualifying school is eligible for a tuition grant equal to 100% of the actual tuition charged by the school or ~~100%~~ 85% of the maximum resident undergraduate tuition charged by the university of Wisconsin−Madison for a comparable number of credits, whichever amount is less.

SECTION 1024e. 21.49 (3) (b) 3. of the statutes is amended to read:

21.49 **(3)** (b) 3. Contain the signatures of both the guard member claiming the grant and a representative of the school, certifying that the member has satisfactorily completed the course and has achieved the minimum grade point average or grade, as required under sub. (2) (f).

SECTION 1024i. 21.49 (3m) of the statutes is amended to read:

21.49 **(3m)** REPAYMENT OF GRANTS. The department ~~may~~ shall require a guard member who has received a grant under this section to repay the amount of the grant to the department if the national guard member, ~~within 12 months of receipt of the grant, fails to meet any of~~ on or after the effective date of this subsection .... [revisor inserts date], is separated from the national guard ~~service eligibility criteria established by the department by rule~~ for misconduct, as defined in the rules and regulations of the national guard, including being absent without leave for more than 9 unit training assemblies. The department may elect to collect the amount owed under this subsection through the tax intercept program under s. 71.93.

Vetoed In Part

SECTION 1024m. 21.49 (4) (d) of the statutes is created to read:

21.49 **(4)** (d) After June 30, 2005, a guard member is only eligible for a tuition grant under this section for a course in one of the following schools:

1. The extension division and any campus of the University of Wisconsin System.

2. Any public institution of higher education that is included in the Minnesota−Wisconsin student reciprocity agreement under s. 39.47.

3. Any technical college established under ch. 38.

SECTION 1026. Chapter 22 (title) of the statutes is created to read:

CHAPTER 22
DEPARTMENT OF
ELECTRONIC GOVERNMENT

SECTION 1027. 22.01 (2m), (5), (6m) and (10) of the statutes are created to read:

22.01 **(2m)** "Board" means the information technology management board.

(5) "Department" means the department of electronic government.

(6m) "Information technology portfolio" means information technology systems, applications, infrastructure, and information resources and human resources devoted to developing and maintaining information technology systems.

(10) "Telecommunications" means all services and facilities capable of transmitting, switching, or receiving information in any form by wire, radio, or other electronic means.

SECTION 1029. 22.05 (2) (f) to (i) of the statutes are created to read:

22.05 **(2)** (f) Acquire, operate, and maintain any information technology equipment or systems required by the department to carry out its functions, and provide information technology development and management services related to those information technology systems. The department may assess executive branch agencies, other than the board of regents of the University of Wisconsin System, for the costs of equipment or systems acquired, operated, maintained, or provided or services provided under this paragraph in accordance with a methodology determined by the chief information officer. The department may also charge any agency for such costs as a component of any services provided by the department to the agency.

(g) Assume direct responsibility for the planning and development of any information technology system in the executive branch of state government outside of the University of Wisconsin System that the chief information officer determines to be necessary to effectively develop or manage the system, with or without the consent of any affected executive branch agency. The department may charge any executive branch agency for the department's reasonable costs incurred in carrying out its functions under this paragraph on behalf of that agency.

(h) Establish master contracts for the purchase of materials, supplies, equipment, or contractual services relating to information technology or telecommunications for use by agencies, authorities, local governmental units, or entities in the private sector and require any executive branch agency, other than the board of regents of the University of Wisconsin System, to make any purchases of materials, supplies, equipment, or contractual services included under the contract pursuant to the terms of the contract.

(i) Accept gifts, grants, and bequests, to be used for the purposes for which made, consistently with applicable laws.

SECTION 1030. 22.07 (intro.) of the statutes is created to read:

22.07 Duties of the department. (intro.) The department shall:

SECTION 1030d. 22.07 (2) of the statutes is created to read:

Vetoed In Part

22.07 **(2)** Promulgate rules prescribing methodologies for establishing all fees and charges established or assessed by the department or the chief information officer under this chapter.

SECTION 1030k. 22.07 (7) of the statutes is created to read:

22.07 **(7)** Prescribe and revise as necessary performance measures to ensure financial controls and accountability, optimal personnel utilization, and customer satisfaction for all information technology functions in the executive branch outside of the University of Wisconsin System and annually, no later than March 31, report to the joint committee on information policy and technology and the board concerning the performance measures utilized by the department and the actual performance of the department and the executive branch agencies measured against the performance measures then in effect.

SECTION 1030L. 22.07 (8) of the statutes is created to read:

22.07 **(8)** Offer the opportunity to local governmental units to voluntarily obtain computer or supercomputer services from the department when those services are provided under s. 22.05 (2) (b) or (c), and to voluntarily participate in any master contract established by the department under s. 22.05 (2) (h) or in the use of any informational system or device provided by the department under 22.09 (3).

SECTION 1030m. 22.07 (9) of the statutes is created to read:

22.07 **(9)** In consultation with the department of veterans affairs, administer a program to increase outreach to veterans regarding veterans services and benefits, and to provide training to employees of the department of veterans affairs and county veterans service officers. The department of electronic government shall make the program available through a satellite system that is linked to 5 remote locations in this state. **Vetoed In Part**

SECTION 1031. 22.09 of the statutes is created to read:

22.09 Powers of the chief information officer. The chief information officer may:

(1) Establish and collect assessments and charges for all authorized services provided by the department, subject to applicable agreements under sub. (2).

(2) Subject to s. 22.05 (2) (b), enter into and enforce an agreement with any agency, any authority, any unit of the federal government, any local governmental unit, or any entity in the private sector to provide services authorized to be provided by the department to that agency, authority, unit, or entity at a cost specified in the agreement.

(3) Develop or operate and maintain any system or device facilitating Internet or telephone access to information about programs of agencies, authorities, local governmental units, or entities in the private sector, or otherwise permitting the transaction of business by agencies, authorities, local governmental units, or entities in the private sector by means of electronic communication. The chief information officer may assess executive branch agencies, other than the board of regents of the University of Wisconsin System, for the costs of systems or devices that are developed, operated, or maintained under this subsection in accordance with a methodology determined by the officer. The chief information officer may also charge any agency, authority, local governmental unit, or entity in the private sector for such costs as a component of any services provided by the department to that agency, authority, local governmental unit, or entity.

(5) Review and approve, approve with modifications, or disapprove any proposed contract for the purchase of materials, supplies, equipment, or contractual services relating to information technology or telecommunications by an executive branch agency, other than the board of regents of the University of Wisconsin System.

SECTION 1032. 22.13 of the statutes is created to read:

22.13 Strategic plans for executive branch agencies. (1) As a part of each proposed strategic plan submitted under s. 22.03 (2) (L), the department shall require each executive branch agency to address the business needs of the agency and to identify all proposed informa-

tion technology development projects that serve those business needs, the priority for undertaking such projects, and the justification for each project, including the anticipated benefits of the project. Each proposed plan shall identify any changes in the functioning of the agency under the plan. In each even−numbered year, the plan shall include identification of any information technology development project that the agency plans to include in its biennial budget request under s. 16.42 (1).

(2) Each proposed strategic plan shall separately identify the initiatives that the executive branch agency plans to undertake from resources available to the agency at the time that the plan is submitted and initiatives that the agency proposes to undertake that would require additional resources.

(3) Following receipt of a proposed strategic plan from an executive branch agency, the chief information officer shall, before June 1, notify the agency of any concerns that the officer may have regarding the plan and provide the agency with his or her recommendations regarding the proposed plan. The chief information officer may also submit any concerns or recommendations regarding any proposed plan to the board for its consideration. The board shall then consider the proposed plan and provide the chief information officer with its recommendations regarding the plan. The executive branch agency may submit modifications to its proposed plan in response to any recommendations.

(4) Before June 15, the chief information officer shall consider any recommendations provided by the board under sub. (3) and shall then approve or disapprove the proposed plan in whole or in part.

(5) No executive branch agency, other than the board of regents of the University of Wisconsin System, may implement a new or revised information technology development project authorized under a strategic plan until the implementation is approved by the chief information officer in accordance with procedures prescribed by the officer.

(6) The department shall consult with the joint committee on information policy and technology in providing guidance for planning by executive branch agencies.

SECTION 1033. 22.15 of the statutes is created to read:

22.15 Information technology portfolio management. With the assistance of executive branch agencies and the advice of the board, the department shall manage the information technology portfolio of state government in accordance with a management structure that includes all of the following:

(1) Criteria for selection of information technology assets to be managed.

(2) Methods for monitoring and controlling information technology development projects and assets.

(3) Methods to evaluate the progress of information technology development projects and the effectiveness of information technology systems, including performance measurements for the information technology portfolio.

SECTION 1034. 22.17 of the statutes is created to read:

22.17 Information technology management board. (1) The board shall provide the chief information officer with its recommendations concerning any elements of the strategic plan of an executive branch agency that are referred to the board under s. 22.13 (3).

(2) The board may advise the chief information officer with respect to management of the information technology portfolio of state government under s. 22.15.

(3) The board may, upon petition of an executive branch agency, review any decision of the chief information officer under this chapter affecting that agency. Upon review, the board may affirm, modify, or set aside the decision. If the board modifies or sets aside the decision of the chief information officer, the decision of the board stands as the decision of the chief information officer and the decision is not subject to further review or appeal.

(4) The board may monitor progress in attaining goals for information technology and telecommunications development set by the chief information officer or executive branch agencies, other than the board of regents of the University of Wisconsin System, and may make recommendations to the officer or agencies concerning appropriate means of attaining those goals.

SECTION 1034fb. 23.09 (2) (d) 1. of the statutes is repealed. **Vetoed In Part**

SECTION 1034fd. 23.09 (2) (d) 5. of the statutes is repealed.

SECTION 1034fg. 23.09 (2p) (a) of the statutes is amended to read:

23.09 **(2p)** (a) The department of natural resources shall determine the value of land donated to the ~~department~~ state that is within the project boundaries of a state park, a southern state forest, or a state recreation area. The department of forestry shall determine the value of land donated to the state that is within the project boundaries of other state forests. If the donation involves the transfer of the title in fee simple absolute or other arrangement for the transfer of all interest in the land to the state, the valuation shall be based on the fair market value of the land before the transfer. If the donation is a dedication transferring a partial interest in land to the state, the valuation shall be based on the extent to which the fair market value of the land is diminished by that transfer and the associated articles of dedication. If the donation involves a sale of land ~~to the department~~ at less than the fair market value, the valuation of the donation shall be based on the difference between the purchase price and the fair market value.

SECTION 1034fh. 23.09 (2p) (b) of the statutes is amended to read:

23.09 **(2p)** (b) Except as provided in par. (c), an amount of money equal to the value of the donation under

Vetoed In Part

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~~ From the moneys made available to the department under the agreement under s. 23.0917 (4r), 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 of forestry.

SECTION 1034fj. 23.09 (3) (a) of the statutes is amended to read:

23.09 **(3)** (a) The department of natural resources shall cooperate with the ~~several state~~ department of forestry and other departments and officials in the conduct of matters in which the interests of the respective departments or officials overlap. The cooperating agencies may provide by agreement for the manner of sharing expenses and responsibilities under this paragraph.

SECTION 1034fk. 23.09 (11) (a) of the statutes is renumbered 23.09 (11) (ar).

SECTION 1034fL. 23.09 (11) (ag) of the statutes is created to read:

23.09 **(11)** (ag) In this subsection, "department" means the department of forestry.

SECTION 1034fn. 23.09 (17m) (a) of the statutes is renumbered 23.09 (17m) (am) and amended to read:

23.09 **(17m)** (am) The county board of any county, which by resolution indicates its desire to improve the natural environment for wildlife on county lands entered under s. 28.11, may make application to the department for the allocation of funds appropriated for such purposes by s. ~~20.370 (5) (as)~~ 20.375 (2) (sL).

SECTION 1034fp. 23.09 (17m) (ac) of the statutes is created to read:

23.09 **(17m)** (ac) In this subsection, "department" means the department of forestry.

SECTION 1034fq. 23.09 (17m) (b) of the statutes is amended to read:

23.09 **(17m)** (b) The annual allocation for each county shall not exceed 10 cents for each acre entered under s. 28.11, but any funds remaining from the appropriation made by s. ~~20.370 (5) (as)~~ 20.375 (2) (sL) and unallocated to the counties on March 31 of each year may be allotted to any county in an amount not to exceed an additional 10 cents per acre under the procedure established in this subsection. These aids shall be used to undertake wildlife management activities provided in the comprehensive county forest land use plan and included in the annual work plan and budget.

SECTION 1034fr. 23.09 (18) (a) of the statutes is amended to read:

23.09 **(18)** (a) In each fiscal year, the department of forestry shall make payments to each county that has more than 40,000 acres within its boundaries that are entered on the tax roll under s. 77.04 (1) or 77.84 (1) on July 1 of that fiscal year.

Vetoed In Part

SECTION 1034fs. 23.09 (18) (b) of the statutes is amended to read:

23.09 **(18)** (b) The amount of the payment made in a fiscal year to an eligible county shall equal the county's proportionate share of the moneys appropriated under s. ~~20.370 (5) (br)~~ 20.375 (2) (tm) for the fiscal year. An eligible county's proportionate share shall equal the number of acres within its boundaries that are entered on the tax roll under s. 77.04 (1) or 77.84 (1) on July 1 of the fiscal year divided by the total number of acres that are entered on the tax roll under s. 77.04 (1) or 77.84 (1) on that same date and that are within the boundaries of counties that are eligible for payments under this section, multiplied by the amount appropriated under s. ~~20.370 (5) (br)~~ 20.375 (2) (tm) for the fiscal year.

SECTION 1034ft. 23.09 (18) (c) of the statutes is amended to read:

23.09 **(18)** (c) The department of forestry shall calculate and issue the payment for each eligible county by October 1 following each fiscal year.

SECTION 1034fu. 23.09 (20) (ar) of the statutes is created to read:

23.09 **(20)** (ar) For each fiscal year, the department of natural resources and the department of forestry shall enter into an agreement to determine which projects are eligible for assistance under this subsection and to authorize the expenditures for those projects. The secretary of administration shall resolve any disputes between the departments concerning the agreement entered into under this paragraph.

SECTION 1034fv. 23.09 (21m) of the statutes is amended to read:

23.09 **(21m)** ENVIRONMENTAL CLEANUP. The department of natural resources may engage in environmental clean-up activities on the lands under ~~its~~ the ownership, management, supervision, or control of the department of natural resources or the department of forestry.

SECTION 1034fw. 23.09 (26) (a) of the statutes is amended to read:

23.09 **(26)** (a) The procedures in sub. (11) ~~(a)~~ (ar), (d), (e) and (f) shall apply to this subsection except that the department shall consult with the snowmobile recreational council before adopting snowmobile trail construction standards, the restriction in sub. (11) ~~(a)~~ (ar) as to county lands is not applicable, the restriction in sub. (11) (d) as to encumbrance of funds is not applicable and the restriction in sub. (11) (e) as to requests for state aids exceeding available funds is not applicable.

SECTION 1034fx. 23.09 (26) (am) 2. of the statutes is amended to read:

23.09 **(26)** (am) 2. Enter into agreements with the department of natural resources or the department of forestry to use for snowmobile trails, facilities, or areas

lands owned or leased by the department of natural resources or the department of forestry. No lands of the department of natural resources or the department of forestry that are to be used for snowmobiling purposes within the meaning of this subsection may be obtained through condemnation.

Vetoed In Part

SECTION 1034fyr. 23.0917 (1) (c) of the statutes is amended to read:

23.0917 **(1)** (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 (2) (d) or that is under the jurisdiction of the department of forestry and is in state forest lands.

SECTION 1034h. 23.0917 (3) (a) of the statutes is amended to read:

23.0917 **(3)** (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, except as provided under ss. 23.197 (2m), (3m) (b), (7), (7m), and (8) and 23.198 (1) (a).

Vetoed In Part

Vetoed In Part

SECTION 1034hm. 23.0917 (3) (a) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

23.0917 **(3)** (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 for the state forests, and for grants for these purposes under s. 23.096, except as provided under ss. 23.197 (2m), (3m) (b), (7), (7m), and (8) and 23.198 (1) (a).

Vetoed In Part

SECTION 1034k. 23.0917 (3) (bm) of the statutes is created to read:

23.0917 **(3)** (bm) During the period beginning with fiscal year 2001−02 and ending with fiscal year 2009−10, in obligating money under the subprogram for land acquisition, the department shall set aside not less than a total of $12,000,000 that may be obligated only to provide matching funds for grants awarded to the department for the purchase of land or easements under 16 USC 2103c.

Vetoed In Part

SECTION 1034L. 23.0917 (3) (dm) 1m. of the statutes is created to read:

23.0917 **(3)** (dm) 1m. For fiscal year 2001−02, $34,500,000.

SECTION 1034m. 23.0917 (3) (dm) 2. of the statutes is amended to read:

23.0917 **(3)** (dm) 2. For each fiscal year beginning with ~~2001−02~~ 2002−03 and ending with fiscal year 2009−10, ~~$34,500,000~~ $45,000,000.

SECTION 1034p. 23.0917 (4) (a) of the statutes is amended to read:

23.0917 **(4)** (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, except as provided under par. (cm).

SECTION 1034pm. 23.0917 (4) (cm) of the statutes is created to read:

23.0917 **(4)** (cm) Notwithstanding the purposes for which the department is authorized to obligate moneys under pars. (a), (b), and (c), the department may obligate moneys under the subprogram for property development and local assistance for any of the following purposes:

1. Construction of the Wisconsin agricultural stewardship initiative facility under s. 23.197 (7m).

1m. Construction of a visitor center and administration building at the Kickapoo valley reserve under s. 23.197 (2m).

2. Projects approved by the state fair park board under s. 23.197 (8).

3. Reconstruction of the chalet at Rib Mountain State Park under s. 23.197 (3m) (b).

5. Development of a conservation law enforcement museum under s. 23.197 (8m).

Vetoed In Part

6. Restoration of an area on the exposed bed of the former flowage on the Prairie River.

SECTION 1034q. 23.0917 (4) (d) 1. of the statutes is amended to read:

23.0917 **(4)** (d) 1. The department may obligate not more than $11,500,000 in ~~each~~ fiscal year 2000−01 and not more than $11,500,000 in fiscal year 2001−02 under the subprogram except as provided in sub. (5). For each fiscal year beginning with 2002−03 and ending with fiscal year 2009−10, the department may obligate not more than $15,000,000 under the subprogram except as provided in sub. (5).

SECTION 1034r. 23.0917 (4r) of the statutes is created to read:

Vetoed In Part

23.0917 **(4r)** AGREEMENT BETWEEN DEPARTMENTS. (a) For each fiscal year, the department of natural resources and the department of forestry shall enter into an agreement establishing all of the following:

1. The amount of funding from the appropriation under s. 20.866 (2) (ta) that will be obligated for the land acquisition subprogram under sub. (3) and the amount of funding from the appropriation under s. 20.866 (2) (ta) that will be obligated for the property development and local assistance subprogram under sub. (4).

2. For the land acquisition subprogram, the amount of funding from the appropriation under s. 20.866 (2) (ta) that will be obligated for the acquisition of state forest land, for each of the purposes specified in s. 23.09 (2) (d), and for the grants for each of these purposes under s.

Vetoed In Part

23.096, other than for the projects or activities specified under s. 23.197.

3. For the property development and local assistance subprogram, the amount of funding from the appropriation under s. 20.866 (2) (ta) that will be obligated for each of the purposes listed under sub. (4) (b) and (c), other than for the projects or activities specified under ss. 23.197 and 23.198.

4. The priorities under sub. (3) (c).

(b) The secretary of administration shall resolve any disputes between the departments concerning the agreement under par. (a).

Vetoed In Part

SECTION 1035g. 23.0917 (7) (e) of the statutes is amended to read:

23.0917 **(7)** (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, and if the department estimates that the fair market value of the land exceeds $200,000, 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~~ at least one appraisal and the department shall obtain its own independent appraisal.

SECTION 1035m. 23.0917 (7) (f) of the statutes is created to read:

23.0917 **(7)** (f) 1. In this paragraph, "taxation district" has the meaning given in s. 70.114 (1) (e).

2. For any acquisition of any land that is funded with moneys obligated from the appropriation under s. 20.866 (2) (ta), the department, within 30 days after the moneys are obligated, shall submit to the clerk and the assessor of each taxation district in which the land is located a copy of every appraisal in the department's possession that was prepared in order to determine the fair market value of the land involved. An assessor who receives a copy of an appraisal under this subdivision shall consider the appraisal in valuing the land as provided under s. 70.32 (1).

SECTION 1036. 23.0917 (8) (b) of the statutes is created to read:

23.0917 **(8)** (b) The department may not obligate moneys from the appropriation under s. 20.866 (2) (ta) for the acquisition or development of land by a county or other local governmental unit or political subdivision if the county, local governmental unit, or political subdivision acquires the land involved by condemnation.

Vetoed In Part

SECTION 1036b. 23.0919 of the statutes is created to read:

23.0919 Forestry land endowment fund. (1) In this section, "land" includes any buildings, facilities, or other structures located on the land.

Vetoed In Part

(2) Unless the secretary of forestry determines otherwise in a specific case, only the income from the gifts, grants, or bequests in the forestry land endowment fund is available for expenditure. The secretary of forestry may authorize expenditures only for preserving, developing, managing, or maintaining land that is under the jurisdiction of the department of forestry and that is used for conservation purposes. 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 1036bb. 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. 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. The amounts released from the appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s. 23.0917 (4r).

SECTION 1036bd. 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. 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. The amounts released from the appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s. 23.0917 (4r).

SECTION 1036be. 23.095 (1m) (title) of the statutes is amended to read:

23.095 **(1m)** (title) PROHIBITION ON ~~DEPARTMENT LAND~~ CERTAIN STATE LANDS.

SECTION 1036bf. 23.095 (1m) (a) of the statutes is amended to read:

Vetoed In Part

23.095 **(1m)** (a) No person may damage or attempt to damage any natural resource or any archaeological feature located on state−owned lands that are under the supervision, management, and control of the department ~~except as~~ of natural resources or the department of forestry unless the person is authorized to do so by the department of natural resources or the department of forestry.

SECTION 1036bg. 23.0955 (2) (am) of the statutes is amended to read:

23.0955 **(2)** (am) ~~Beginning in fiscal year 1997−98, the~~ The department may ~~provide an annual~~ award one grant of $150,000 in each fiscal year to a nonstock, nonprofit corporation that meets all of the qualifications under par. (a).

SECTION 1036bm. 23.0955 (2) (c) of the statutes is created to read:

23.0955 **(2)** (c) If the department awards a grant under this subsection, the department shall pay part of the grant in an amount equal to $112,500 from the appropriation under s. 20.370 (5) (aw) to the corporation receiving the grant, and the department of forestry shall pay part of the grant in an amount equal to $37,500 from the appropriation under s. 20.375 (2) (rq) to the corporation receiving the grant.

SECTION 1036br. 23.0956 (1) (intro.) of the statutes is amended to read:

23.0956 **(1)** (intro.) ~~From the appropriation under s. 20.370 (5) (aw), the~~ The department shall ~~provide~~ award 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:

SECTION 1036bv. 23.0956 (3) of the statutes is created to read:

23.0956 **(3)** The department shall pay part of the grant in an amount equal to $42,500 from the appropriation under s. 20.370 (5) (aw) to the corporation receiving the grant, and the department of forestry shall pay part of the grant in an amount equal to $42,500 from the appropriation under s. 20.375 (2) (rq) to the corporation receiving the grant.

Vetoed In Part

SECTION 1036bx. 23.0957 (title) of the statutes is amended to read:

23.0957 (title) **Annual grants to a nonstock, nonprofit corporation; urban ~~land~~ conservation projects.**

SECTION 1036c. 23.0957 (1) (title) of the statutes is created to read:

23.0957 **(1)** (title) DEFINITIONS.

SECTION 1036d. 23.0957 (1) (b) of the statutes is amended to read:

23.0957 **(1)** (b) "Interested group" means a community group, nonprofit organization, or local governmental unit that is interested in environmental quality issues and in acquiring ~~urban~~, developing, maintaining, or restoring land for one or more urban ~~forestry protection, water resource management, conservation, recreation or other urban open space~~ conservation purposes.

Vetoed In Part

SECTION 1036e. 23.0957 (1) (c) of the statutes is created to read:

23.0957 **(1)** (c) "Urban conservation purpose" means an urban, open space conservation or restoration area; urban forest protection or enhancement; water resource management in urban areas; resource management strategies for urban areas; conservation activities in an urban area; or recreation activities in an urban area.

SECTION 1036em. 23.0957 (2) (intro.) of the statutes is amended to read:

23.0957 **(2)** RECIPIENT REQUIREMENTS. (intro.) The department shall provide one grant of ~~$75,000~~ $150,000 in each fiscal year, ~~beginning with fiscal year 1999−2000~~ to be used for one or more urban conservation purposes, to a nonstock, nonprofit corporation that meets all of the following requirements:

Vetoed In Part

Vetoed In Part

SECTION 1036f. 23.0957 (2) (intro.) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

Vetoed In Part

23.0957 **(2)** RECIPIENT REQUIREMENTS. (intro.) The department of natural resources and beginning with fiscal year 2002−03, the department of forestry shall provide one grant of $150,000 in each fiscal year, to be used for one or more urban conservation purposes, to a nonstock, nonprofit corporation that meets all of the following requirements:

Vetoed In Part

SECTION 1036g. 23.0957 (2) (c) 2. of the statutes is repealed.

Vetoed In Part

SECTION 1036h. 23.0957 (2) (c) 3. of the statutes is repealed.

SECTION 1036j. 23.0957 (2) (c) 5. of the statutes is repealed.

SECTION 1036k. 23.0957 (2) (c) 7. of the statutes is repealed.

SECTION 1036m. 23.0957 (2) (d) of the statutes is amended to read:

23.0957 **(2)** (d) The corporation contributes ~~$25,000~~ $50,000 in funds ~~annually~~ to be used with the grant that it receives under this subsection.

SECTION 1036n. 23.0957 (2) (e) of the statutes is created to read:

23.0957 **(2)** (e) The corporation contributes substantial support to a network that encourages activities that further one or more urban conservation purposes in various urban communities in this state.

SECTION 1036p. 23.0957 (2r) of the statutes is created to read:

23.0957 **(2r)** AUTHORIZED ACTIVITIES. A corporation receiving a grant under sub. (2) may use proceeds from the grant for projects that are for one or more urban conservation purposes and that are undertaken by the

Vetoed In Part

corporation. For urban, open space projects, conservation projects in urban areas, or recreation projects in urban areas undertaken by the corporation, the corporation may use the proceeds for the acquisition of land for these projects.

SECTION 1036q. 23.0957 (3) (intro.) of the statutes is amended to read:

23.0957 **(3)** REQUIRED ACTIVITIES. (intro.) 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~~ use proceeds from the grant to do all of the following ~~with the grant~~:

SECTION 1036r. 23.0957 (3) (a) of the statutes is renumbered 23.0957 (3) (a) (intro.) and amended to read:

23.0957 **(3)** (a) (intro.) 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,~~ on all of the following topics:

1. Methods of cultivating citizen participation in acquiring, developing, and maintaining urban, open space areas ~~and securing.~~

2. Methods of securing public financing for urban, open space areas.

SECTION 1036s. 23.0957 (3) (a) 3. of the statutes is created to read:

23.0957 **(3)** (a) 3. Comprehensive management methods for urban forests.

SECTION 1036t. 23.0957 (3) (a) 4. of the statutes is created to read:

23.0957 **(3)** (a) 4. The use of resource management strategies to improve water and air quality and to revitalize urban communities.

SECTION 1036u. 23.0957 (3) (a) 5. of the statutes is created to read:

23.0957 **(3)** (a) 5. Methods for reducing the presence of toxic substances in residential neighborhoods in urban areas.

SECTION 1036v. 23.0957 (3) (a) 6. of the statutes is created to read:

23.0957 **(3)** (a) 6. Methods for promoting environmental education and environmental stewardship in urban communities.

SECTION 1036w. 23.0957 (3) (c) of the statutes is amended to read:

23.0957 **(3)** (c) Assist ~~community~~ interested groups~~, nonprofit organizations and local governmental units~~ in acquiring ~~urban property for open space~~, developing, maintaining, or restoring land for one or more urban conservation purposes ~~and in restoring urban property acquired for conservation, recreation and other open space purposes~~.

SECTION 1036wm. 23.0957 (3) (d) of the statutes is amended to read:

23.0957 **(3)** (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~~ and the president of the senate.

SECTION 1036x. 23.0957 (3) (d) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read: **Vetoed In Part**

23.0957 **(3)** (d) For each fiscal year, prepare a report detailing the activities for which a grant under sub. (2) is expended. ~~Copies~~ Beginning with the report for fiscal year 2002–03, copies of the report shall be submitted to the department of forestry and to the appropriate standing committees of the legislature, as determined by the speaker of the assembly and the president of the senate.

SECTION 1036y. 23.0957 (4) of the statutes is repealed. **Vetoed In Part**

SECTION 1036yi. 23.096 (2) (a) of the statutes is amended to read: **Vetoed In Part**

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.~~ 2., 3., 4., 6., 9., 11., 12. and 15., (19), (20), and (20m), 23.092, 23.094, 23.17, 23.175, 23.27, 23.29, 23.293, 30.24, and 30.277 and for state forests, and for forest nurseries and experimental stations.

SECTION 1036yj. 23.096 (2) (am) of the statutes is created to read:

23.096 **(2)** (am) In determining which grants will be awarded under this section, the department of forestry and the department of natural resources shall both approve each grant. Any dispute regarding which nonprofit conservation organization will receive a grant under this section shall be resolved by the secretary of administration. The grants awarded under this section from the appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s. 23.0917 (4r).

SECTION 1036yk. 23.096 (3) (intro.) of the statutes is amended to read:

23.096 **(3)** (intro.) ~~In~~ Except as provided in sub. (3m), in order to receive a grant under this section, the nonprofit conservation organization shall enter into a contract with the department that contains all of the following provisions:

SECTION 1036yL. 23.096 (3m) of the statutes is created to read:

23.096 **(3m)** In order to receive a grant under this section for state forests, other than southern state forests, or for forest nurseries or experimental stations, the nonprofit conservation organization shall enter into a contract with the department of forestry that contains all of the provisions under sub. (3).

SECTION 1036ym. 23.096 (4) (a) 1. of the statutes is amended to read:

Vetoed In Part

23.096 **(4)** (a) 1. The department that entered into the contract under sub. (3) or (3m) approves the subsequent sale or transfer.

SECTION 1036yn. 23.096 (4) (a) 2. of the statutes is amended to read:

23.096 **(4)** (a) 2. The party to whom the property is sold or transferred enters into a new contract with the department specified in subd. 1. that contains the provisions under sub. (3).

SECTION 1036yp. 23.096 (4) (b) of the statutes is amended to read:

23.096 **(4)** (b) The nonprofit conservation organization may subsequently sell or transfer the acquired property to satisfy a debt or other obligation if the department that enters into the contract under sub. (3) or (3m) approves the sale or transfer.

Vetoed In Part

SECTION 1036yr. 23.0962 of the statutes is repealed.

SECTION 1036yt. 23.0963 of the statutes is created to read:

23.0963 Racine museum. (1) From the appropriation under s. 20.370 (5) (cq), beginning with fiscal year 2001−02 and ending with 2004−05, the department, subject to sub (2), shall provide $500,000 in funding in each fiscal year to Racine County for the construction of the Discovery Place museum as part of the Heritage museum in the city of Racine.

(2) The department may not provide the funding for construction under sub. (1) unless the department of administration has reviewed and approved the applicable plans for the construction.

SECTION 1037. 23.097 (1) of the statutes is renumbered 23.097 (1) (b) and amended to read:

23.097 **(1)** (b) The department shall award grants to counties, cities ~~and~~, villages, towns, and nonprofit organizations for up to 50% of the cost of tree management plans, tree inventories, brush residue projects, the development of tree management ordinances, tree disease evaluations, public education concerning trees in urban areas and other tree projects.

Vetoed In Part

SECTION 1037m. 23.097 (1) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is renumbered 23.097 (1m).

SECTION 1038. 23.097 (1) (a) of the statutes is created to read:

23.097 **(1)** (a) In this subsection, a "nonprofit organization" means an organization that is described in section 501 (c) (3) of the Internal Revenue Code and that is exempt from federal income tax under section 501 (a) of the Internal Revenue Code.

Vetoed In Part

SECTION 1038bb. 23.097 (1b) of the statutes is created to read:

23.097 **(1b)** In this section, "department" means the department of forestry.

SECTION 1038bd. 23.098 (1) (ag) of the statutes is amended to read:

Vetoed In Part

23.098 **(1)** (ag) "Department property" means an area of real property that is owned by the state, that is under the jurisdiction of the department of natural resources, and that is used for one of the purposes specified in s. 23.09 (2) (d) or that is in a state forest.

SECTION 1038be. 23.098 (2) of the statutes is amended to read:

23.098 **(2)** The department of natural resources and the department of forestry shall ~~establish~~ jointly administer a program to make grants from the appropriations under s. 20.866 (2) (ta) and (tz) to friends groups and nonprofit conservation organizations for projects for property development activities on department properties. ~~The department may not encumber~~ Not more than $250,000 may be encumbered in each fiscal year for ~~these~~ grants under this section.

SECTION 1038bg. 23.098 (2m) of the statutes is created to read:

23.098 **(2m)** In determining which grants will be awarded under this section, the department of forestry and the department of natural resources shall both approve each grant. Any dispute regarding which friends groups will receive a grant under this section shall be resolved by the secretary of administration.

SECTION 1038bi. 23.098 (3) of the statutes is amended to read:

23.098 **(3)** The department of natural resources and the department of forestry shall jointly promulgate rules to establish criteria to be used in determining which property development activities are eligible for ~~these~~ grants under this section. The rules promulgated by the department of natural resources under this subsection that are in effect on the effective date of this subsection .... [revisor inserts date], shall remain in effect until rules are jointly promulgated by the 2 departments.

SECTION 1038bk. 23.098 (4) (a) of the statutes is amended to read:

23.098 **(4)** (a) The department of natural resources and the department of forestry shall periodically prepare a list of projects on department properties that are eligible for grants under this section and shall include in the list the estimated cost of each project.

SECTION 1038bm. 23.098 (4) (am) of the statutes is amended to read:

23.098 **(4)** (am) In awarding grants under this section for eligible projects, the department of natural resources and the department of forestry shall jointly establish a system under which the grants are offered to eligible friends groups before being offered to eligible nonprofit conservation organizations.

SECTION 1038bp. 23.098 (4) (b) of the statutes is amended to read:

23.098 **(4)** (b) ~~The department may not encumber~~ Not more than $20,000 may be encumbered for grants

Vetoed In Part

under this section for a department property in each fiscal year.

Vetoed In Part

SECTION 1038bq. 23.10 (1m) of the statutes is created to read:

23.10 **(1m)** The department shall designate a conservation warden as the chief warden. The chief warden shall have the duty to direct, supervise, and control conservation wardens in the performance of their duties under sub. (1) and s. 29.921.

Vetoed In Part

SECTION 1038br. 23.11 (1) of the statutes is amended to read:

23.11 **(1)** In addition to the powers and duties heretofore conferred and imposed upon ~~said~~ the department by this chapter it shall have and take the general care, protection, and supervision of all state parks, of all state fish hatcheries and lands used therewith, of all southern state forests, and of all lands owned by the state or in which it has any interests, except lands the care and supervision of which are vested in some other officer, body, or board; and ~~said~~ the department is granted such further powers as may be necessary or convenient to enable it to exercise the functions and perform the duties required of it by this chapter and by other provisions of law. But it may not perform any act upon state lands held for sale that will diminish their salable value.

SECTION 1038d. 23.113 of the statutes is created to read:

23.113 Designation of chief state forester. The secretary shall designate the administrator of the division of forestry in the department as the chief state forester. The chief state forester shall be a professional forester as recognized by the society of American foresters.

Vetoed In Part

SECTION 1038dc. 23.113 of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to read:

23.113 Designation of chief state forester. The secretary of forestry shall designate the administrator of the division of forestry in the department of forestry as the chief state forester. The chief state forester shall be a professional forester as recognized by the society of American foresters.

Vetoed In Part

SECTION 1038dg. 23.118 of the statutes is created to read:

23.118 Signs required. If the department acquires an easement that provides the public with access to a body of water for the purpose of fishing, the department shall place a sign on the property where the easement is located that informs the public that the easement allows the public access to the body of water for the purpose of fishing.

SECTION 1038di. 23.125 of the statutes is created to read:

23.125 Natural resources board member conflicts of interest. (1) If a member of the natural resources board is the holder of a permit or license issued by the department under chs. 280 to 299, that member may not engage in a discussion at a board meeting or participate in a board decision on any matter that substantially relates to the permit or license.

(2) If a member of the natural resources board receives, or has during the previous 2 years received, a significant portion of his or her income directly or indirectly from a holder of or applicant for a permit or license issued by the department under chs. 280 to 299, that member may not engage in a discussion at a board meeting or participate in a board decision on any matter that substantially relates to the permit or license, except that this restriction does not apply with respect to a permit or license held or applied for by an agency, department, or subdivision of this state.

Vetoed In Part

SECTION 1038dm. 23.13 of the statutes is amended to read:

23.13 Governor to be informed. The board of commissioners of public lands ~~and~~, the department of natural resources, and the department of forestry shall furnish to the governor upon the governor's request a copy of any paper, document, or record in their respective offices and give the governor orally such information as the governor may call for.

SECTION 1038g. 23.14 (title) of the statutes is amended to read:

23.14 (title) **~~Approval~~ Procedures required before new lands acquired.**

SECTION 1038m. 23.14 of the statutes is renumbered 23.14 (1).

Vetoed In Part

SECTION 1038p. 23.14 (1) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

23.14 **(1)** Prior to the initial acquisition of any lands by the department ~~after July 1, 1977,~~ of natural resources or by the department of forestry for any new facility or project, the proposed initial acquisition shall be submitted to the governor for his or her approval. New facilities or projects include, without limitation because of enumeration, state parks, state forests, recreation areas, public shooting, trapping or fishing grounds or waters, fish hatcheries, game farms, forest nurseries, experimental stations, endangered species preservation areas, picnic and camping grounds, hiking trails, cross−country ski trails, bridle trails, nature trails, bicycle trails, snowmobile trails, youth camps, land in the lower Wisconsin state riverway as defined in s. 30.40 (15), natural areas and wild rivers.

Vetoed In Part

SECTION 1038q. 23.14 (1m) of the statutes is created to read:

23.14 **(1m)** Prior to the acquisition of any land, or interest in land, by the department, the department shall notify in writing each city, village, or town, and each county, in which the land or interest in land is located at least 30 days before the department completes the acquisition.

Vetoed In Part

SECTION 1038qc. 23.14 (1m) of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to read:

Vetoed In Part

23.14 **(1m)** Prior to the acquisition of any land, or interest in land, by the department of natural resources or the department of forestry, the department of natural resources or the department of forestry shall notify in writing each city, village, or town, and each county, in which the land or interest in land is located at least 30 days before the department completes the acquisition.

Vetoed In Part

SECTION 1038r. 23.14 (2) of the statutes is created to read:

23.14 **(2)** The department may not acquire any rights in the lands that are included in the Milwaukee county grounds unless the department first notifies the joint committee on finance in writing of the proposed acquisition. 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 proposed acquisition, the department may acquire the proposed rights. If, within 14 working days after the date of the department's notification, the cochairpersons of the committee notify the department that the committee has scheduled a meeting to review the proposed acquisition, the department may acquire the rights only upon approval of the committee.

Vetoed In Part

SECTION 1038sam. 23.14 (2) of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to read:

23.14 **(2)** The department of forestry may not acquire any rights in the lands that are included in the Milwaukee ~~county~~ County grounds unless the department first notifies the joint committee on finance in writing of the proposed acquisition. 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 proposed acquisition, the department may acquire the proposed rights. If, within 14 working days after the date of the department's notification, the cochairpersons of the committee notify the department that the committee has scheduled a meeting to review the proposed acquisition, the department may acquire the rights only upon approval of the committee.

Vetoed In Part

SECTION 1038saq. 23.145 of the statutes is created to read:

23.145 Acquisition of land in the Chiwaukee Prairie−Carol Beach National Natural Landmark. The department may not promulgate a rule or otherwise establish a policy that imposes a specified maximum purchase price per parcel or per acre for real property that the department acquires that is located within the boundaries of the Chiwaukee Prairie−Carol Beach National Natural Landmark.

Vetoed In Part

SECTION 1038sb. 23.15 (title) of the statutes is amended to read:

23.15 (title) **Sale of certain state−owned lands ~~under the jurisdiction of the department of natural resources~~.**

SECTION 1038sc. 23.15 (1) of the statutes is amended to read:

23.15 **(1)** The natural resources board may sell, at public or private sale, ~~lands~~ real property and structures owned by the state that are under the jurisdiction of the department of natural resources ~~when~~ if the natural resources board determines that ~~said lands~~ the real property and structures are no longer necessary for the state's use for conservation purposes and~~, if real property,~~ the real property is not the subject of a petition under s. 16.375 (2).

SECTION 1038sd. 23.15 (1m) of the statutes is created to read:

23.15 **(1m)** The secretary of forestry may sell, at public or private sale, real property and structures owned by the state that are under the jurisdiction of the department of forestry if the department of forestry determines that the real property and structures are no longer necessary for the state's use for conservation purposes and the real property is not the subject of a petition under s. 16.375 (2). The department of forestry may not perform any act on land in the state forests under its jurisdiction that is being held for sale if the act will diminish the sale value of the land.

SECTION 1038se. 23.15 (2) of the statutes is amended to read:

23.15 **(2)** ~~Said~~ The natural resources board and the secretary of forestry shall present to the governor a full and complete report of the lands to be sold, the reason for the sale, the price for which ~~said~~ the lands should be sold ~~together with~~, and an application for ~~the~~ their sale ~~of the same~~. The governor ~~shall thereupon make such investigation as the governor deems necessary respecting said lands to be sold~~ may investigate and approve or disapprove ~~such~~ the application. If the governor ~~shall approve the same,~~ approves the application for the sale, the governor shall issue a permit ~~shall be issued by the governor~~ for ~~such~~ the sale on the terms set forth in the application.

SECTION 1038sf. 23.15 (3) of the statutes is amended to read:

23.15 **(3)** Upon completion of ~~such~~ a sale of land under the jurisdiction of the department of natural resources, the chairperson and secretary of the natural resources board, or the secretary of natural resources, if the secretary is duly authorized by the natural resources board, shall execute ~~such~~ the necessary instruments ~~as are necessary~~ to transfer title and ~~the natural resources board or its duly authorized agents~~ shall deliver the ~~same~~ instruments to the purchaser upon payment of the amount

Vetoed In Part

set forth in the application. Upon completion of a sale of land under the jurisdiction of the department of forestry, the secretary of forestry shall execute the necessary instruments to transfer title and shall deliver the instruments to the purchaser upon payment of the amount set forth in the application.

SECTION 1038sg. 23.15 (4) of the statutes is amended to read:

23.15 **(4)** ~~Said~~ The natural resources board ~~effecting the sale of any such lands and structures shall~~, upon receiving payment ~~therefor,~~ under sub. (3), shall deposit the ~~funds~~ moneys received in the conservation fund to be used exclusively for the purpose of purchasing other areas of land for the ~~creating~~ creation and ~~establishing~~ establishment of public hunting and fishing grounds~~,~~ and wildlife and fish refuges, southern state forests, and state parks and for land in the lower Wisconsin state riverway as defined in s. 30.40 (15).

SECTION 1038sh. 23.15 (4m) of the statutes is created to read:

23.15 **(4m)** The secretary of forestry, upon receiving payment under sub. (3), shall deposit the moneys received in the forestry fund to be used exclusively for the purpose of purchasing other areas of land for the creation and establishment of areas in the state forests.

SECTION 1038si. 23.15 (5) (a) of the statutes is amended to read:

23.15 **(5)** (a) In this subsection, "surplus land" means land under the jurisdiction of the department ~~which~~ of natural resources or the department of forestry that is unused and not needed for ~~department~~ that department's operations or that is not included in ~~the~~ that department's plan for construction or development.

SECTION 1038sj. 23.15 (5) (b) of the statutes is amended to read:

23.15 **(5)** (b) Biennially, ~~beginning on January 1, 1984,~~ the department of natural resources and the department of forestry shall each submit to the state building commission and the joint committee on finance an inventory of surplus land containing the description, location, and fair market value of each parcel.

SECTION 1038sk. 23.15 (5) (c) of the statutes is created to read:

23.15 **(5)** (c) The department of natural resources and the department of forestry shall notify the department of administration of the intention to sell any surplus lands under the jurisdiction of the respective department so that the department of administration may ensure that the sale is in compliance with federal law.

SECTION 1039. 23.175 (1) (b) of the statutes is amended to read:

23.175 **(1)** (b) "State agency" means any office, department, agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law which is entitled to expend moneys appropriated by law, including any authority created under ch. 231, 233 ~~or~~, 234, or 237 but not including the legislature or the courts.

Vetoed In Part

SECTION 1039aj. 23.175 (3m) of the statutes is amended 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 moneys expended from the appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s. 23.0917 (4r). The department may not allocate or expend any moneys from the appropriation under s. 20.866 (2) (ta) before July 1, 2000.

Vetoed In Part

SECTION 1039b. 23.193 of the statutes is created to read:

23.193 Acquisition of certain lands purchased by the board of commissioners of public lands. (1) If the board of commissioners of public lands invests moneys in the purchase of land under s. 24.61 (2) (a) 10., the department, within 5 years after the date of purchase, may offer to exchange land that is currently owned by the state and that is under the jurisdiction of the department for the land purchased under s. 24.61 (2) (a) 10. The value of the land offered for exchange by the department shall be of approximately equal value, as defined in s. 24.09 (1) (bm).

(2) If the department fails to make such an offer under sub. (1) within the required time period, the department shall pay the board of commissioners of public lands an amount that equals the fair market value of the land and the board shall transfer jurisdiction over any land purchased under s. 24.61 (2) (a) 10. to the department.

(3) Section 23.14 does not apply to any land over which the department acquires jurisdiction under this section. Section 23.15 does not apply to any land offered for exchange or exchanged by the department under this section.

SECTION 1039br. 23.197 (1) (a) of the statutes is amended to read:

23.197 **(1)** (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~~ $1,125,000, whichever is less.

SECTION 1039bm. 23.197 (2m) of the statutes is created to read:

23.197 **(2m)** KICKAPOO VALLEY RESERVE; VISITOR CENTER. From the appropriation under s. 20.866 (2) (ta), the department shall provide $2,370,000 to the Kickapoo reserve management board for construction of a visitor center and administration building at the Kickapoo valley reserve. 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).

Vetoed In Part

SECTION 1039bv. 23.197 (3) (a) of the statutes is amended to read:

23.197 **(3)** (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~~ $175,000.

SECTION 1039c. 23.197 (3m) of the statutes is renumbered 23.197 (3m) (a) and amended to read:

23.197 **(3m)** (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the department shall provide funding in the amount of $50,000 to rebuild ~~a~~ the chalet at Rib Mountain State Park. The department shall determine how the moneys being provided under this ~~subsection~~ paragraph 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.

SECTION 1039d. 23.197 (3m) (b) of the statutes is created to read:

23.197 **(3m)** (b) In addition to the amounts provided under par. (a), the department shall provide, from the appropriation under s. 20.866 (2) (ta), funding in the amount of $1,000,000 to reconstruct the chalet at Rib Mountain State Park for which funding is provided under par. (a). For purposes of s. 23.0917, moneys provided under this paragraph shall be treated as moneys obligated under either or both of the subprograms under s. 23.0917 (3) and (4).

Vetoed In Part

SECTION 1039fm. 23.197 (5r) of the statutes is created to read:

23.197 **(5r)** HILLSBORO; CAMPING AND RECREATIONAL AREA. From the appropriation under s. 20.866 (2) (ta), the department shall provide $60,000 to the city of Hillsboro for the development of a camping and recreational area near the Hillsboro and Northeastern Spur Trail in the city of Hillsboro. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated from the subprogram for property development and local assistance. 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.

SECTION 1039k. 23.197 (6m) of the statutes is created to read:

23.197 **(6m)** PLOVER RIVER; CONSERVATION EASEMENTS. From the appropriation under s. 20.866 (2) (ta), the department shall provide $135,000 to acquire conservation easements along the Plover River in Marathon County and Portage County. For the purposes of s. 23.0917, moneys provided under this subsection from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under the subprogram for land acquisition.

Vetoed In Part

SECTION 1039km. 23.197 (6r) of the statutes is created to read:

23.197 **(6r)** MILWAUKEE COUNTY; BEACH DEVELOPMENT. From the appropriation under s. 20.866 (2) (ta), the department shall provide $648,100 to Milwaukee County to redevelop the beach at Grant Park in Milwaukee County. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated from the subprogram for property development and local assistance. The requirements for matching contributions under s. 23.09 (20) (b) shall apply to the state aid provided under this subsection.

SECTION 1039m. 23.197 (7) of the statutes is created to read:

23.197 **(7)** MENASHA; SKATEBOARD PARK. From the appropriation under s. 20.866 (2) (ta), during the fiscal biennium 2001−03 the department shall provide $25,000 to the city of Menasha for the purchase of land to be used for a skateboard park facility in Winnebago County. For purposes of s. 23.0917, moneys provided under this subsection from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under the subprogram for land acquisition.

SECTION 1039n. 23.197 (7m) of the statutes is created to read:

23.197 **(7m)** WISCONSIN AGRICULTURAL STEWARDSHIP INITIATIVE FACILITY. From the appropriation under s. 20.866 (2) (ta), the department shall provide funding in the amount of $1,000,000 for the Wisconsin agricultural stewardship initiative at the University of Wisconsin−Platteville and the University of Wisconsin−Madison, to construct a facility to be used for conducting research and for training farmers concerning the development of sound environmental farming practices. For purposes of s. 23.0917, moneys provided under this subsection shall be treated as moneys obligated under either or both of the subprograms under s. 23.0917 (3) and (4).

SECTION 1039p. 23.197 (8) of the statutes is created to read:

23.197 **(8)** STATE FAIR PARK CONSTRUCTION. From the appropriation under s. 20.866 (2) (ta), the department shall provide $2,000,000 for projects that are approved by the state fair park board. For purposes of s. 23.0917, moneys provided under this subsection shall be treated as moneys obligated under either or both of the subprograms under s. 23.0917 (3) and (4).

Vetoed In Part

SECTION 1039s. 23.197 (8m) of the statutes is created to read:

23.197 **(8m)** CONSERVATION LAW ENFORCEMENT MUSEUM. From the appropriation under s. 20.866 (2) (ta),

Vetoed In Part

the department shall provide funding in the amount of $200,000 for the development of a conservation law enforcement museum. Expenditures under this subsection shall be made in a manner such that, for every $1 received by the department from private grants, gifts, or bequests for the development of the museum, $1 will be expended from the moneys under this subsection. For the purposes of s. 23.0917, moneys provided under this subsection from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under the subprogram for property development and local assistance.

SECTION 1039t. 23.197 (9) of the statutes is created to read:

23.197 **(9)** PRAIRIE RIVER RESTORATION. From the appropriation under s. 20.866 (2) (ta), the department shall provide funding to the city of Merrill in the amount of $450,000 for a project to restore an area on the exposed bed of the former flowage on the Prairie River. For the purposes of s. 23.0917, moneys provided under this subsection from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under the subprogram for property development and local assistance.

SECTION 1039w. 23.198 (1) (a) of the statutes is amended to read:

23.198 **(1)** (a) From the appropriation under s. 20.866 (2) (ta), the department shall provide up to ~~$1,500,000~~ $4,500,000 for the development of ~~a state park that will provide access to Lake Michigan in the city of~~ Milwaukee Lakeshore State Park. For purposes of s. 23.0917, moneys provided under this paragraph shall be treated as moneys obligated under either or both of the ~~subprogram for property development and local assistance~~ subprograms under s. 23.0917 (3) and (4).

SECTION 1040. 23.235 (2) of the statutes is amended to read:

23.235 **(2)** Except as provided in sub. (3), no person may sell, offer for sale, distribute, plant, or cultivate any ~~nuisance weed~~ multiflora rose or seeds thereof.

SECTION 1041. 23.235 (4) of the statutes is repealed.

SECTION 1042. 23.24 of the statutes is created to read:

23.24 Aquatic plants. (1) DEFINITIONS. In this section:

(a) "Aquaculture" has the meaning given in s. 93.01 (1d).

(b) "Aquatic plant" means a planktonic, submergent, emergent, or floating−leaf plant or any part thereof.

(c) "Control" means to cut, remove, destroy, or suppress.

(d) "Cultivate" means to intentionally maintain the growth or existence of.

(e) "Distribute" means to sell, offer to sell, distribute for no consideration, or offer to distribute for no consideration.

(f) "Introduce" means to plant, cultivate, stock, or release.

(g) "Invasive aquatic plant" means an aquatic plant that is designated under sub. (2) (b) 1.

(h) "Manage" means to introduce or control.

(i) "Native" means indigenous to the waters of this state.

(j) "Nonnative" means not indigenous to the waters of this state.

(k) "Waters of this state" means any surface waters within the territorial limits of this state.

(2) PROGRAM ESTABLISHED. (a) The department shall establish a program for the waters of this state to do all of the following:

1. Protect and develop diverse and stable communities of native aquatic plants.

2. Regulate how aquatic plants are managed.

3. Provide education and conduct research concerning invasive aquatic plants.

(b) Under the program implemented under par. (a), the department shall do all of the following:

1. Designate by rule which aquatic plants are invasive aquatic plants for purposes of this section. The department shall designate Eurasian water milfoil, curly leaf pondweed, and purple loosestrife as invasive aquatic plants and may designate any other aquatic plant as an invasive aquatic plant if it has the ability to cause significant adverse change to desirable aquatic habitat, to significantly displace desirable aquatic vegetation, or to reduce the yield of products produced by aquaculture.

2. Administer and establish by rule procedures and requirements for the issuing of aquatic plants management permits required under sub. (3).

(c) The requirements promulgated under par. (b) 2. may specify any of the following:

1. The quantity of aquatic plants that may be managed under an aquatic plant management permit.

2. The species of aquatic plants that may be managed under an aquatic plant management permit.

3. The areas in which aquatic plants may be managed under an aquatic plant management permit.

4. The methods that may be used to manage aquatic plants under an aquatic plant management permit.

5. The times during which aquatic plants may be managed under an aquatic plant management permit.

6. The allowable methods for disposing or using aquatic plants that are removed or controlled under an aquatic plant management permit.

7. The requirements for plans that the department may require under sub. (3) (b).

(3) PERMITS. (a) Unless a person has a valid aquatic plant management permit issued under the program established under sub. (2), no person may do any of the following:

1. Introduce nonnative aquatic plants into waters of this state.

2. Manually remove aquatic plants from navigable waters.

3. Control aquatic plants in waters of this state by the use of chemicals.

4. Control aquatic plants in navigable waters by introducing biological agents, by using a process that involves dewatering, desiccation, burning, or freezing, or by using mechanical means.

(b) The department may require that an application for an aquatic plant management permit contain a plan for the department's approval as to how the aquatic plants will be introduced, removed, or controlled.

(c) The department may promulgate a rule to establish fees for aquatic plant management permits. Under the rule, the department may establish a different fee for an aquatic plant management permit to manage aquatic plants that are located in a body of water that is entirely confined on the property of one property owner.

(4) EXEMPTIONS FROM PERMITS. (a) In this subsection:

1. "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. "State agency" means any office, department, independent agency, or attached board or commission within the executive branch of state government, or any special purpose authority created by statute.

(b) The permit requirement under sub. (3) does not apply to any of the following:

1. A person who manually removes aquatic plants from privately owned stream beds with the permission of the landowner.

2. A person who engages in an activity listed under sub. (3) (a) in the course of harvesting wild rice as authorized under s. 29.607.

3. A person who engages in an activity listed under sub. (3) (a) in the course of operating a fish farm as authorized under s. 95.60.

(c) The department may promulgate a rule to waive the permit requirement under sub. (3) (a) 2. for any of the following:

1. A person who owns property on which there is a body of water that is entirely confined on the property of that person.

2. A riparian owner who manually removes aquatic plants from a body of water that abuts the owner's property provided that the removal does not interfere with the rights of other riparian owners.

3. A person who is controlling purple loosestrife.

4. A person who uses chemicals in a body of water for the purpose of controlling bacteria on bathing beaches.

5. A person who uses chemicals on plants to prevent the plants from interfering with the use of water for drinking purposes.

6. A state agency or a local governmental unit that uses a chemical treatment in a body of water for the purpose of protecting the public health.

(5) DISTRIBUTION PROHIBITED. No person may distribute an invasive aquatic plant.

(6) PENALTIES. (a) Except as provided in par. (b), any person who violates sub. (3) shall forfeit not more than $200.

(b) A person who violates sub. (3) and who, within 5 years before the arrest of the current conviction, was previously convicted of a violation of sub. (3) shall forfeit not less than $700 nor more than $2,000 or shall be imprisoned for not less than 6 months nor more than 9 months or both.

(c) The court may order a person who is convicted under par. (b) to abate any nuisance caused by the violation, restore any natural resource damaged by the violation, or take other appropriate action to eliminate or minimize any environmental damage caused by the violation.

(d) A person who violates sub. (5) shall forfeit not more than $100.

SECTION 1042g. 23.255 of the statutes is created to read: **Vetoed In Part**

23.255 Geographical management units. If the department divides the state into geographical units for the purpose of managing its functions, the department shall include the LaCrosse−Bad Axe Watershed and the Kickapoo River Watershed in the same geographical unit.

SECTION 1042i. 23.257 of the statutes is created to read:

23.257 Departmental regions. If the department divides the state into regions for the purpose of managing its functions, it shall include all of Crawford and Vernon counties in the region that covers the west central part of the state.

SECTION 1042kb. 23.26 (3) of the statutes is amended to read: **Vetoed In Part**

23.26 **(3)** Advise the department of natural resources, the department of forestry, and other agencies on matters pertaining to the acquisition, development, utilization, maintenance, and withdrawal of state natural areas, including determinations as to the extent of multiple use that may be allowed on state natural areas that are a part of a state park, state forest, public hunting ground, or similar areas under state ownership or control.

SECTION 1042kd. 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

Vetoed In Part

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 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. The amounts released from the appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s. 23.0917 (4r).

SECTION 1042kn. 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 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. The amounts released from the appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s. 23.0917 (4r).

SECTION 1042kp. 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 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. The amounts released from the appropriation under s. 20.866 (2) (ta) shall be subject to the agreement under s. 23.0917 (4r). This subsection does not apply to dedications of land under the ownership of the state.

SECTION 1042kpm. 23.295 (2) (intro.) of the statutes is amended to read:

23.295 **(2)** (intro.) The department of natural resources, and beginning with fiscal year 2002−03 the department of forestry, 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:

SECTION 1042kr. 23.295 (3) (f) of the statutes is amended to read:

23.295 **(3)** (f) For each fiscal year, prepare a report detailing the activities for which a grant under sub. (2) is expended. ~~Copies~~ Beginning with the report for fiscal year 2002−03, copies of the report shall be submitted to the department of natural resources, to the department of forestry, and to the appropriate standing committees of the legislature, as determined by the speaker of the assembly or the president of the senate.

SECTION 1042ks. 23.30 (4) of the statutes is created to read:

23.30 **(4)** CONSULTATION WITH THE DEPARTMENT OF FORESTRY. In carrying out its duties under sub. (3) and its duties under s. 23.31, the natural resources board shall consult with the department of forestry.

SECTION 1042kt. 23.305 (title) of the statutes is amended to read:

23.305 (title) **Leasing of ~~department land~~ certain lands for recreational purposes.**

SECTION 1042ku. 23.305 (2) of the statutes is amended to read:

23.305 **(2)** Notwithstanding ss. 23.30 and 28.04, the department may lease state park land or ~~state forest~~ land in the southern state forests to towns, villages or counties for outdoor recreational purposes associated with spectator sports. Notwithstanding ss. 23.30 and 28.04, the department of forestry may lease state forest land, other than land in the southern state forests, to towns, villages, or counties for outdoor recreational purposes associated with spectator sports.

SECTION 1042kv. 23.305 (3) of the statutes is amended to read:

23.305 **(3)** The lease shall be for a term not to exceed 15 years. The lease shall contain covenants to protect the department entering into the lease from all liability and costs associated with use of the land and to guard against trespass and waste. The rents arising from ~~the~~ a lease entered into by the department shall be paid into the state treasury and credited to the ~~proper~~ conservation fund. The rents arising from a lease entered into by the department of forestry shall be paid into the state treasury and credited to the forestry fund.

SECTION 1045m. 23.33 (1) (bc) of the statutes is created to read:

23.33 **(1)** (bc) "All−terrain vehicle club" means a club consisting of individuals that promotes the recreational use of all−terrain vehicles.

SECTION 1046. 23.33 (1) (g) of the statutes is repealed.

Vetoed In Part

SECTION 1046m. 23.33 (1) (ig) of the statutes is amended to read:

23.33 **(1)** (ig) "Law enforcement officer" has the meaning specified under s. 165.85 (2) (c) and includes a person appointed as a conservation warden ~~by the department~~ under s. 23.10 (1) or a state forest ranger appointed under s. 28.92.

SECTION 1047. 23.33 (1) (jn) of the statutes is created to read:

23.33 **(1)** (jn) "Registration documentation" means an all−terrain vehicle registration certificate, a validated registration receipt, or a registration decal.

SECTION 1048. 23.33 (1) (o) of the statutes is created to read:

23.33 **(1)** (o) "Validated registration receipt" means a receipt issued by the department or an agent under sub. (2) (ig) 1. a. that shows that an application and the required fees for a registration certificate has been submitted to the department.

SECTION 1049. 23.33 (2) (a) of the statutes is amended to read:

23.33 **(2)** (a) *Requirement.* No person may operate and no owner may give permission for the operation of an all−terrain vehicle within this state unless the all−terrain vehicle is registered for public use or for private use under this subsection or sub. (2g), is exempt from registration, or is operated with a reflectorized plate attached in the manner specified under par. (dm) 3. No person may operate and no owner may give permission for the operation of an all−terrain vehicle on a public all−terrain vehicle route or trail unless the all−terrain vehicle is registered for public use under this subsection or sub. (2g)~~, is exempt from registration or is operated with a reflectorized plate attached in the manner specified under par. (dm) 3~~.

SECTION 1050. 23.33 (2) (d) of the statutes is amended to read:

23.33 **(2)** (d) *Registration; private use; fee.* An all−terrain vehicle used exclusively for agricultural purposes or used exclusively on private property may be registered for private use. The fee for the issuance ~~or renewal~~ of a registration certificate for private use is $6.

SECTION 1051. 23.33 (2) (dm) 4. of the statutes is created to read:

23.33 **(2)** (dm) 4. Paragraphs (i), (ig), and (ir) do not apply to commercial all−terrain vehicle certificates or reflectorized plates.

SECTION 1052. 23.33 (2) (h) (title) of the statutes is repealed.

SECTION 1053. 23.33 (2) (h) of the statutes is renumbered 23.33 (2) (p) 2. and amended to read:

23.33 **(2)** (p) 2. The department ~~shall~~ may establish by rule additional procedures and requirements for all−terrain vehicle registration.

SECTION 1054. 23.33 (2) (i) (intro.) of the statutes is amended to read:

23.33 **(2)** (i) *Registration; ~~appointment of agents~~ issuers.* (intro.) For the issuance of ~~all−terrain vehicle registration certificates~~ original or duplicate registration documentation and for the transfer or renewal of registration documentation, the department may do any of the following:

SECTION 1055. 23.33 (2) (i) 1. of the statutes is amended to read:

23.33 **(2)** (i) 1. Directly issue ~~the certificates~~, transfer, or renew the registration documentation with or without using the expedited service specified in par. (ig) 1.

SECTION 1056. 23.33 (2) (i) 2. of the statutes is repealed.

SECTION 1057. 23.33 (2) (i) 3. of the statutes is amended to read:

23.33 **(2)** (i) 3. Appoint persons who are not employees of the department as agents of the department to issue ~~the certificate as agents of the department~~, transfer, or renew the registration documentation using either or both of the expedited services specified in par. (ig) 1.

SECTION 1058. 23.33 (2) (ig) of the statutes is created to read:

23.33 **(2)** (ig) *Registration; methods of issuance.* 1. For the issuance of original or duplicate registration documentation and for the transfer or renewal of registration documentation, the department may implement either or both of the following expedited procedures to be provided by the department and any agents appointed under par. (i) 3.:

a. A noncomputerized procedure under which the department or agent may accept applications for registration certificates and issue a validated registration receipt at the time the applicant submits the application accompanied by the required fees.

b. A computerized procedure under which the department or agent may accept applications for registration documentation and issue to each applicant all or some of the items of the registration documentation at the time the applicant submits the application accompanied by the required fees.

2. Under either procedure under subd. 1., the applicant shall receive any remaining items of registration documentation directly from the department at a later date. The items of registration documentation issued at the time of the submittal of the application under either procedure shall be sufficient to allow the all−terrain vehicle for which the application is submitted to be operated in compliance with the registration requirements under this subsection.

SECTION 1059. 23.33 (2) (ir) of the statutes is created to read:

23.33 **(2)** (ir) *Fees.* 1. In addition to the applicable fee under par. (c), (d), or (e), each agent appointed under par. (i) 3. shall collect an expedited service fee of $3 each time the agent issues a validated registration receipt under par. (ig) 1. a. The agent shall retain the entire amount of each expedited service fee the agent collects.

2. In addition to the applicable fee under par. (c), (d), or (e), the department or the agent appointed under par. (i) 3. shall collect an expedited service fee of $3 each time the expedited service under par. (ig) 1. b. is provided. The agent shall remit to the department $1 of each expedited service fee the agent collects.

SECTION 1060. 23.33 (2) (j) of the statutes is repealed.

SECTION 1061. 23.33 (2) (k) of the statutes is repealed.

SECTION 1062. 23.33 (2) (L) of the statutes is repealed.

SECTION 1063. 23.33 (2) (m) of the statutes is repealed.

SECTION 1064. 23.33 (2) (n) of the statutes is repealed.

SECTION 1065. 23.33 (2) (o) of the statutes is amended to read:

23.33 **(2)** (o) ~~*Renewals; remittal*~~ *Receipt of fees.* ~~An agent appointed under par. (m) shall remit to the department $2 of each $3 fee collected under par. (n). Any~~ All fees remitted to or collected by the department under par. ~~(L) or (n)~~ (ir) shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 1066. 23.33 (2) (p) (title) and 1. of the statutes are created to read:

23.33 **(2)** (p) (title) *Rules.* 1. The department may promulgate rules to establish eligibility and other criteria for the appointment of agents under par. (i) 3. and to regulate the activities of these agents.

Vetoed In Part

SECTION 1066am. 23.33 (5) (a) of the statutes is amended to read:

23.33 **(5)** (a) *Age restriction.* No person under 12 years of age may operate an all−terrain vehicle unless he or she is operating the all−terrain vehicle for an agricultural purpose and he or she is under the supervision of a person over 18 years of age or unless he or she is operating a small all−terrain vehicle on an all−terrain vehicle trail designated by the department of natural resources or by the department of forestry and he or she is accompanied by his or her parent. No person who is under 12 years of age may operate an all−terrain vehicle which is an implement of husbandry on a roadway under any circumstances. No person who is under 12 years of age may operate an all−terrain vehicle on a roadway under the authorization provided under sub. (4) (d) 6. under any circumstances. No person who is under 12 years of age may rent or lease an all−terrain vehicle. For purposes of this paragraph, supervision does not require that the person under 12 years of age be subject to continuous direction or control by the person over 18 years of age.

Vetoed In Part

SECTION 1066ar. 23.33 (5m) of the statutes is created to read:

23.33 **(5m)** GRANT PROGRAM. (a) The department shall establish a program to award grants to organizations that meet the eligibility requirements under par. (b).

(b) To be eligible for a grant under this subsection, an organization shall meet all of the following requirements:

1. The organization is a nonstock corporation organized in this state, is described under section 501 (c) (3) or (4) of the Internal Revenue Code, and is exempt from taxation under section 501 (a) of the Internal Revenue Code.

Vetoed In Part

2. The organization promotes the operation of all−terrain vehicles in a manner that is safe and responsible and that does not harm the environment.

3. The organization promotes the operation of all−terrain vehicles in a manner that does not conflict with the laws, rules, and departmental policies that relate to the operation of all−terrain vehicles.

4. The interest of the organization is limited to the recreational operation of all−terrain vehicles on all−terrain vehicle trails and other areas that are off the highways.

5. The organization has a board of directors that has a majority of members who are representatives of all−terrain vehicle clubs.

6. The organization provides support to all−terrain vehicle clubs.

(c) A nonprofit organization receiving a grant under this subsection shall use the grant moneys to promote and provide support to the program established under sub. (5) by conducting activities that include all of the following:

Vetoed In Part

1. Collecting data on the recreational operation of all−terrain vehicles off the highways.

2. Providing assistance to the department in locating, recruiting, and training instructors for the program established under sub. (5) (d).

3. Attempting to increase participation by current and future all−terrain vehicle operators and owners in the program established under sub. (5) (d).

4. Assisting the department of natural resources and the department of tourism in creating an outreach program to inform local communities of appropriate all−terrain vehicle use in their communities and of the economic benefits that may be gained from promoting tourism to attract all−terrain vehicle operators.

5. Attempting to improve and maintain its relationship with the department of natural resources, the department of tourism, all−terrain vehicle dealers, all−terrain vehicle manufacturers, snowmobile clubs, as defined in s. 350.138 (1) (e), snowmobile alliances, as defined in s.

350.138 (1) (d), and other organizations that promote the recreational operation of snowmobiles.

6. Recruiting, assisting in the training of, and providing support to a corps of volunteers that will assist in providing instruction on the safe and responsible operation of all−terrain vehicles that is given in the field to all−terrain vehicle operators.

7. Publishing a manual in cooperation with the department that shall be used to train volunteers in monitoring the recreational operation of all−terrain vehicles for safety issues and other issues that relate to the responsible operation of all−terrain vehicles.

(d) The department shall pay the grants from the appropriation under s. 20.370 (5) (cx).

Vetoed In Part

SECTION 1066atg. 23.33 (5m) (c) 4. of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to read:

23.33 **(5m)** (c) 4. Assisting the department of natural resources, the department of forestry, and the department of tourism in creating an outreach program to inform local communities of appropriate all−terrain vehicle use in their communities and of the economic benefits that may be gained from promoting tourism to attract all−terrain vehicle operators.

SECTION 1066ati. 23.33 (5m) (c) 5. of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to to read:

23.33 **(5m)** (c) 5. Attempting to improve and maintain its relationship with the department of natural resources, the department of forestry, the department of tourism, all−terrain vehicle dealers, all−terrain vehicle manufacturers, snowmobile clubs, as defined in s. 350.138 (1) (e), snowmobile alliances, as defined in s. 350.138 (1) (d), and other organizations that promote the recreational operation of snowmobiles.

Vetoed In Part

SECTION 1066atk. 23.33 (7m) of the statutes is created to read:

23.33 **(7m)** REPORTING REQUIREMENT. The department shall submit an annual report to the joint legislative audit committee on how the increase in conservation warden positions under 2001 Wisconsin Act .... (this act), that provide additional state law enforcement functions related to all−terrain vehicles has benefited the department's efforts to enforce the laws relating to the operation of all−terrain vehicles and to educate the public on these laws. The department shall submit this report no later than August 15 annually and shall submit the first report no later than August 15, 2002. The report shall cover the fiscal year ending on the June 30 that immediately precedes the date of the report.

Vetoed In Part

SECTION 1066atv. 23.33 (8) (c) of the statutes is amended to read:

23.33 **(8)** (c) *Trails.* ~~A~~ Any town, any village, any city, any county ~~or~~, the department of natural resources, or the department of forestry may designate corridors through land which it owns or controls, or for which it obtains leases, easements or permission, for use as all−terrain vehicle trails.

Vetoed In Part

SECTION 1066atz. 23.33 (9) (b) (intro.) of the statutes is amended to read:

23.33 **(9)** (b) *All−terrain vehicle projects.* (intro.) Any of the following all−terrain vehicle projects ~~are~~ is eligible for funding as ~~a state~~ an all−terrain vehicle project from the appropriation account under s. 20.370 (1) (ms) or 20.375 (3) (sr) or for aid as a nonstate all−terrain vehicle project from the appropriation accounts under s. 20.370 (5) (ct) and (cu):

SECTION 1066aui. 23.33 (9m) of the statutes is created to read:

23.33 **(9m)** STATE TRAILS. The department of forestry shall designate, develop, and maintain the all−terrain vehicle trails in state forests, other than southern state forests.

SECTION 1066auk. 23.33 (12) (a) of the statutes is amended to read:

23.33 **(12)** (a) ~~An officer of the state traffic patrol under s. 110.07 (1), inspector under s. 110.07 (3), conservation warden appointed by the department under s. 23.10, county sheriff or municipal peace~~ Any law enforcement officer has authority and jurisdiction to enforce this section and ordinances enacted in conformity with this section.

SECTION 1066b. 23.41 (5) of the statutes is amended to read:

23.41 **(5)** Each contract for construction work entered into by the department under this section shall be awarded on the basis of bids or competitive sealed proposals in accordance with procedures established by the department. Each contract for construction work shall be awarded to the lowest responsible bidder or the person submitting the most advantageous competitive sealed proposal as determined by the department. If the bid of the lowest responsible bidder or the proposal of the person submitting the most advantageous competitive sealed proposal is determined by the department to be in excess of the estimated reasonable value of the work or not in the public interest, the department may reject all bids or competitive sealed proposals. Every such contract is exempted from ss. 16.70 to 16.75, 16.755, 16.76, 16.767 to 16.82, 16.855, 16.87 and 16.89, but ss. 16.528, 16.754 and 16.765 apply to the contract. Every such contract involving an expenditure of ~~$30,000 or~~ more than $60,000 is not valid until the contract is approved by the governor.

Vetoed In Part

SECTION 1066d. 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 (46).

SECTION 1066e. 23.45 (1) (a) of the statutes is amended to read:

23.45 **(1)** (a) "Approval" means any ~~type of~~ approval ~~or authorization~~ issued by the department ~~including a license, permit, certificate, card, stamp or tag~~ or its agents through an automated system established by the department for the issuance of approvals under s. 29.024 or the issuance of vehicle admission receipts under s. 27.01 (7m) (d).

SECTION 1066g. 23.45 (1) (b) of the statutes is amended to read:

23.45 **(1)** (b) "List" means ~~information~~ a computer generated list compiled or maintained by the department from information provided to the department by individuals who have applied for an approval or for registration and that contains the personal identifiers of 10 or more of those individuals.

SECTION 1066L. 23.45 (1) (d) of the statutes is created to read:

23.45 **(1)** (d) "Registration" means any registration documentation, as defined in s. 23.33 (1) (jn) or s. 350.01 (10t), or certification or registration documentation, as defined in s. 30.50 (3b), issued by the department or its agents.

SECTION 1066p. 23.45 (2) of the statutes is amended to read:

23.45 **(2)** If a form that the department ~~requires~~ or its agents require an individual to complete in order to obtain an approval ~~or other privilege from the department or to obtain a product or service from the department~~ or a registration requires the individual to provide any of the individual's personal identifiers, the form shall include a place for the individual to declare that the individual's personal identifiers obtained by the department or its agents from the information on the form may not be disclosed on ~~any~~ a list that the department furnishes to another person.

SECTION 1066t. 23.45 (3) of the statutes is amended to read:

23.45 **(3)** If the department ~~requires~~ or its agents require an individual to provide, by telephone or other electronic means, any of the individual's personal identifiers in order to obtain an approval ~~or other privilege from the department or to obtain a product or service~~ or a registration from the department, the department or its agents shall ask the individual at the time that the individual provides the information if the individual wants to declare that the individual's personal identifiers obtained by telephone or other electronic means may not be disclosed on ~~any~~ a list that the department furnishes to another person.

SECTION 1066x. 23.45 (4) of the statutes is amended to read:

23.45 **(4)** The department shall provide to an individual upon request a form that includes a place for the individual to declare that the individual's personal identifiers obtained by the department or its agents may not be disclosed on ~~any~~ a list that the department furnishes to another person.

SECTION 1066y. 23.47 of the statutes is created to read: **Vetoed In Part**

23.47 Payments for department of tourism programs and activities. The department of natural resources may not expend any moneys appropriated from the conservation fund 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 1067g. 24.39 (1) of the statutes is amended to read: **Vetoed In Part**

24.39 **(1)** The board of commissioners of public lands may grant leases of parts or parcels of any public lands except state park lands and state forest lands; grant easements, leases to enter upon any of said lands to flow the same or to prospect for and to dig and remove therefrom ore, minerals and other deposits, and sell therefrom such timber as the board shall find necessary to prevent future loss or damage. All sales of standing live timber shall be on a selective cutting basis in line with federal forest practices. Such easements, leases, licenses, and sales shall be made only for a full and fair consideration paid or to be paid to the state, the amount and terms whereof shall be fixed by said board, and such easements, leases, licenses and sales shall conform to the requirements, so far as applicable, prescribed by ch. 26 for the exercise ~~by the department of natural resources~~ of similar powers affecting state park lands and state forest lands.

SECTION 1067r. 24.39 (2) of the statutes is amended to read:

24.39 **(2)** In negotiating for such leases, licenses, or sales, and in exercising the other powers conferred by this section the board of commissioners of public lands shall, so far as it finds it desirable and practicable, request and make proper use of such services and information as the department of natural resources or the department of forestry may be able to furnish.

SECTION 1088d. 24.60 (1v) of the statutes is created to read:

24.60 **(1v)** Federated public library system means a federated public library system whose territory lies within 2 or more counties.

SECTION 1088e. 24.61 (2) (a) 10. of the statutes is created to read: **Vetoed In Part**

24.61 **(2)** (a) 10. Land in this state, but subject to the conditions established under par. (c).

SECTION 1088m. 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 1088r. 24.61 (2) (c) of the statutes is created to read:

Vetoed In Part

24.61 **(2)** (c) *Investments in land in this state.* The board may not invest moneys in the purchase of any land under par. (a) 10. unless all of the following conditions are satisfied:

1. The land was project land under a hydroelectric project license issued by the federal energy regulatory commission and the commission has determined that the land is no longer necessary for the operation of any hydroelectric facility.

2. The board determines that the land is suitable for public use, enjoyment, recreation, and education.

3. The amount of land purchased by the board in any 5−year period does not exceed 10,000 acres.

4. The land is appraised in the manner provided under s. 24.08 (3).

5. The board considers all appraisals of the land in making the offer to purchase the land.

6. The board notifies the joint committee on finance in writing of its intention to purchase the land. 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 purchase of land within 14 working days after the date of the board's notification, the land may be purchased by the board. 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 purchase, the land may be purchased only upon approval of the committee.

SECTION 1089m. 24.61 (3) (a) 11. of the statutes is created to read:

24.61 **(3)** (a) 11. A federated public library system, as provided under s. 43.17 (9) (b) or otherwise authorized by law.

SECTION 1089n. 24.61 (3) (b) of the statutes is amended to read:

24.61 **(3)** (b) *Terms; conditions.* A municipality ~~or~~, cooperative educational service agency, or federated public library system may obtain a state trust fund loan for the sum of money, for the time and upon the conditions as may be agreed upon between the board and the borrower, subject to the limitations, restrictions, and conditions set forth in this subchapter.

SECTION 1089t. 24.63 (2r) of the statutes is created to read:

24.63 **(2r)** FEDERATED PUBLIC LIBRARY SYSTEM LOANS. A state trust fund loan to a federated public library system may be made for any term, not exceeding 20 years, that is agreed upon between the federated public library system and the board and may be made for a total amount that, together will all other indebtedness of the federated public library system, does not exceed the federated public library system's allowable indebtedness under s. 43.17 (9) (b).

SECTION 1092m. 24.66 (3v) of the statutes is created to read:

24.66 **(3v)** FOR FEDERATED PUBLIC LIBRARY SYSTEMS. An application for a loan by a federated public library system shall be accompanied by a certified copy of a resolution of the board of the federated public library system approving the loan.

SECTION 1096m. 24.67 (1) (intro.) of the statutes is amended to read:

24.67 **(1)** (intro.) If the board approves the application, it shall cause certificates of indebtedness to be prepared in proper form and transmitted to the municipality ~~or~~, cooperative educational service agency, or federated public library system submitting the application. The certificate of indebtedness shall be executed and signed:

SECTION 1097m. 24.67 (1) (m) of the statutes is created to read:

24.67 **(1)** (m) For a federated public library system, by its president.

SECTION 1098m. 24.67 (2) (h) of the statutes is created to read:

24.67 **(2)** (h) For a federated public library system, by a member of the federated public library system board designated by that board who is not the president of that board.

SECTION 1099m. 24.67 (3) of the statutes is amended to read:

24.67 **(3)** If a municipality has acted under subs. (1) and (2), it shall certify that fact to the department of administration. Upon receiving a certification from a municipality, or upon direction of the board if a loan is made to a cooperative educational service agency or a federated public library system, the secretary of administration shall draw a warrant upon the state treasurer for the amount of the loan, payable to the treasurer of the municipality ~~or~~, cooperative educational service agency, or federated public library system making the loan or as the treasurer of the municipality ~~or~~, cooperative educational service agency, or federated public library system directs. The certificate of indebtedness shall then be conclusive evidence of the validity of the indebtedness and that all the requirements of law concerning the application for the making and acceptance of the loan have been complied with.

SECTION 1100m. 24.70 (1) of the statutes is amended to read:

24.70 **(1)** APPLICABILITY. This section applies to all outstanding state trust fund loans to borrowers other than school districts and federated public library systems.

SECTION 1101m. 24.715 of the statutes is created to read:

24.715 Collections from federated public library systems. (1) APPLICABILITY. This section applies to all outstanding trust fund loans to federated public library systems.

(2) CERTIFIED STATEMENT. If a federated public library system has a state trust fund loan, the board shall transmit to the system board a certified statement of the

amount due on or before October 1 of each year until the loan is paid. The board shall furnish a copy of each certified statement to the state treasurer and the department of public instruction.

(3) PAYMENT TO STATE TREASURER. The system board shall transmit to the state treasurer on its own order the full amount levied for state trust fund loans within 15 days after March 15. The state treasurer shall notify the board when he or she receives payment. Any payment not made by March 30 is delinquent and is subject to a penalty of one percent per month or fraction thereof, to be paid to the state treasurer with the delinquent payment.

(4) FAILURE TO MAKE PAYMENT. If the system board fails to remit the amounts due under sub. (3), the state superintendent, upon certification of delinquency by the board, shall deduct the amount due including any penalty from any aid payments due the system, shall remit such amount to the state treasurer and, no later than June 15, shall notify the system board and the board to that effect.

SECTION 1102. 25.14 (1) (a) 15. of the statutes is created to read:

25.14 **(1)** (a) 15. The permanent endowment fund.

SECTION 1102e. 25.14 (1) (a) 15m. of the statutes is created to read:

25.14 **(1)** (a) 15m. Any redemption fund established under s. 18.561 (5).

SECTION 1102g. 25.14 (1) (a) 16. of the statutes is created to read:

25.14 **(1)** (a) 16. Any redemption fund established under s. 18.562 (3).

SECTION 1102k. 25.14 (1) (a) 17. of the statutes is created to read:

25.14 **(1)** (a) 17. Any fund established under s. 18.57 (1).

SECTION 1102m. 25.14 (1) (a) 18. of the statutes is created to read:

25.14 **(1)** (a) 18. The artistic endowment fund.

SECTION 1104. 25.17 (1) (ag) of the statutes is created to read:

25.17 **(1)** (ag) Agricultural producer security fund (s. 25.463);

SECTION 1104m. 25.17 (1) (ak) of the statutes is created to read:

25.17 **(1)** (ak) Artistic endowment fund (s. 25.78);

Vetoed In Part

SECTION 1104n. 25.17 (1) (aq) of the statutes is created to read:

25.17 **(1)** (aq) Cash building projects fund (s. 25.91).

Vetoed In Part

SECTION 1104p. 25.17 (1) (at) of the statutes is created to read:

25.17 **(1)** (at) Cemetery management insurance fund (s. 25.86);

SECTION 1105. 25.17 (1) (ee) of the statutes is repealed.

SECTION 1107. 25.17 (1) (f) of the statutes is repealed.

Vetoed In Part

SECTION 1107g. 25.17 (1) (fs) of the statutes is created to read:

25.17 **(1)** (fs) Forestry fund (s. 25.28).

SECTION 1107r. 25.17 (1) (fv) of the statutes is created to read:

25.17 **(1)** (fv) Forestry land endowment fund (s. 25.294);

SECTION 1108. 25.17 (1) (jv) of the statutes is created to read:

25.17 **(1)** (jv) Medical assistance trust fund (s. 25.77);

SECTION 1109. 25.17 (1) (kr) of the statutes is created to read:

25.17 **(1)** (kr) Permanent endowment fund (s. 25.69);

Vetoed In Part

SECTION 1110m. 25.17 (1) (yt) of the statutes is created to read:

25.17 **(1)** (yt) Wisconsin outdoor wildlife heritage trust fund (s. 25.297).

SECTION 1111. 25.17 (16) of the statutes is created to read:

25.17 **(16)** (a) Annually, after June 1 but not later than June 15, beginning in 2004, calculate the amount of moneys that are available in the permanent endowment fund for transfer to the general fund under s. 13.101 (16) (a). For the purpose of this calculation, moneys that are available in the permanent endowment fund for transfer to the general fund shall equal the sum of the following:

1. An amount that equals 8.5% of the market value of the investments in the permanent endowment fund on June 1, less the amount transferred to the tobacco control fund under s. 13.101 (16) (b). For the purpose of making the calculation under this subdivision, the board shall not include any amounts or investments specified in subds. 2. and 3.

2. All proceeds of, and investment earnings on, investments of the permanent endowment fund made under s. 25.18 (1) (p) that are received in the fiscal year.

3. All other amounts identified by the secretary of administration as payments of residual interests to the state from the sale of the state's right to receive payments under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998, that are received in the fiscal year.

(b) Annually, beginning in 2004, submit to the joint committee on finance and to the chief clerk of each house, for distribution to the appropriate standing committees under s. 13.172 (3), a report specifying the amount of moneys that are available in the permanent endowment fund for transfer to the general fund under s. 13.101 (16).

Vetoed In Part

SECTION 1111j. 25.17 (59) of the statutes is amended to read:

25.17 **(59)** Invest or deposit money from the appropriation under s. 20.143 (1) (fm) in a public depository located in this state that is ~~at least 51% owned~~

Vetoed In Part ~~by a minority group member or minority group members, as defined in s. 560.036 (1) (f)~~ a minority business certified by the department of commerce under s. 560.036 (2).

SECTION 1112. 25.18 (1) (o) of the statutes is created to read:

25.18 **(1)** (o) Invest any of the assets of the permanent endowment fund in any investment that is an authorized investment for assets in the fixed retirement investment trust under s. 25.17 (4) or assets in the variable retirement investment trust under s. 25.17 (5).

SECTION 1113. 25.18 (1) (p) of the statutes is created to read:

25.18 **(1)** (p) Hold any of the assets in the permanent endowment fund in any of the following:

1. Evidences of indebtedness, including subordinated obligations, that are secured by tobacco settlement revenues, as defined in s. 16.63 (1) (c), and that are issued by a corporation or company established under s. 16.63 (3) or 231.215 or by the Wisconsin health and educational facilities authority.

2. Certificates or other evidences of ownership interest in all or any portion of tobacco settlement revenues, as defined in s. 16.63 (1) (c).

Vetoed In Part **SECTION 1113g.** 25.28 of the statutes is created to read:

25.28 Forestry fund. (1) There is established a separate nonlapsible trust fund designated as the forestry fund to consist of all of the following:

(a) All moneys accruing to the state for or in behalf of the department of forestry under s. 29.235 (6) and chs. 23, 26, 27, and 28.

(b) All moneys received under subchs. I and VI of ch. 77.

(c) All moneys received under s. 70.58.

(d) All other state funds appropriated or transferred to the forestry fund.

(2) All moneys received from the United States for fire prevention and control, forest planting, and other forestry activities shall be devoted to the purposes for which these moneys are received.

SECTION 1113r. 25.29 (1) (a) of the statutes is amended to read:

25.29 **(1)** (a) Except as provided in 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,~~ 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 1114. 25.29 (3) (intro.) of the statutes is renumbered 25.29 (3) and amended to read:

25.29 **(3)** Funds accruing to the conservation fund from license fees paid by hunters and from sport and recreation fishing license fees shall not be diverted for any other purpose than ~~those provided by the department, except:~~ the administration of the department when it is exercising its responsibilities that are specific to the management of the fish and wildlife resources of this state.

SECTION 1115. 25.29 (3) (a) of the statutes is repealed.

SECTION 1116. 25.29 (3) (b) of the statutes is repealed.

SECTION 1117. 25.29 (3) (c) of the statutes is repealed.

SECTION 1117m. 25.29 (3g) of the statutes is created to read: **Vetoed In Part**

25.29 **(3g)** For purposes of sub. (3) and s. 29.037, the joint committee on finance shall determine what constitutes the administration of the department when it is exercising its responsibilities that are specific to the management of the fish and wildlife resources of this state.

SECTION 1118. 25.29 (4m) of the statutes is amended to read:

25.29 **(4m)** ~~Notwithstanding sub. (3), no~~ No moneys that accrue to the state for or in behalf of the department under ch. 29 may be expended or paid for the enforcement of the treaty−based, off−reservation rights to fish held by members of federally recognized American Indian tribes or bands domiciled in Wisconsin.

SECTION 1119. 25.29 (6) of the statutes is amended to read:

25.29 **(6)** All moneys received from the United States for fire prevention and control, forest planting, and other forestry activities, ~~and~~ for wildlife restoration projects and fish restoration and management projects, and for other purposes~~, and as provided in s. 29.037,~~ shall be devoted to the purposes for which these moneys are received.

SECTION 1119c. 25.29 (6) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read: **Vetoed In Part**

25.29 **(6)** All moneys received from the United States ~~for fire prevention and control, forest planting, and other forestry activities,~~ for wildlife restoration projects and fish restoration and management projects, and for other purposes shall be devoted to the purposes for which these moneys are received.

SECTION 1119g. 25.29 (7) (intro.) of the statutes is renumbered 25.28 (3) (a).

SECTION 1119L. 25.29 (7) (a) of the statutes is renumbered 25.28 (3) (am) and amended to read:

25.28 **(3)** (am) Eight percent of the tax levied under s. 70.58 or of the funds provided for in lieu of the levy shall be used to acquire and develop forests of the state for the purposes or capable of providing the benefits described under s. 28.04 (2) within areas approved by the department of forestry and the governor and located within the region composed of Manitowoc, Calumet, Winnebago, Sheboygan, Fond du Lac, Ozaukee, Washington, Dodge, Milwaukee, Waukesha, Jefferson,

Vetoed In Part

Racine, Kenosha, Walworth, Rock and Outagamie counties.

SECTION 1119p. 25.29 (7) (b) of the statutes is renumbered 25.28 (3) (b) and amended to read:

25.28 **(3)** (b) An additional 4% of the tax levied under s. 70.58 or of the funds provided in lieu of the levy shall be used to purchase forests for the state for the purposes or capable of providing the benefits described under s. 28.04 (2) within areas approved by the department of forestry and the governor and located within the region specified under par. ~~(a)~~ (am).

SECTION 1119t. 25.294 of the statutes is created to read:

25.294 Forestry land endowment fund. There is established a separate nonlapsible trust fund designated as the forestry land endowment fund, to consist of:

(1) All gifts, grants, or bequests made to the forestry land endowment fund. The department of forestry 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 1119x. 25.295 (1) (b) of the statutes is amended to read:

25.295 **(1)** (b) Notwithstanding s. 23.15 (4), all moneys received by the ~~department of natural resources~~ state from utility easements on property located in the state park system, a southern state forest, or a state recreation area ~~under ss. 23.09 (10), 27.01 (2) (g) and 28.02 (5)~~.

Vetoed In Part

SECTION 1119z. 25.297 of the statutes is created to read:

25.297 Wisconsin outdoor wildlife heritage trust fund. There is established a separate nonlapsible trust fund designated as the Wisconsin outdoor wildlife heritage trust fund, to consist of all gifts, grants, or bequests or other contributions made to the Wisconsin outdoor wildlife heritage trust fund.

SECTION 1120. 25.36 (1) of the statutes is amended to read:

25.36 **(1)** Except as provided in sub. (2), all moneys appropriated or transferred by law shall constitute the veterans trust fund which shall be used for the veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (w), (z), and (zm), ~~45.01~~ 45.014, 45.25, 45.351 (1), 45.353, 45.356, 45.357, 45.396, 45.397, and 45.43 (7) and administered by the department of veterans affairs, including all moneys received from the federal government for the benefit of veterans or their dependents; all moneys paid as interest on and repayment of loans under the post–war rehabilitation fund; soldiers rehabilitation fund, veterans housing funds as they existed prior to July 1, 1961; all moneys paid as interest on and repayment of loans under this fund; all moneys paid as expenses for, interest on, and repayment of veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys paid as expenses for, interest on, and repayment of veterans personal loans; the net proceeds from the sale of mortgaged properties related to veterans personal loans; all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond issuance purchased with moneys in the veterans trust fund; all moneys received from the state investment board under s. 45.356 (9) (b); all moneys received from the veterans mortgage loan repayment fund under s. 45.79 (7) (a) and (c); and all gifts of money received by the board of veterans affairs for the purposes of this fund.

SECTION 1121. 25.40 (1) (a) 4m. of the statutes is created to read:

25.40 **(1)** (a) 4m. Moneys received from telecommunications providers or cable telecommunications service providers that are deposited in the general fund and credited to the appropriation account under s. 20.395 (3) (jh).

SECTION 1122. 25.40 (1) (a) 21. of the statutes is created to read:

25.40 **(1)** (a) 21. Moneys received as payment for losses of and damage to state property for costs associated with repair or replacement of such property that are deposited in the general fund and credited to the appropriation account under s. 20.395 (3) (jj).

SECTION 1123m. 25.40 (1) (cd) of the statutes is created to read:

25.40 **(1)** (cd) All moneys transferred to the transportation fund from the appropriation account under s. 20.855 (4) (fm).

SECTION 1124. 25.44 of the statutes is repealed.

SECTION 1125. 25.46 (1k) of the statutes is created to read:

25.46 **(1k)** The moneys transferred under s. 20.505 (8) (hm) 20.

SECTION 1127. 25.46 (20) of the statutes is created to read:

25.46 **(20)** All moneys received in settlement of actions initiated under 42 USC 9601 to 9675 for environmental management.

SECTION 1127c. 25.46 (21) of the statutes is created to read:

25.46 **(21)** All moneys, other than fines and forfeitures, that are received under settlement agreements or orders in settlement of actions or proposed actions for violations of chs. 280 to 299 and that are designated to be used to restore or develop environmental resources, to provide restitution, or to make expenditures required under an agreement or order.

SECTION 1128. 25.463 of the statutes is created to read:

25.463 Agricultural producer security fund. There is established a separate nonlapsible trust fund designated as the agricultural producer security fund, to consist of all fees, surcharges, assessments, reimbursements, and proceeds of surety bonds received by the department

of agriculture, trade and consumer protection under ch. 126.

SECTION 1129. 25.47 (7) of the statutes is created to read:

25.47 **(7)** The fees imposed under s. 101.09 (3) (d).

SECTION 1131. 25.60 of the statutes is repealed and recreated to read:

25.60 Budget stabilization fund. There is created a separate nonlapsible trust fund designated as the budget stabilization fund, consisting of moneys transferred to the fund from the general fund under s. 16.518 (3).

SECTION 1132. 25.61 of the statutes is amended 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.~~ ss. 16.701 and 16.702 (1) and from gifts, grants, and bequests made for the purposes of ~~s.~~ ss. 16.701 and 16.702 (1) and moneys transferred to the fund from other funds.

SECTION 1134. 25.66 (1) of the statutes is renumbered 25.66 (1) (intro.) and amended to read:

25.66 **(1)** (intro.) There is created a separate nonlapsible trust fund, known as the tobacco control fund, to consist of~~, in fiscal year 1999−2000,~~ the following:

(a) The first $23,500,000 of the moneys received in fiscal year 1999−2000 under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998.

SECTION 1135. 25.66 (1) (b) of the statutes is created to read:

25.66 **(1)** (b) Except as provided in sub. (1m) (a), the first $6,032,300 of the moneys received in fiscal year 2001−02 under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998.

SECTION 1136. 25.66 (1) (c) of the statutes is created to read:

25.66 **(1)** (c) Except as provided in sub. (1m) (b), in fiscal year 2002−03, the first $15,345,100 of the moneys received in that fiscal year under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998.

SECTION 1136g. 25.66 (1) (d) of the statutes is created to read:

25.66 **(1)** (d) Beginning in fiscal year 2003−04, all moneys transferred from the permanent endowment fund under s. 13.101 (16) (b).

SECTION 1137. 25.66 (1m) of the statutes is created to read:

25.66 **(1m)** (a) If the state has not received in fiscal year 2001−02 at least $6,032,300 under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998, because the secretary of administration, under s. 16.63, has sold the state's right to receive payments under the Agreement, the tobacco control fund shall also consist of any moneys transferred to the tobacco control fund from the general fund under s. 16.519 (3).

(b) In fiscal year 2002−03, if the state has not received at least $15,345,100 in that fiscal year under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998, because the secretary of administration, under s. 16.63, has sold the state's right to receive payments under the Agreement, the tobacco control fund shall also consist of any moneys transferred to the tobacco control fund from the general fund under s. 16.519 (4).

SECTION 1138. 25.67 (2) (b) of the statutes is amended to read:

25.67 **(2)** (b) All moneys in the fund that are not ~~appropriated under s. 20.433 (1) (r) or~~ expended under s. 20.433 (1) (q) shall continue to accumulate indefinitely.

SECTION 1139. 25.68 (4) of the statutes is created to read:

25.68 **(4)** All moneys received under s. 49.855 (4) from the department of revenue or the department of administration that were withheld by the department of revenue or the internal revenue service for delinquent child support, family support, or maintenance or outstanding court−ordered amounts for past support, medical expenses, or birth expenses.

SECTION 1140. 25.69 of the statutes is created to read:

25.69 Permanent endowment fund. There is established a separate nonlapsible trust fund designated as the permanent endowment fund, consisting of all of the proceeds from the sale of the state's right to receive payments under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998, and all investment earnings on the proceeds. Moneys in the permanent endowment fund shall be used only to make the transfers under s. 20.855 (4) (rc), (rh), (rp), and (rv).

SECTION 1141. 25.69 of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to read:

25.69 Permanent endowment fund. There is established a separate nonlapsible trust fund designated as the permanent endowment fund, consisting of all of the proceeds from the sale of the state's right to receive payments under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998, and all investment earnings on the proceeds. Moneys in the permanent endowment fund shall be used only to make the transfers under ~~s.~~ ss. 13.101 (16) (b) and 20.855 (4) ~~(rc),~~ (rh)~~, (rp), and (rv)~~.

SECTION 1141g. 25.72 of the statutes is repealed and recreated to read:

25.72 Historical legacy trust fund. There is established a separate nonlapsible trust fund designated as the historical legacy trust fund that consists of all moneys in the bicentennial account under s. 25.72 (2), 1999 stats., and all gifts, grants, or bequests made to commemorate the 200th anniversary of Wisconsin statehood.

SECTION 1141r. 25.73 of the statutes is repealed and recreated to read:

25.73 Historical society endowment fund. There is established a separate nonlapsible endowment fund designated as the historical society endowment fund, to consist of all gifts, grants, or bequests made to the fund. Notwithstanding s. 20.907 (1), the historical society may convert any noncash gift, grant, or bequest into cash.

SECTION 1142t. 25.75 (2) of the statutes 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. 20.435 (7) (kg), 20.455 (2) (g), and 20.505 (8) (am), (g), and (jm).

SECTION 1143. 25.77 of the statutes is created to read:

25.77 Medical assistance trust fund. There is created a separate nonlapsible trust fund designated as the medical assistance trust fund, consisting of all of the following:

(1) All federal moneys received, including moneys that the department of health and family services may transfer from the appropriation under s. 20.435 (4) (o), that are related to payments under s. 49.45 (6m) and are based on public funds that are transferred or certified under 42 CFR 433.51 (b) and used as the non−federal share of medical assistance funding.

(2) All public funds that are related to payments under s. 49.45 (6m) and that are transferred or certified under 42 CFR 433.51 (b) and used as the non−federal and federal share of medical assistance funding.

SECTION 1143m. 25.78 of the statutes is created to read:

25.78 Artistic endowment fund. There is established a separate nonlapsible trust fund designated as the artistic endowment fund, to consist of all of the following:

(1) All gifts, grants, bequests, or other contributions made to the artistic endowment fund.

(2) All gifts, grants, bequests, or other contributions made to the Wisconsin Artistic Endowment Foundation and described under s. 247.05 (2) (f).

Vetoed In Part

SECTION 1144m. 25.86 of the statutes is created to read:

25.86 Cemetery management insurance fund. There is established a separate nonlapsible trust fund designated as the cemetery management insurance fund, to consist of the moneys received under s. 69.22 (7).

SECTION 1145. 25.90 of the statutes is repealed.

Vetoed In Part

SECTION 1145d. 25.91 of the statutes is created to read:

25.91 Cash building projects fund. There is created a separate nonlapsible fund designated as the cash building projects fund, consisting of moneys transferred from the general fund under s. 16.518 (4).

Vetoed In Part

SECTION 1146g. 26.01 of the statutes is amended to read:

26.01 Definition. In this chapter, unless the context requires otherwise "department" means the department of ~~natural resources~~ forestry.

SECTION 1146r. 26.06 (1) of the statutes is amended to read:

26.06 **(1)** Foresters, forest supervisors, and state forest rangers and wardens of the department and the cruisers and foresters of the board of commissioners of public lands have the enforcement powers specified in s. 26.97 with respect to, and may seize, without process, any forest products unlawfully severed from public lands of the state, federal lands leased to the state, county forest lands entered under s. 28.11, forest croplands entered under subch. I of ch. 77, or managed forest land designated under subch. VI of ch. 77. Seized products cut from lands under the control of the board of commissioners of public lands shall be held for the commissioners and those cut from forest croplands, managed forest land, or county forest shall be held for the owner, and subject to the payment of severance taxes, yield taxes or severance share thereon to the state. Products cut from state forest lands or federal lands leased to the department shall be appraised and sold. Products appraised at more than $500 shall be sold on sealed bids not less than 10 days after a class 1 notice has been published, under ch. 985, in the county where the material is located. Any sheriff may seize and hold for the owner thereof any forest products unlawfully severed or removed.

SECTION 1146t. 26.08 (1) of the statutes is amended to read:

26.08 **(1)** The department of forestry may~~, from time to time,~~ lease parts or parcels of ~~state park lands or~~ state forest lands, other than lands in southern state forests. The department of natural resources may lease parts or parcels of state park lands or lands in southern state forests. These leases shall contain proper covenants to guard against trespass and waste. The rents arising from these leases shall be paid into the state treasury to the credit of the proper fund. Licenses also may be granted to prospect for ore or mineral upon any of these lands; but proper security shall be taken that the licensees will fully inform the department that grants a license of every discovery of ore or mineral and will restore the surface to its former condition and value if no discovery of valuable deposits is made. The department that enters into a lease or grants a license shall retain a copy of each lease or license and file the original in the office of the board of commissioners of public lands.

SECTION 1146u. 26.08 (2) (a) of the statutes is amended to read:

26.08 **(2)** (a) Except as provided under pars. (b) to (d), ~~the department may lease state park land or state forest~~

Vetoed In Part

~~land for~~ leases under sub. (1) shall be for terms not exceeding 15 years.

SECTION 1147. 26.08 (2) (bn) of the statutes is created to read:

26.08 **(2)** (bn) The department may lease state park land located within the boundaries of the Wisconsin Dells natural area for terms not exceeding 30 years.

Vetoed In Part

SECTION 1147m. 26.08 (3) of the statutes is amended to read:

26.08 **(3)** The department of natural resources and the department of forestry shall furnish to the board of commissioners of public lands such maps, plats, surveys, valuations, information, and other services as the board may request respecting any of the public lands, for use by it in granting leases or licenses or in making sales under s. 24.39.

SECTION 1147r. 26.11 (6) of the statutes is amended to read:

26.11 **(6)** The department, as the director of the effort, may suppress a forest fire on lands located outside the boundaries of intensive or extensive forest fire protection districts but not within the limits of any city or village if the town responsible for suppressing fires within its boundaries spends more than $3,000, as determined by rates established by the department, on suppressing the forest fire and if the town chairperson makes a request to the department for assistance. Persons participating in the suppression efforts shall act at the direction of the department after the department begins suppression efforts under this subsection. Funds expended by the state under this subsection shall be drawn from the appropriation under s. ~~20.370 (1) (mu)~~ 20.375 (2) (q).

SECTION 1148. 26.11 (7) (a) of the statutes is amended to read:

26.11 **(7)** (a) Notwithstanding s. 20.001 (3) (c), if the sum of the unencumbered balances in the appropriation accounts under s. 20.370 (1) (cs) and (mz) exceeds ~~$500,000~~ $1,000,000 on June 30 of any fiscal year, the amount in excess of ~~$500,000~~ $1,000,000 shall lapse from the appropriation account under s. 20.370 (1) (cs) to the conservation fund, except as provided in par. (b).

Vetoed In Part

SECTION 1148c. 26.11 (7) (a) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

26.11 **(7)** (a) Notwithstanding s. 20.001 (3) (c), if the sum of the unencumbered balances in the appropriation accounts under s. ~~20.370 (1) (cs)~~ 20.375 (2) (r) and ~~(mz)~~ (z) exceeds $1,000,000 on June 30 of any fiscal year, the amount in excess of $1,000,000 shall lapse from the appropriation account under s. ~~20.370 (1) (cs)~~ 20.375 (2) (r) to the ~~conservation~~ forestry fund, except as provided in par. (b).

SECTION 1148f. 26.11 (7) (b) of the statutes is amended to read:

26.11 **(7)** (b) Notwithstanding s. 20.001 (3) (c), if the amount in the appropriation account under s. ~~20.370 (1) (cs)~~ 20.375 (2) (r) is insufficient for the amount that must lapse under par. (a), the remainder that is necessary for the lapse shall lapse from the appropriation account under s. ~~20.370 (1) (mz)~~ 20.375 (2) (z).

Vetoed In Part

SECTION 1148j. 26.12 (2) of the statutes is amended to read:

26.12 **(2)** ORGANIZATION. The department shall organize each forest protection area so as to most effectively prevent, detect and suppress forest fires, and to that end may employ experienced wardens or state forest rangers to have charge of its efforts in each area; may subdivide each area into patrol areas; may establish lookout towers, construct ranger stations, telephone lines, purchase tools for fire fighting as well as other necessary supplies or equipment, and carry on all other activities considered necessary to effectively protect the area from forest fires, including the promulgation of rules for the payment of fire fighters, the preparation of notices and forms for publication and the disposition and use of all fire−fighting equipment or property. All property or equipment purchased by the state shall be owned by the state, but counties or towns may purchase and own equipment for fire suppression, and the equipment shall be used for the improvement of the forest fire−fighting organization.

SECTION 1148r. 26.14 (2) of the statutes is amended to read:

26.14 **(2)** All such state forest rangers, town chairpersons, emergency fire wardens, conservation wardens and other duly appointed deputies may in the performance of their official duty go on the lands of any person to fight forest fires, and in so doing may set back fires, dig trenches, cut fire lines or carry on all other customary activities in the fighting of forest fires, without incurring a liability to anyone.

SECTION 1149. 26.145 (1) of the statutes is amended to read:

26.145 **(1)** GRANTS. The department shall establish a program to award grants for up to 50% of the cost of acquiring fire resistant clothing for suppressing fires ~~and~~, of acquiring fire suppression supplies, equipment, and vehicles, of acquiring fire prevention materials, and of training fire fighters in forest fire suppression techniques.

Vetoed In Part

SECTION 1149b. 26.20 (6) (b) of the statutes is amended to read:

26.20 **(6)** (b) Any state forest ranger, conservation warden, sheriff or other duly appointed authority may, in the performance of official duties, require any train causing fires or suspected of causing fires to stop within a safe distance from the fires to avoid further setting or spread of fire.

SECTION 1149c. 26.22 of the statutes is amended to read:

26.22 Sales, etc. The department of forestry may sell any timber on the state park or state forest lands ~~which~~, other than lands in southern state forests, that has been

Vetoed In Part

damaged by fire or wind, on such terms and in such manner as it shall deem best for the interest of the state. The department of natural resources may sell any timber on lands in southern state forests that has been damaged by fire or wind, on such terms and in such manner as it shall deem best for the interest of the state.

SECTION 1149d. 26.30 (2) of the statutes is amended to read:

26.30 **(2)** POWERS. The department is vested with authority and jurisdiction in all matters relating to the prevention, detection and control of forest pests on the forest lands of the state, and to do all things necessary in the exercise of such authority and jurisdiction, except that this shall not be construed to grant any powers or authority to the department for the silvicultural control of forest pests on any land. This section shall apply only to the detection and control of forest pests on forest lands and does not affect the authority of the department of agriculture, trade and consumer protection under chs. 93 and 94. The action of the department under sub. (4) shall be coordinated with the department of agriculture, trade and consumer protection in accordance with s. 20.901. The secretaries of ~~natural resources~~ forestry and agriculture, trade and consumer protection shall execute annually a memorandum of agreement to enable the coordination of pest control work of their departments.

SECTION 1149e. 26.30 (4) of the statutes is amended to read:

26.30 **(4)** SURVEYS, INVESTIGATIONS AND CONTROL. The department shall make surveys and investigations to determine the presence, condition and extent of infestations and it shall also carry on control measures when necessary. For such purposes the department or its wardens or state forest rangers may enter public and private lands at reasonable times without incurring a liability to anyone.

SECTION 1149g. 26.37 (1) (intro.) of the statutes is amended to read:

26.37 **(1)** (intro.) The department of ~~natural resources~~ forestry and the department of commerce shall ~~jointly develop a~~ comply with any plan ~~to establish~~ required to be developed by the department of natural resources and the department of commerce to establish a lake states wood utilization consortium to provide research, development and demonstration grants to enhance the forest products industry in Wisconsin and other states~~. The~~ if the plan ~~shall do~~ does all of the following:

SECTION 1149h. 26.37 (1) (a) of the statutes is amended to read:

26.37 **(1)** (a) ~~Define~~ Defines the powers, duties and responsibilities of the consortium.

SECTION 1149i. 26.37 (1) (b) of the statutes is amended to read:

26.37 **(1)** (b) ~~Establish~~ Establishes an implementation committee for the consortium. Members of the committee may include one or more representatives from the department of natural resources, the department of forestry, the department of commerce and the forest products industry.

Vetoed In Part

SECTION 1149j. 26.37 (1) (c) of the statutes is amended to read:

26.37 **(1)** (c) ~~Specify~~ Specifies eligibility requirements for the grants and criteria for awarding the grants, including how the grants are to be distributed to each state participating in the consortium.

SECTION 1149k. 26.37 (1) (d) of the statutes is amended to read:

26.37 **(1)** (d) ~~Require~~ Requires that the grants require matching funds or in−kind contributions by industrial recipients of the grants.

SECTION 1149L. 26.37 (1) (e) of the statutes is amended to read:

26.37 **(1)** (e) ~~Require~~ Requires the implementation committee to identify an organization that can administer and award the grants and oversee the grant program.

SECTION 1149Lb. 26.37 (1) (f) of the statutes is amended to read:

26.37 **(1)** (f) ~~Require~~ Requires the consortium to actively pursue funding from the states of Michigan and Minnesota of $200,000 annually from each state for 3 years.

SECTION 1149Ld. 26.37 (1) (g) of the statutes is amended to read:

26.37 **(1)** (g) ~~Require~~ Requires the consortium to actively pursue federal and other funding sources.

SECTION 1149m. 26.39 of the statutes is created to read:

26.39 Forestry education. (1) DEFINITIONS. In this section:

(a) "School forest" means a community forest that is owned or operated by a school as provided in s. 28.20.

(b) "Sustainable forestry" has the meaning given in s. 28.04 (1) (e).

(2) FORESTRY EDUCATION CURRICULUM; SCHOOLS. Using the moneys appropriated under s. 20.370 (1) (cu), the department, in cooperation with the Center for Environmental Education in the College of Natural Resources at the University of Wisconsin−Stevens Point, shall develop a forestry education curriculum for grades kindergarten to 12.

(3) FORESTRY EDUCATION FOR THE PUBLIC. Using the moneys appropriated under s. 20.370 (1) (cv), the department shall develop a program to educate the public on the value of sustainable forestry. The program shall include support for educational efforts conducted by school districts at school forests or conducted by other entities that provide education on the topic of sustainable forestry.

(4) FUNDING. (a) The department shall credit to the appropriation account under s. 20.370 (1) (cu) the moneys received as surcharges under s. 28.06 (2m) during fiscal year 2001−02, up to a total amount of $300,000. The department shall credit any balance over

Vetoed In Part

Vetoed In Part

$300,000 that remains from the moneys received as such surcharges during fiscal year 2001−02 to the appropriation account under s. 20.370 (1) (cv).

Vetoed In Part

(b) For fiscal year 2002−03 and each fiscal year thereafter, the department shall credit 50% of the moneys received as surcharges under s. 28.06 (2m) during the applicable fiscal year to the appropriation account under s. 20.375 (2) (ru) and the remaining 50% to the appropriation account under s. 20.375 (2) (rv).

Vetoed In Part

SECTION 1149md. 26.39 (2) and (3) of the statutes, as created by 2001 Wisconsin Act .... (this act), are amended to read:

26.39 **(2)** FORESTRY EDUCATION CURRICULUM; SCHOOLS. Using the moneys appropriated under s. ~~20.370 (1) (cu)~~ 20.375 (2) (ru), the department, in cooperation with the Center for Environmental Education in the College of Natural Resources at the University of Wisconsin−Stevens Point, shall develop a forestry education curriculum for grades kindergarten to 12.

(3) FORESTRY EDUCATION FOR THE PUBLIC. Using the moneys appropriated under s. ~~20.370 (1) (cv)~~ 20.375 (2) (rv), the department shall develop a program to educate the public on the value of sustainable forestry. The program shall include support for educational efforts conducted by school districts at school forests or conducted by other entities that provide education on the topic of sustainable forestry.

SECTION 1149rx. 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 of natural resources or by the department of forestry, designated use zones within other recreation areas established under s. 23.091 (3), and any state park or roadside park except those areas specified in par. (c) 5.

SECTION 1150. 27.01 (7) (f) 1. of the statutes is amended to read:

27.01 **(7)** (f) 1. Except as provided in par. (gm), the fee for an annual vehicle admission receipt is ~~$17.50~~ $19.50 for each vehicle ~~which~~ that has Wisconsin registration plates, except that no fee is charged for a receipt issued under s. 29.235 (6).

SECTION 1151. 27.01 (7) (g) 1. of the statutes is amended to read:

27.01 **(7)** (g) 1. Except as provided in par. (gm), the fee for an annual vehicle admission receipt is ~~$24.50~~ $29.50 for any vehicle ~~which~~ that has a registration plate or plates from another state, except that no fee is charged for a receipt issued under s. 29.235 (6).

SECTION 1152. 27.01 (7) (g) 2. of the statutes is amended to read:

27.01 **(7)** (g) 2. Except as provided in subds. 3. and 4., the fee for a daily vehicle admission receipt for any vehicle ~~which~~ that has a registration plate or plates from another state is ~~$6.85~~ $9.85.

SECTION 1153. 27.01 (7) (gm) 1. of the statutes is amended to read:

27.01 **(7)** (gm) 1. Instead of the fees under pars. (f) 1. and (g) 1., the department shall charge an individual ~~$8.50~~ $9.50 or ~~$12~~ $14.50, respectively, for an annual vehicle admission receipt if the individual applying for the receipt or a member of his or her household owns a vehicle for which a current annual vehicle admission receipt has been issued for the applicable fee under par. (f) 1. or (g) 1.

SECTION 1153c. 27.01 (7) (gm) 3. of the statutes is amended to read:

27.01 **(7)** (gm) 3. Notwithstanding par. (f) 1., the fee for an annual vehicle admission receipt for a vehicle that has Wisconsin registration plates and that is owned by a resident senior citizen, as defined in s. 29.001 (72), is ~~$8.50~~ $9.50.

SECTION 1153g. 27.01 (7) (gu) of the statutes is created to read:

27.01 **(7)** (gu) *Transaction payments.* The department shall establish a system under which the department pays each agent appointed under sub. (7m) (a) a payment of 50 cents for each time that the agent processes a transaction through the statewide automated system contracted for under sub. (7m) (d). This payment is in addition to any issuing fee retained by the agent. The department shall make these payments by allowing the agent to retain an amount equal to the payments from the amounts that are collected by the agent and that would otherwise be remitted to the department.

Vetoed In Part

SECTION 1153h. 27.01 (7) (gu) of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to read:

27.01 **(7)** (gu) *Transaction payments.* The department shall establish a system under which ~~the department pays~~ each agent appointed under sub. (7m) (a) ~~a payment of~~ 1. is paid 50 cents for each time that the agent processes a transaction through the statewide automated system contracted for under sub. (7m) (d). This payment is in addition to any issuing fee retained by the agent. ~~The department shall make these~~ These payments shall be made by allowing the agent to retain an amount equal to the payments from the amounts that are collected by the agent and that would otherwise be remitted to the department.

SECTION 1153i. 27.01 (7) (h) of the statutes is amended to read:

27.01 **(7)** (h) *Use of vehicle admission receipt and issuing fees.* All moneys collected as fees under pars. ~~(g)~~ (f) to (gr) and sub. (7m) (b) that are not retained by agents ~~appointed~~ under par. (gu) or sub. (7m) ~~(a)~~ (b) shall be paid within one week into the state treasury, credited to the conservation fund and used for state parks, state recre-

ation areas, recreation areas in state forests, and the Bong area lands.

Vetoed In Part

SECTION 1153ic. 27.01 (7) (h) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is renumbered 27.01 (7) (h) 1.

SECTION 1153iL. 27.01 (7) (h) 2. of the statutes is created to read:

27.01 **(7)** (h) 2. The department of forestry and the department of natural resources shall enter into an agreement to determine how the moneys credited to the conservation fund under subd. 1. will be allocated for use between the departments, how the payments made under par. (gu) will be allocated for payment between the departments, and how the fees collected for conservation patron licenses will be allocated between the departments. The secretary of administration shall resolve any disputes between the departments concerning the agreement entered into under this subdivision.

SECTION 1153iq. 27.01 (7m) (a) of the statutes is renumbered 27.01 (7m) (a) 1.

SECTION 1153ir. 27.01 (7m) (a) 2. of the statutes is created to read:

27.01 **(7m)** (a) 2. The department of forestry, as an agent of the department, shall issue vehicle admission receipts and collect the vehicle admission fees under sub. (7). The vehicle admission fees collected by the department of forestry shall be deposited in the conservation fund.

SECTION 1153is. 27.01 (7m) (b) of the statutes is renumbered 27.01 (7m) (b) 1. and amended to read:

27.01 **(7m)** (b) 1. An agent appointed under par. (a) 1. shall collect the applicable issuing fee specified in sub. (7) (gr). The agent may retain the issuing fees to compensate the agent for the agent's services in issuing the receipts.

SECTION 1153it. 27.01 (7m) (b) 2. of the statutes is created to read:

27.01 **(7m)** (b) 2. The department of forestry shall collect the applicable issuing fee specified in sub. (7) (gr) for the vehicle admission receipts that it issues and shall deposit the issuing fees into the forestry fund.

SECTION 1153L. 27.01 (7m) (d) of the statutes is created to read:

27.01 **(7m)** (d) The department may contract with persons who are not employees of the department to operate a statewide automated system for issuing vehicle admission receipts and collecting vehicle admission fees under sub. (7).

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SECTION 1153Lb. 27.01 (10) (b) of the statutes is amended to read:

27.01 **(10)** (b) *Establishment, operation and categories of campgrounds.* The department of forestry and the department of natural resources may each establish and operate state campgrounds ~~in state parks, state forests and other~~ on lands under ~~its~~ their respective supervision and management. ~~The~~ Each department may classify, by rule, its state campgrounds into separate categories.

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SECTION 1153Lc. 27.01 (10) (d) 1. of the statutes is amended to read:

27.01 **(10)** (d) 1. The camping fee for each night at a campsite in a campground which is classified as a Type "A" campground ~~by the department~~ under par. (b) is $8 for a resident camping party.

SECTION 1153Ld. 27.01 (10) (d) 2. of the statutes is amended to read:

27.01 **(10)** (d) 2. The camping fee for each night at a campsite in a campground which is classified as a Type "A" campground ~~by the department~~ under par. (b) is $10 for a nonresident camping party.

SECTION 1153Le. 27.01 (10) (d) 3. of the statutes is amended to read:

27.01 **(10)** (d) 3. The camping fee for each night at a campsite in a state campground which is classified as a Type "B" campground ~~by the department~~ under par. (b) is $7 for a resident camping party.

SECTION 1153Lf. 27.01 (10) (d) 4. of the statutes is amended to read:

27.01 **(10)** (d) 4. The camping fee for each night at a campsite in a state campground which is classified as a Type "B" campground ~~by the department~~ under par. (b) is $9 for a nonresident camping party.

SECTION 1153Lg. 27.01 (10) (d) 5. of the statutes is amended to read:

27.01 **(10)** (d) 5. The camping fee for each night at a campsite in a campground which is classified as a Type "C" campground ~~by the department~~ under par. (b) is $6 for a resident camping party.

SECTION 1153Lh. 27.01 (10) (d) 6. of the statutes is amended to read:

27.01 **(10)** (d) 6. The camping fee for each night at a campsite in a campground which is classified as a Type "C" campground ~~by the department~~ under par. (b) is $8 for a nonresident camping party.

SECTION 1153Lj. 27.01 (10) (e) of the statutes is amended to read:

27.01 **(10)** (e) *Determination of residency.* The ~~department~~ departments shall base ~~its~~ their determination of whether a camping party is a resident or nonresident camping party upon the residency of the person who applies for a reservation under sub. (11) at the time the application for reservation is made or, if no reservation is made, the residency of the person who registers for the campsite at the time of registration.

SECTION 1153Lm. 27.01 (10) (f) of the statutes is amended to read:

27.01 **(10)** (f) *Waiver of fees; special fees.* The ~~department~~ departments may waive camping fees, charge additional camping fees or charge special fees instead of camping fees for certain classes of persons or

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groups, certain areas, certain types of camping or times of the year and for admission to special events.

SECTION 1153Ln. 27.01 (10) (g) (intro.) of the statutes is amended to read:

27.01 **(10)** (g) *Additional camping fees.* (intro.) Besides the additional camping fees authorized under par. (f), the ~~department~~ departments may charge:

SECTION 1153Lp. 27.01 (10) (h) of the statutes is amended to read:

27.01 **(10)** (h) *Increased camping fees.* In addition to ~~its~~ their authority under par. (f), the ~~department~~ departments shall determine which state campgrounds under their supervision and management are located in areas where local market conditions justify the establishment of higher camping fees to be charged by the ~~department. For these state campgrounds, the department~~ departments. The departments shall promulgate rules for state campgrounds under their supervision and management to establish higher camping fees to be based on the applicable local market conditions.

SECTION 1153Lq. 27.01 (11) (a) of the statutes is amended to read:

27.01 **(11)** (a) *Authorization.* The department of natural resources and the department of forestry may ~~establish and~~ jointly operate a campground reservation system for state campgrounds in state parks, state forests and on other lands under ~~the~~ either department's supervision and ~~control. The department~~ management and may participate with owners of private campgrounds in a cooperative reservation system.

SECTION 1153Ls. 27.01 (11) (cm) 1. of the statutes is amended to read:

27.01 **(11)** (cm) 1. The department may enter into a contract with another party to operate the campground reservation system ~~that the department establishes~~ under par. (a).

SECTION 1153Lt. 27.01 (11) (cm) 2. of the statutes is amended to read:

27.01 **(11)** (cm) 2. A contract entered into under this paragraph shall require that ~~the department retain~~ $1 of each reservation fee collected shall be retained by the department of natural resources or the department of forestry. The departments shall enter an agreement to determine how these moneys will be allocated for use between the departments. The secretary of administration shall resolve any disputes between the departments concerning this agreement.

SECTION 1153Lu. 27.01 (11) (i) of the statutes is amended to read:

27.01 **(11)** (i) *Cooperation with tourism.* The department of natural resources, the department of forestry, and the department of tourism shall work jointly ~~to establish an~~ on any automated campground reservation system operated under par. (a).

SECTION 1153m. 27.012 of the statutes is created to read:

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27.012 Access to Mountain−Bay State Trail. The department shall allow the town of Weston in Marathon County to provide a public access site that crosses the Mountain−Bay State Trail and that is in addition to any public access site that is in existence on the effective date of this section .... [revisor inserts date]. The department may not require the town of Weston in Marathon County to close any public access to the Mountain−Bay State Trail that exists on the effective date of this section .... [revisor inserts date].

SECTION 1153nc. 27.016 (1) (c) of the statutes is repealed.

Vetoed In Part

SECTION 1153np. 27.019 (12) of the statutes is amended to read:

27.019 **(12)** COOPERATION OF STATE DEPARTMENTS. The department of agriculture, trade and consumer protection, the department of administration, the department of natural resources, the department of forestry, and the agricultural extension division of the University of Wisconsin shall cooperate with the several county rural planning committees in carrying out this section.

SECTION 1153nx. 28.005 of the statutes is amended to read:

28.005 Definition. "Department" when used in this chapter without other words of description or qualification means the department of ~~natural resources~~ forestry.

SECTION 1153nxb. 28.01 of the statutes is amended to read:

28.01 Forestry supervision. The department shall execute all matters pertaining to forestry within the jurisdiction of the state, direct the management of state forests, other than southern state forests, collect data relative to forest use and conditions and advance the cause of forestry within the state.

SECTION 1153nxc. 28.012 (title) of the statutes is created to read:

28.012 (title) **Powers of department.**

SECTION 1153nxd. 28.012 (1) of the statutes is created to read:

28.012 **(1)** For the state forests, other than southern state forests, the department may accept and administer, in the name of the state, any gifts, grants, bequests, and devises, including land, interests in land and funds made available to the department by the federal government under any act of congress relating to any of the functions of the department.

SECTION 1153nxf. 28.012 (2) of the statutes is created to read:

28.012 **(2)** The department may extend or consolidate lands or waters suitable for the state forests, other than the

southern state forests, by the exchange of other lands or waters under its supervision.

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SECTION 1153nxg. 28.012 (3) of the statutes is created to read:

28.012 **(3)** The department may accept donations of buildings, facilities, and structures to be constructed upon lands owned by this state in the state forests, other than the southern state forests.

SECTION 1153nxh. 28.012 (4) of the statutes is created to read:

28.012 **(4)** The department may grant easements to parts or parcels of areas in the state forests, other than the southern state forests.

SECTION 1153nxj. 28.012 (5) of the statutes is created to read:

28.012 **(5)** All funds included in the gifts, grants, bequests, and devises received or expected to be received by the department for the state forests under its jurisdiction in a biennium shall be included in the statement of its actual and estimated receipts and disbursements for such biennium required to be contained in the biennial state budget report under s. 16.46. Those funds shall be considered to be, and shall be treated the same as, other actual and estimated receipts and disbursements of the department. The department may acknowledge the receipt of any funding from a particular person or group in any department pamphlet, bulletin, or other publication.

SECTION 1153nxk. 28.012 (6) of the statutes is created to read:

28.012 **(6)** The donor of any building, facility, or structure under sub. (3) may contract for this construction according to plans and specifications provided by the department or may enter into a contract for professional architectural and engineering services to develop plans and specifications for the building, facility, or structure and contract for their construction. Upon the completion of construction satisfactory to the department, title to the building, facility, or structure shall vest in the state. No person may construct any building, facility, or structure under this subsection without the prior approval of the department regarding plans and specifications, materials, suitability, design, capacity, or location. The plans and specifications for any building, structure, or facility donated under sub. (2) (eg) shall also be subject to the approval of the building commission.

SECTION 1153nxp. 28.012 (7) of the statutes is created to read:

28.012 **(7)** Any easements granted under sub. (4) or s. 28.02 (5) and any leases under s. 23.305 or 26.08 by the department shall have the restrictions necessary to preserve and protect the land subject to the lease or easement for the purposes for which it was acquired or made part of the state forests.

SECTION 1153nxq. 28.012 (8) of the statutes is created to read:

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28.012 **(8)** (a) In this subsection, "easement" includes a negative easement, a restrictive covenant, a covenant running with the land, and any other right for a lawful use of the property together with the right to acquire all negative easements, restrictive covenants, covenants running with the land, and all rights for use of property.

(b) The department may acquire any easement for the benefit of any area in the state forests, other than southern state forests.

SECTION 1153nxr. 28.012 (9) of the statutes is created to read:

28.012 **(9)** If there are areas of the state forests under the jurisdiction of the department that are inaccessible because they are surrounded by lands not belonging to the state, and if the department determines that the usefulness or value of these areas for these state forests will be increased if there is access to them over lands not belonging to the state, the department may acquire the land necessary to construct highways that will furnish the needed access.

SECTION 1153p. 28.015 of the statutes is created to read:

28.015 Forestry demonstration and education center. The department shall develop a plan to establish a forestry demonstration and education center.

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SECTION 1153pc. 28.02 (title) of the statutes is amended to read:

28.02 (title) **State ~~forests~~ forest lands.**

SECTION 1153pd. 28.02 (1) of the statutes is amended to read:

28.02 **(1)** DEFINED. "State ~~forests~~ forest lands" include all lands granted to the state by an act of congress entitled, "An act granting lands to the state of Wisconsin for forestry purposes," approved June 27, 1906; all lands donated to the state by the Nebagamon Lumber Company for forestry purposes; all lands acquired pursuant to chapter 450, laws of 1903, chapter 264, laws of 1905, chapter 638, laws of 1911, and chapter 639, laws of 1911, or under ss. 1494−41 to 1494−62, 1915 stats., and all lands subsequently acquired for forestry purposes. Unless an island is designated as state forest land by the department, "state forest lands" do not include lands granted to the state by an act of congress entitled, "An act granting unsurveyed and unattached islands to the state of Wisconsin for forestry purposes," approved August 22, 1912. The department may designate as state forest lands any lands within state forest boundaries which were purchased with other conservation funds and where forestry would not conflict with a more intensive use.

SECTION 1153pdg. 28.02 (2) of the statutes is amended to read:

28.02 **(2)** ACQUISITION. The department of forestry may acquire lands or interest in lands by grant, devise, gift, condemnation or purchase within the boundaries of established state forests or purchase areas; and outside of

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such boundaries for forest nurseries, tracts for forestry research or demonstration and for forest protection structures, or for access to such properties. The department of natural resources may acquire lands or interest in lands by grant, devise, gift, condemnation, or purchase within the boundaries of southern state forests. In the case of condemnation the department shall first obtain approval from the appropriate standing committees of each house of the legislature as determined by the presiding officer thereof.

SECTION 1153pdm. 28.03 (1) of the statutes is amended to read:

28.03 **(1)** DEFINED. State forests shall consist of well blocked areas of state owned lands which have been established as state forests ~~by the department~~.

SECTION 1153pdr. 28.03 (3) of the statutes is amended to read:

28.03 **(3)** DEPARTMENT MAY NAME. The department of forestry or the department of natural resources may designate by appropriate name any state forest not expressly named by the legislature.

SECTION 1153pdu. 28.03 (4) of the statutes is created to read:

28.03 **(4)** SOUTHERN STATE FORESTS. The department of natural resources may develop and shall operate and maintain the southern state forests.

SECTION 1153pe. 28.035 (2) of the statutes is amended to read:

28.035 **(2)** The department shall ~~enter into an~~ comply with the agreement entered into with the Wisconsin department of the American Legion for hunting in the state forest lands described as lots 3, 4, 6 and 7 of section 8 and lots 2 and 3 of section 17, township 38 north, range 7 east, Oneida County, which are used in connection with Camp American Legion and which the Legion is now maintaining on this location as a restoration camp for sick and disabled veterans and their dependents.

SECTION 1153ph. 28.035 (3) (b) of the statutes is amended to read:

28.035 **(3)** (b) The ownership of all of the buildings and equipment of the camp shall revert to the state upon the discontinuance of the use thereof for such purposes. On or before January 15 of each year the department of the American Legion shall file with the governor, the department of veterans affairs ~~and the department of natural resources~~, and the department of forestry a written report of the operations and the financial status of the camp.

SECTION 1153phb. 28.04 (2) (a) of the statutes is amended to read:

28.04 **(2)** (a) The department of forestry shall manage the state forests, other than the southern state forests, and the department of natural resources shall manage the southern state forests, to benefit the present and future generations of residents of this state, recognizing that the state forests contribute to local and statewide economies and to a healthy natural environment. The ~~department~~ departments shall assure the practice of sustainable forestry and use it to assure that state forests can provide a full range of benefits for present and future generations. The ~~department~~ departments shall also assure that the management of state forests is consistent with the ecological capability of the state forest land and with the long−term maintenance of sustainable forest communities and ecosystems. These benefits include soil protection, public hunting, protection of water quality, production of recurring forest products, outdoor recreation, native biological diversity, aquatic and terrestrial wildlife, and aesthetics. The range of benefits provided by the ~~department~~ departments in each state forest shall reflect its unique character and position in the regional landscape.

SECTION 1153phf. 28.04 (2) (b) of the statutes is amended to read:

28.04 **(2)** (b) In managing the state forests, the department of forestry and the department of natural resources shall recognize that not all benefits under par. (a) can or should be provided in every area of a state forest.

SECTION 1153phk. 28.04 (2) (c) of the statutes is amended to read:

28.04 **(2)** (c) In managing the state forests, the department of forestry and the department of natural resources shall recognize that management may consist of both active and passive techniques.

SECTION 1153php. 28.04 (3) (a) of the statutes is amended to read:

28.04 **(3)** (a) The department of forestry shall prepare a plan for each state forest, other than southern state forests, that describes how the state forest will be managed. The department of natural resources shall prepare a plan for each southern state forest that describes how the southern state forest will be managed. The ~~department~~ departments shall work with the public to identify property goals and objectives that are consistent with the purposes under sub. (2). The ~~department~~ departments shall identify in each plan the objectives of management for distinct areas of the state forest.

SECTION 1153phs. 28.04 (3) (b) of the statutes is amended to read:

28.04 **(3)** (b) The department of forestry and the department of natural resources shall establish procedures for the preparation and modification of these plans, including procedures for public participation. In preparing and modifying plans under this subsection, the ~~department~~ departments shall use the best available information regarding the purposes and benefits of the state forests that ~~the~~ each department acquires through inventories, evaluations, monitoring and research. In evaluating such information, the ~~department~~ departments shall consider both regional and local scales, including the impact on local economies. As new

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information becomes available, the department of forestry or the department of natural resources shall adapt its management of the state forest and, if necessary, the plan for the state forest.

SECTION 1153pm. 28.045 of the statutes is created to read:

28.045 Designation of trails and areas. (1) In this section, "special use area" includes a trail, campground, or picnic area.

(2) The department shall designate special use areas in state forests, other than southern state forests, and shall indicate the location of each special use area in one of the following manners:

(a) By showing it on a map available at the district office of the department that is nearest to the special use area.

(b) By indicating its location on a sign outside any office of the department that is located within the same state forest.

(c) By placing a sign at the special use area.

(3) The department shall inspect trail signs and designated features twice a year, once before July 1 and once after July 1.

(4) Subsection (3) does not apply to snowmobile trails on land under the control of the department that are maintained by snowmobile clubs or other nonprofit organizations.

SECTION 1153pr. 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~~ an employee of the department of forestry or the department of natural resources who is equally qualified by reason of long, practical experience. The department of forestry, with respect to state forests other than southern state forests, and the department of natural resources with respect to southern state forests, 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~~ That 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 1153q. 28.06 (2m) of the statutes is amended to read:

28.06 **(2m)** SURCHARGE. A person who purchases a seedling under sub. (2) shall pay, in addition to the price of the seedling charged under sub. (2), a surcharge ~~of one cent~~ for each seedling purchased. Beginning on the effective date of this subsection .... [revisor inserts date], and ending on June 30, 2002, the surcharge shall be 2 cents for each seedling. Beginning on July 1, 2002, the surcharge shall be 3 cents for each seedling. All surcharges collected under this subsection shall be deposited in the conservation fund.

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SECTION 1153qc. 28.06 (2m) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

28.06 **(2m)** SURCHARGE. A person who purchases a seedling under sub. (2) shall pay, in addition to the price of the seedling charged under sub. (2), a surcharge for each seedling purchased. Beginning on the effective date of this subsection .... [revisor inserts date], and ending on June 30, 2002, the surcharge shall be 2 cents for each seedling. Beginning on July 1, 2002, the surcharge shall be 3 cents for each seedling. All surcharges collected under this subsection shall be deposited in the ~~conservation~~ forestry fund.

SECTION 1153r. 28.08 of the statutes is amended to read:

28.08 Income. All income from state forest lands shall be paid into the state treasury to the credit of the ~~conservation~~ forestry fund.

SECTION 1153rm. 28.11 (5m) (a) (intro.) of the statutes is amended to read:

28.11 **(5m)** (a) (intro.) The department may make grants, from the appropriation under s. ~~20.370 (5) (bw)~~ 20.375 (2) (w), to counties having lands entered under sub. (4) to fund all of the following for one professional forester in the position of county forest administrator or assistant county forest administrator:

SECTION 1153s. 28.11 (5r) of the statutes is created to read:

28.11 **(5r)** SUSTAINABLE FORESTRY GRANTS. (a) In this subsection, "sustainable forestry" has the meaning given in s. 28.04 (1) (e).

(b) The department may make grants, from the appropriation under s. 20.370 (5) (bw), to counties having lands entered under sub. (4) to fund the cost of activities designed to improve sustainable forestry on the lands.

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(c) The department shall promulgate rules for establishing criteria and procedures for awarding grants under this subsection that include all of the following:

1. Criteria for determining which counties are eligible to receive a grant.

2. The maximum grant amount that the department may award to an eligible county.

3. The activities for which a county is eligible to receive a grant.

4. Amounts by which a county must match a grant award.

5. A method for establishing priorities for awarding grants or a method for prorating amounts available for awarding grants, if the total amount that eligible counties request under this subsection exceeds the funds available to the department for awarding grants.

Vetoed In Part

SECTION 1153sc. 28.11 (5r) (b) of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to read:

28.11 **(5r)**(b) The department may make grants, from the appropriation under s. ~~20.370 (5) (bw)~~ 20.375 (2) (w), to counties having lands entered under sub. (4) to fund the cost of activities designed to improve sustainable forestry on the lands.

SECTION 1153t. 28.11 (8) (a) of the statutes is amended to read:

28.11 **(8)** (a) *Acreage payments.* As soon after April 20 of each year as feasible, the department shall pay to each town treasurer 30 cents per acre, based on the acreage of such lands as of the preceding June 30, as a grant out of the appropriation made by s. ~~20.370 (5) (bv)~~ 20.375 (2) (vm) on each acre of county lands entered under this section.

SECTION 1153u. 28.11 (8) (b) 1. of the statutes is amended to read:

28.11 **(8)** (b) 1. A county having established and maintaining a county forest under this section is eligible to receive from the state from the appropriations under s. ~~20.370 (5) (bq)~~ 20.375 (2) (t) and ~~(bs)~~ (u) an annual payment as a noninterest bearing loan to be used for the purchase, development, preservation and maintenance of the county forest lands and the payment shall be credited to a county account to be known as the county forestry aid fund. A county board may, by a resolution adopted during the year and transmitted to the department by December 31, request to receive a payment of not more than 50 cents for each acre of land entered and designated as "county forest land". The department shall review the request and approve the request if the request is found to be consistent with the comprehensive county forest land use plan. If any lands purchased from the fund are sold, the county shall restore the purchase price to the county forestry aid fund. The department shall pay to the county the amount due to it on or before March 31 of each year, based on the acreage of the lands as of the preceding June 30. If the amounts in the appropriations under s. ~~20.370 (5) (bq)~~ 20.375 (2) (t) and ~~(bs)~~ (u) are not sufficient to pay all of the amounts approved by the department under this subdivision, the department shall pay eligible counties on a prorated basis.

SECTION 1153v. 28.11 (8) (b) 2. of the statutes is amended to read:

28.11 **(8)** (b) 2. The department may allot additional interest free forestry aid loans on a project basis to individual counties to permit the counties to undertake meritorious and economically productive forestry operations, including land acquisitions. These additional aids may not be used for the construction of recreational facilities or for fish and game management projects. Application shall be made in the manner and on forms prescribed by the department and specify the purpose for which the additional aids will be used. The department shall make an investigation as it deems necessary to satisfy itself that the project is feasible, desirable and consistent with the comprehensive plan. If the department so finds, it may make allotments in such amounts as it determines to be reasonable and proper and charge the allotments to the forestry fund account of the county. These allotments shall be credited by the county to the county forestry aid fund. After determining the loans as required under subd. 1., the department shall make the remainder of the amounts appropriated under s. ~~20.370 (5) (bq)~~ 20.375 (2) (t) and ~~(bs)~~ (u) for that fiscal year available for loans under this subdivision. The department shall also make loans under this subdivision from the appropriations under s. ~~20.370 (5) (bt)~~ 20.375 (2) (um) and ~~(bu)~~ (v).

Vetoed In Part

SECTION 1153w. 28.11 (9) (am) of the statutes is amended to read:

28.11 **(9)** (am) The acreage loan severance share payments shall be deposited in the ~~conservation~~ forestry fund and credited to the appropriation under s. ~~20.370 (5) (bq)~~ 20.375 (2) (t), and the project loan severance share payments shall be deposited in the ~~conservation~~ forestry fund and credited to the appropriation under s. ~~20.370 (5) (bu)~~ 20.375 (2) (v).

SECTION 1153x. 28.11 (9) (ar) 1. of the statutes is amended to read:

28.11 **(9)** (ar) 1. Notwithstanding s. 20.001 (3) (c), if the sum of the unencumbered balances in the appropriations under s. ~~20.370 (5) (bq), (bt)~~ 20.375 (2) (t), (um), and ~~(bu)~~ (v) exceeds $400,000 on June 30 of any fiscal year, the amount in excess of $400,000 shall lapse from the appropriation under s. ~~20.370 (5) (bq)~~ 20.375 (2) (t) to the ~~conservation~~ forestry fund, except as provided in subd. 2.

SECTION 1153y. 28.11 (9) (ar) 2. of the statutes is amended to read:

28.11 **(9)** (ar) 2. Notwithstanding s. 20.001 (3) (c), if the amount in the appropriation under s. ~~20.370 (5) (bq)~~ 20.375 (2) (t) is insufficient for the amount that must lapse under subd. 1., the remainder that is necessary for the lapse shall lapse from the appropriation under s. ~~20.370 (5) (bu)~~ 20.375 (2) (v).

SECTION 1153yc. 28.90 (title) of the statutes is created to read:

28.90 (title) **Enforcement.**

SECTION 1153yf. 28.90 (1) of the statutes is created to read:

28.90 **(1)** ENFORCEMENT DUTIES. (a) The department shall enforce all of the laws that the department is required to administer for the state forests and shall bring, or cause to be brought, actions and proceedings in the name of the state for that purpose.

(b) All sheriffs, deputy sheriffs, coroners, and other police officers are deputy state forest rangers, and shall assist the department and its rangers in the enforcement

Vetoed In Part

of this chapter whenever notice of a violation of this chapter is given to them by the department or its rangers.

SECTION 1153yg. 28.92 of the statutes is created to read:

28.92 State forest rangers. (1) The persons appointed by the department to enforce the laws relating to state forests shall be known as state forest rangers and shall be subject to ch. 230.

(2) The department shall provide to all state forest rangers, before exercising any of their powers, a commission issued by the department under its seal, to read substantially as follows:

STATE OF WISCONSIN
DEPARTMENT OF FORESTRY

To all to whom these presents shall come, greeting:

Know ye, that reposing special trust and confidence in the integrity and ability of ...., of the county of ...., we do hereby appoint and constitute .... a state forest ranger for the state of Wisconsin, and do authorize and empower .... to execute and fulfill the duties of that office according to law, during good behavior and the faithful performance of the duties of that office.

In testimony whereof, the secretary has hereunto affixed the secretary's signature and the official seal of the department, at its office in the city of Madison, Wisconsin, this .... day of ...., ...

(Seal) STATE OF WISCONSIN
DEPARTMENT OF FORESTRY
By ....

(3) The department shall furnish to each state forest ranger at the time of the ranger's appointment, a pocket identification folder in the same form and substance as the folder described in s. 23.10 (5), except that the impression shall be the seal of the department.

(4) A state forest ranger shall carry the identification folder on his or her person at all times that he or she is on official duty, and a state forest ranger shall, on demand, exhibit the same to any person to whom he or she may represent himself or herself as a state forest ranger.

SECTION 1153yj. 28.94 of the statutes is created to read:

28.94 Resisting or falsely impersonating a state forest ranger. Any person who does any of the following may be fined not more than $10,000 or imprisoned for not more than 9 months or both:

(1) Assaults or otherwise resists or obstructs any state forest ranger in the performance of his or her duties.

(2) Falsely represents himself or herself to be a state forest ranger or assumes to act as a state forest ranger without having been first appointed.

SECTION 1153ym. 28.98 of the statutes is created to read:

28.98 General penalty provision. Any person who violates any provision of this chapter or any rule promulgated or order issued under this chapter for which no other penalty is prescribed is subject to a forfeiture of not more than $100.

Vetoed In Part

SECTION 1158m. 29.032 of the statutes is created to read:

Vetoed In Part

29.032 Internet bidding process. The department of natural resources shall post its specifications for the operation of a statewide automated system for issuing approvals on an Internet site maintained by the department of agriculture, trade and consumer protection. The department of natural resources shall ensure that the Internet site provides a means by which contractors may electronically post bids to provide the statewide automated system and by which contractors may view the bids posted by other contractors.

SECTION 1159. 29.037 of the statutes is amended to read:

29.037 Fish and wildlife restoration. This state assents to the provisions of ~~the acts of congress entitled "An act to provide that the United States shall aid the states in wildlife-restoration projects, and for other purposes," approved September 2, 1937 (Public Law No. 415, 75th Congress), and "An act to provide that the United States shall aid the states in fish restoration management projects, and for other purposes," approved August 9, 1950 (Public Law No. 681, 81st Congress)~~ 16 USC 669 to 669i and 777 to 777L. The department is authorized and directed to perform any acts necessary to establish ~~cooperative-wildlife~~ cooperative wildlife restoration projects and cooperative fish restoration and management projects~~, as defined in the acts of congress,~~ in compliance with ~~the acts~~ these federal provisions and with regulations promulgated by the secretary of the interior. No funds accruing to this state from license fees paid by hunters and from sport and recreation fishing license fees may be diverted for any other purpose than ~~those provided by the department~~ the administration of the department when it is exercising its responsibilities that are specific to the management of the fish and wildlife resources of this state.

SECTION 1160. 29.038 (1) (a) of the statutes is amended to read:

29.038 **(1)** (a) "Local governmental unit" has the meaning given in s. ~~16.97~~ 22.01 (7).

Vetoed In Part

SECTION 1162h. 29.089 (1) of the statutes is amended to read:

29.089 **(1)** Except as provided in ~~sub.~~ subs. (3) and (4), no person may hunt or trap on land located in state parks or state fish hatcheries.

SECTION 1162p. 29.089 (2) of the statutes is amended to read:

29.089 **(2)** Except as provided in ~~sub.~~ subs. (3) and (4), no person may have in his or her possession or under his or her control a firearm on land located in state parks or state fish hatcheries unless the firearm is unloaded and enclosed within a carrying case.

Vetoed In Part

SECTION 1162t. 29.089 (3) of the statutes is amended to read:

29.089 **(3)** A person may hunt deer, wild turkeys or small game in a state park, or in a portion of a state park, if the state park is open for the purpose of hunting under sub. (4) or if the department has authorized by rule the hunting of that type of game in the state park, or in the portion of the state park, and if the person holds the approvals required under this chapter for hunting that type of game.

SECTION 1162w. 29.089 (4) of the statutes is created to read:

29.089 **(4)** All land located in a state park shall be open for the purpose of hunting during the appropriate open season to the maximum extent possible if the state park in which the land is located has received any funding from the fish and wildlife account of the conservation fund at any time during the preceding 10 years. The natural resources board may exempt a state park from this requirement.

SECTION 1162wm. 29.09 of the statutes is created to read:

29.09 Fishing on land in state parks. The department may not prohibit fishing on land located in a state park during the appropriate open season and shall allow fishing to the maximum extent possible if the state park in which the land is located has received any funding from the fish and wildlife account of the conservation fund at any time during the preceding 10 years. The natural resources board may exempt a state park from this requirement.

Vetoed In Part

SECTION 1171gb. 29.324 (1) (b) of the statutes is amended to read:

29.324 **(1)** (b) "Group deer hunting party" means 2 or more hunters hunting in a group all using firearms or all using bows and arrows, each of whom holds an individual license to hunt deer.

SECTION 1171gd. 29.324 (2) (intro.) of the statutes is amended to read:

29.324 **(2)** (intro.) Any member of a group deer hunting party, the members of which are all using firearms, may kill a deer for another member of the group deer hunting party if both of the following conditions exist:

SECTION 1171gf. 29.324 (2m) of the statutes is created to read:

29.324 **(2m)** (a) In this subsection, "regular gun deer season" means the deer hunting season established by the department that begins on the Saturday preceding Thanksgiving and that authorizes hunting with firearms.

(b) Any member of a group deer hunting party, the members of which are all using bows and arrows, may kill an antlerless deer for another member of the group deer hunting party if all of the following conditions exist:

1. 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.

2. 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. Vetoed In Part

3. The antlerless deer is killed after the close of the regular gun deer season.

SECTION 1171gh. 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 1177g. 29.347 (5) (a) of the statutes is amended to read:

29.347 **(5)** (a) Any person who while operating a motor vehicle on a highway accidentally collides with and kills a deer may ~~retain~~ take possession of the carcass. If the motor vehicle operator does not want to ~~retain~~ take the carcass, the carcass may be ~~retained~~ taken by any other person who is present at the scene of the accident at the time the collision occurs or at any time after the collision occurs.

SECTION 1177r. 29.347 (5) (b) (intro.) of the statutes is amended to read:

29.347 **(5)** (b) (intro.) No person may ~~retain~~ take possession of the carcass of a deer killed in the manner specified in par. (a) and remove the carcass from the scene of the accident unless one of the following apply:

SECTION 1184m. 29.519 (2) (e) of the statutes is created to read: Vetoed In Part

29.519 **(2)** (e) *Retention of licenses.* 1. A commercial fishing licensee who is authorized under the license to conduct commercial fishing operations in the waters of Green Bay may retain the license without conducting any commercial fishing operations as authorized under the license for one period of up to 7 consecutive years. During this period, the commercial fishing licensee may not be required to transfer the license, may not be required to invest in any fishing gear or equipment, and is exempt from paying the applicable fees for the license under s. 29.563.

2. A commercial fishing licensee who conducts commercial fishing operations as authorized under the license in the waters of Green Bay may choose for one period of up to 7 consecutive years to be exempt from any minimum requirement on the amount of fish harvested that is established by the department and that applies to the licensee.

SECTION 1190. 29.563 (4) (b) 1. of the statutes is amended to read:

29.563 **(4)** (b) 1. Sports: ~~$248.25~~ $238.25 or a greater amount at the applicant's option.

SECTION 1196. 29.565 of the statutes is created to read:

29.565 Voluntary contributions; venison processing and grant program. (1) Any applicant for a hunting license listed under s. 29.563 (2) (a) or (b) may, in addition to paying any fee charged for the license, elect to make a voluntary contribution of at least $1 to be used for the venison processing and donation program under s. 29.89.

(2) All moneys collected under sub. (1) shall be credited to the appropriation account under s. 20.370 (5) (ft).

SECTION 1196g. 29.566 (title) of the statutes is amended to read:

29.566 (title) **Collection, retention, and deposit of fees.**

SECTION 1196r. 29.566 (1m) of the statutes is created to read:

29.566 **(1m)** TRANSACTION PAYMENTS. The department shall establish a system under which the department pays each agent appointed under s. 29.024 (6) (a) 2. or 3. a payment of 50 cents for each time that the agent processes a transaction through the statewide automated system contracted for under s. 29.024 (6) (a) 4. This payment is in addition to any issuing fee, processing fee, or handling fee retained by the agent. The department shall make these payments by allowing the agent to retain an amount equal to the payments from the amounts that are collected by the agent and that would otherwise be remitted to the department.

SECTION 1196rk. 29.566 (1r) of the statutes is created to read:

29.566 **(1r)** ISSUING PAYMENT FOR SPECIAL DEER HUNTING PERMITS. The department shall establish a system under which the department pays each agent appointed under s. 29.024 (6) (a) 2. or 3. a payment of 50 cents each time that the agent uses the statewide automated system contracted for under s. 29.024 (6) (a) 4. to issue to an individual one or more deer hunting permits as authorized under s. 29.177. The department shall make these payments by allowing the agent to retain an amount equal to the payments from the amounts that are collected by the agent and that would otherwise be remitted to the department.

Vetoed In Part

SECTION 1197g. 29.569 (3) (b) of the statutes is amended to read:

29.569 **(3)** (b) *Restrictions on issuance of sturgeon spearing licenses during the open season.* ~~No~~ Except as provided in par. (bm), no sturgeon spearing license may be issued during a period beginning on October 1 and ending on the last day of the open season for the spearing of rock or lake sturgeon that follows that October 1.

Vetoed In Part

SECTION 1197h. 29.569 (3) (bm) of the statutes is created to read:

29.569 **(3)** (bm) *Exceptions.* A sturgeon spearing license may be issued during a period beginning on October 1 and ending on the last day of the open season for the spearing of rock or lake sturgeon that follows that October 1 to any of the following:

1. A person who is a member of the U.S. armed forces and who exhibits proof that he or she is a resident, is in active service with the armed forces outside this state, and is on furlough or leave.

2. A person who is a resident and who has attained the age of 14 during that period.

SECTION 1197hm. 29.591 (3) of the statutes is amended to read:

29.591 **(3)** INSTRUCTION FEE. The department ~~shall establish by rule the~~ may not charge a fee for the course of instruction under the hunter education program and the bow hunter education program. The ~~instructor shall collect this instruction fee 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 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 remainder of the fee or, if nothing is retained, the entire fee to the~~ department may reimburse instructors for allowable costs, as determined by the department, up to $5 for each person who receives instruction from that instructor.

SECTION 1200. 29.604 (2) (am) of the statutes is amended to read:

29.604 **(2) (**am) "State agency" means a board, commission, committee, department or office in the state government or the Fox River Navigational System Authority. "State agency" does not include the department of natural resources or the office of the governor.

SECTION 1203. 29.741 (2) of the statutes is amended to read:

29.741 **(2)** No person shall take, remove, sell, or transport from the public waters of this state ~~to any place beyond the borders of the state,~~ any duck potato, wild celery, or any other plant or plant product except wild rice native in said waters and commonly known to furnish food for game birds.

SECTION 1225. 29.89 (title) of the statutes is amended to read:

29.89 (title) **Venison processing ~~grants~~ and donation program.**

SECTION 1225m. 29.89 (1) (intro.) and (a) of the statutes are consolidated, renumbered 29.89 (1) and amended to read:

29.89 **(1)** ~~DEFINITIONS.~~ DEFINITION. In this section~~:~~ ~~(a) "Charitable,~~ "charitable organization" means a non-

profit 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.

SECTION 1225r. 29.89 (1) (b) of the statutes is repealed.

SECTION 1226. 29.89 (2) of the statutes is amended to read:

29.89 **(2)** ESTABLISHMENT OF PROGRAM. The department shall establish a program to reimburse counties for the costs that they incur in processing and donating venison from certain deer carcasses.

SECTION 1227. 29.89 (3) (b) of the statutes is amended to read:

29.89 **(3)** (b) The county accepts deer carcasses for processing ~~and pays for the costs of processing~~.

SECTION 1228c. 29.89 (3) (c) of the statutes is renumbered 29.89 (5) (b) 2. b.

SECTION 1229. 29.89 (3) (e) of the statutes is amended to read:

29.89 **(3)** (e) The ~~processed venison is donated~~ county shall make reasonable efforts to donate the venison as provided under sub. (4).

SECTION 1230. 29.89 (5) (title) of the statutes is amended to read:

29.89 **(5)** (title) ~~GRANTS; AMOUNTS~~ REIMBURSEMENT; FUNDING.

SECTION 1231. 29.89 (5) (a) of the statutes is amended to read:

29.89 **(5)** (a) ~~Reimbursement~~ Subject to par. (c), reimbursement under this section shall equal the ~~amount that it costs~~ costs, including administrative costs, that a county ~~to process~~ incurs in processing the venison and in donating the processed venison under sub. (4).

SECTION 1232c. 29.89 (5) (b) of the statutes is renumbered 29.89 (5) (b) 1. and amended to read:

29.89 **(5)** (b) 1. The department shall reimburse counties under this section from the appropriation under s. 20.370 (5) ~~(fq)~~ (ft).

2. c. Moneys are available 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.

SECTION 1232e. 29.89 (5) (b) 2. (intro.) and a. of the statutes are created to read:

29.89 **(5)** (b) 2. (intro.) The department shall reimburse counties under this section from the appropriation under s. 20.370 (5) (fq) if all of the following apply:

a. The total amount of reimbursable costs exceeds the amount available under s. 20.370 (5) (ft).

SECTION 1232f. 29.89 (5) (b) 2. b. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 1234. 29.89 (5) (c) of the statutes is amended to read:

29.89 **(5)** (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.

SECTION 1245g. 30.015 of the statutes is created to read:

30.015 Time limits for issuing permit determinations. In issuing permits under this chapter, the department shall initially determine whether a complete application for the permit has been submitted and, no later than 60 days after the application is submitted, notify the applicant in writing about the initial determination of completeness. If the department determines that the application is incomplete, the notice shall state the reason for the determination and the specific items of information necessary to make the application complete. An applicant may supplement and resubmit an application that the department has determined to be incomplete. There is no limit on the number of times that an applicant may resubmit an application that the department has determined to be incomplete under this section. The department may not demand items of information that are not specified in the notice as a condition for determining whether the application is complete unless both the department and the applicant agree or unless the applicant makes material additions or alterations to the project for which the application has been submitted.

SECTION 1245p. 30.02 (3) of the statutes is amended to read:

30.02 **(3)** Upon receipt of a complete permit application or a request for a determination under s. 236.16 (3) (d), the department shall either schedule a public hearing to be held within 60 days after receipt of the application or request or provide notice stating that it will proceed on the application or request without a public hearing if, within 30 days after the publication of the notice, no substantive written objection to issuance of the permit is received or no request for a hearing concerning the determination under s. 236.16 (3) (d) is received. The notice shall be provided to the clerk of each municipality in which the project is located and to any other person required by law to receive notice. The department may provide notice to other persons as it deems appropriate. The department shall provide a copy of the notice to the applicant, who shall publish it as a class 1 notice under ch. 985 in a newspaper designated by the department that is likely to give notice in the area affected. The applicant shall file proof of publication with the department.

SECTION 1245r. 30.02 (4) (a) of the statutes is amended to read:

30.02 **(4)** (a) If a public hearing is ordered, the division of hearings and appeals shall mail a written notice at least 10 days before the hearing to each person given notice under sub. (3) and in the case of an application for

a permit, to any person who submitted a substantive written objection to issuance of the permit. The public hearing shall be conducted within 60 days after the hearing is ordered.

SECTION 1245s. 30.02 (4) (b) of the statutes is amended to read:

30.02 **(4)** (b) The applicant shall publish a class 1 notice under ch. 985 of the public hearing in a newspaper designated by the department that is likely to give notice in the area affected. The applicant shall file proof of publication under this paragraph with the hearing examiner at or prior to the hearing.

SECTION 1247r. 30.12 (3) (bt) of the statutes is created to read:

30.12 **(3)** (bt) A riparian owner is exempt from the permit requirements under sub. (2) and this subsection for a structure that is placed on the bed of a navigable water in the Wolf River and Fox River basin area, as described in s. 30.207 (1), and that extends beyond the ordinary high−water mark, if the following conditions apply:

1. The structure is a vertical wall designed to prevent land from eroding into a navigable water.

2. The structure is not a replacement for an existing structure and is placed on the bed of an artificial enlargement of a navigable water, or the structure is a replacement for an existing structure placed on the bed of a navigable water, including the bed of an artificial enlargement of a navigable water.

3. If the structure is a replacement for an existing structure placed on the bed of a navigable water, including the bed of an artificial enlargement of a navigable water, it is placed not more than 2 feet waterward of the structure that it is replacing.

4. The structure incorporates adequate bracing and anchors to ensure structural stability.

5. A filter fabric lining containing a layer of gravel extends from the landward side of the structure to facilitate drainage.

6. The base of the structure extends to a sufficient depth into the bed of the navigable water to ensure the structure's stability and to prevent the structure from failing.

7. The structure is secured into the bank of the navigable water in a manner that prevents erosion or scouring.

8. The riparian owner places riprap at the base of the waterward side of the structure up to the waterline or, if the structure is placed in a location where watercraft are moored, the riparian owner places riprap at the base of the waterward side of the structure up to a point that allows adequate space for the mooring of watercraft.

9. The structure is constructed of treated wood and built so that the top of the structure meets the lower of the following:

a. The natural topography of the bank of the navigable water.

b. A point that is 4 feet above the ordinary high−water mark of the navigable water.

c. The minimum height required to prevent overtopping by wave action.

SECTION 1252m. 30.121 (3g) of the statutes is created to read:

30.121 **(3g)** EXCEPTION; HISTORICAL OR CULTURAL VALUE. Subsection (3) does not apply to the repair or maintenance of a boathouse or a fixed houseboat if the boathouse or fixed houseboat has a historic or cultural value, as determined by the state historical society or a local or county historical society established under s. 44.03.

SECTION 1253. 30.124 (1) (intro.) of the statutes is amended to read:

30.124 **(1)** (intro.) Notwithstanding ss. 30.12, ~~30.125,~~ 30.20, 30.44, and 30.45, and if the department finds that the activity will not adversely affect public or private rights or interests in fish and wildlife populations, navigation, or waterway flood flow capacity and will not result in environmental pollution, as defined in s. 299.01 (4), the department may do all of the following on public lands or waters:

SECTION 1254. 30.124 (1) (a) of the statutes is amended to read:

30.124 **(1)** (a) Cut aquatic ~~vegetation~~ plants, as defined in s. 30.715 (1) (a), without removing ~~the vegetation~~ them from the water, for the purpose of improving waterfowl nesting, brood, and migration habitat.

SECTION 1255. 30.125 of the statutes is repealed.

SECTION 1255d. 30.134 (1) (e) of the statutes is repealed.

SECTION 1255h. 30.134 (2) of the statutes is amended to read:

30.134 **(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~~ only if it is necessary to exit the body of water to bypass an obstruction.

SECTION 1255j. 30.134 (3) (a) (intro.) of the statutes is renumbered 30.134 (3) (a) and amended to read:

30.134 **(3)** (a) In ~~engaging in a water−related recreational activity in the~~ using an exposed shore area of a stream, as authorized under sub. (2), a member of the public may not ~~do any of the following:~~ enter the exposed shore area except from the water, from a point of public access on the stream, or with the permission of the riparian.

SECTION 1255k. 30.134 (3) (a) 1. of the statutes is repealed.

SECTION 1255n. 30.134 (3) (a) 2. of the statutes is repealed.

SECTION 1255p. 30.134 (3) (a) 3. of the statutes is repealed.

SECTION 1255q. 30.134 (3) (a) 4. of the statutes is repealed.

SECTION 1255r. 30.134 (3) (a) 5. of the statutes is repealed.

SECTION 1255s. 30.134 (3) (a) 6. of the statutes is repealed.

SECTION 1255t. 30.134 (3) (a) 7. of the statutes is repealed.

SECTION 1255u. 30.134 (3) (b) of the statutes is repealed.

SECTION 1255v. 30.134 (5) (intro.) of the statutes is amended to read:

30.134 **(5)** EXCEPTIONS. (intro.) The right granted to the public ~~to engage in recreational activities on~~ under this section to use an exposed shore area of a stream does not apply to any of the following:

SECTION 1261g. 30.2025 of the statutes is created to read:

30.2025 Lake Koshkonong comprehensive project. (1) DEFINITION. In this section, "district" means the Rock−Koshkonong public inland lake protection and rehabilitation district.

(2) AUTHORIZATION. The district may implement a project developed and approved by the U.S. army corps of engineers to place structures, or fill, or both on the bed of Lake Koshkonong for any of the following purposes:

(a) To improve navigation or to provide navigation aids.

(b) To restore or protect wetland habitat or water quality.

(c) To create, restore, or protect fish and wildlife habitat.

(d) To enhance the natural aesthetic value or improve the recreational use of the lake.

(3) LOCATION OF STRUCTURES AND FILL. Any structure or fill placed as part of the project authorized under sub. (2) shall be located in Lake Koshkonong within the area that consists of Secs. 10, 13, 18, 19, 20, 24, 33, and 35, T 5 N., R 13.

(4) PRELIMINARY REQUIREMENTS. (a) Before beginning any activity involving the placement of a structure or fill as part of the project authorized under sub. (2), the district shall submit plans and specifications for the project to the department and obtain the department's approval for the project.

(b) Before the department gives its approval for a project authorized under sub. (2), the department shall do all of the following:

1. Comply with the requirements under s. 1.11.

2. Review the plans and specifications submitted to the department under par. (a) and obtain any other information that it determines is necessary to effectively evaluate the structural and functional integrity of the structure or fill.

3. Hold a public informational meeting to discuss the plans and specifications submitted under par. (a).

4. Determine that the structure or fill is structurally and functionally sound and that the structure or fill will comply with the requirements under sub. (5).

(5) REQUIREMENTS FOR STRUCTURES AND FILL. A structure or fill placed as part of a project authorized under sub. (2) shall meet all of the following requirements:

(a) It may not materially affect the flood flow capacity of the Rock River.

(b) It may not materially obstruct navigation.

(c) It may not cause material injury to the rights of an owner of lands underlying the structure or fill or to the rights of a riparian owner who owns lands affected by the project.

(d) It may not cause environmental pollution, as defined in s. 299.01 (4).

(e) It may not be detrimental to the public interest.

(f) It must further a purpose specified in sub. (2).

(6) MAINTENANCE BY THE DISTRICT. (a) The district shall maintain the structures and the fill that are part of the project authorized under sub. (2) to ensure that the structures and fill do not impair the safety of the public.

(b) The district shall maintain the structures and the fill that are part of the project authorized under sub. (2) so that the structures and fill remain in compliance with the requirements listed under sub. (5).

(c) If the department determines that any structure or any fill that is part of the project authorized under sub. (2) does not comply with the requirements under sub. (5), the department may require the district to modify the structure or fill to bring it into compliance or to remove the structure or fill.

(7) USE OF STRUCTURES OR FILL. Any structure or fill placed as part of the project authorized under sub. (2) may be used only for any of the following:

(a) As a site for the placement of navigation aids approved by the department.

(b) Activities to protect or improve wildlife or fish habitat, including the placement of fish or wildlife habitat structures approved by the department.

(c) Open space for recreational activities.

(8) OWNERSHIP. (a) The structures or fill that are part of the project authorized under sub. (2) are owned by the district. Except as provided in par. (b), the district may not transfer ownership of any structure or any fill that is part of the project authorized under sub. (2).

(b) The district may transfer ownership of any structure or fill that is part of the project authorized under sub. (2) if all of the following apply:

1. The district transfers ownership of the structure or fill to a public entity, as defined by the department by rule.

2. Before transferring ownership of the structure or fill, the district obtains written approval of the transfer from the department.

(9) ACCESS TO PROPERTY. An employee or agent of the department shall have free access during reasonable hours to the structures or fill that are part of the project authorized under sub. (2) for the purpose of inspecting the structures or fill to ensure that the project is in compliance with the requirements of this section. If the department determines that any structure or any fill that is part of the project authorized under sub. (2) does not comply with the requirements of this section, the department may require the owner of the structure or fill to modify the structure or fill to bring it into compliance or to remove the structure or fill.

(10) EXEMPTIONS. Section 30.12 does not apply to activities that are necessary for the implementation or maintenance of the project authorized under sub. (2).

SECTION 1261k. 30.2026 of the statutes is created to read:

30.2026 Lake Belle View and Sugar River project. **(1)** AUTHORIZATION. (a) Subject to the restrictions under sub. (2), the village of Belleville may place fill on all or part of the portion of the bed of Lake Belle View located in Dane County for any of the following purposes:

1. Improving fish and wildlife habitat.

2. Creating and enhancing wetlands.

3. Improving the water quality of Lake Belle View and the Sugar River.

4. Enhancing the recreational use and aesthetic enjoyment of Lake Belle View and the Sugar River.

5. Separating Lake Belle View from the Sugar River by creating an artificial barrier from lake bottom sediments or by other means.

6. Creating suitable lake bottom depths or contours in Lake Belle View.

7. Promoting the growth of desirable wetland plants.

(b) Any lake bottom sediments that are unsuitable for the creation of an artificial barrier under par. (a) 5. may be placed in any agricultural field that is adjacent to Lake Belle View.

(c) If the village of Belleville creates an artificial barrier from lake bottom sediments under par. (a) 5., the village of Belleville shall also place lake bottom sediments in adjacent areas for the purpose of creating and enhancing wetlands.

(2) REQUIREMENTS. (a) The village of Belleville shall obtain approval from the department for any placement of fill material as authorized under sub. (1).

(b) The village of Belleville shall submit to the department any plans or other information that the department considers necessary for it to effectively determine whether to grant approval under par. (a).

(c) The village of Belleville shall ensure that all of the following apply to any artificial barrier created as authorized under sub. (1).

1. The barrier does not materially obstruct navigation or reduce the effective flood flow capacity of a stream.

2. The barrier is not detrimental to the public interest.

3. The barrier is owned by a public entity and the public is granted free access to the barrier.

4. Access by the public to the barrier is limited to use as open space for recreational purposes.

5. The barrier remains in as natural a condition as is practicable, as determined by the department.

6. No structure, except those necessary in order to effectuate a purpose specified in sub. (1) (a), are placed on the barrier.

(d) The village of Belleville shall create any artificial barrier under this section in compliance with all state laws that relate to navigable bodies of water, except s. 30.12 (1) and (2).

(3) CONDITIONS. (a) The village of Belleville shall maintain any artificial barrier created as authorized under sub. (1). If a landowner of more than 500 feet of Lake Belle View shoreline, a portion of which is located within 1,000 feet of any such artificial barrier, is dissatisfied with the manner in which the village of Belleville is maintaining the barrier, the owner may maintain the barrier in lieu of the village, upon approval of the department. The village or a landowner who maintains the barrier shall comply with all state laws that relate to navigable bodies of water, except s. 30.12 (1) and (2). The department may require the village of Belleville or the landowner to maintain the barrier in a structurally and functionally adequate condition.

(b) The village of Belleville shall ensure that any construction draw down of Lake Belle View related to the creation of any artificial barrier authorized under sub. (1) occurs only once.

(4) COSTS. Any costs incurred by the state to construct, maintain, improve, or remove any artificial barrier created as authorized under sub. (1) shall be paid by the village of Belleville or its successors or assigns.

(5) IMMUNITY. The state and its officers, employees, and agents are immune from liability for acts or omissions that cause damage or injury and that relate to the construction, maintenance, or use of any artificial barrier created as authorized under sub. (1).

SECTION 1261gk. 30.204 (1) of the statutes is amended to read:

30.204 **(1)** AUTHORIZATION. Between May 15, 1984, and January 1, ~~2002~~ 2008, the department is authorized to conduct a lake acidification experiment on the lake specified under sub. (2).

SECTION 1261m. 30.207 (1) of the statutes is amended to read:

30.207 **(1)** GEOGRAPHICAL AREA. For purposes of this section and s. 30.12 (3) (bt), the Wolf River and Fox River basin area consists of all of Winnebago County; the portion and shoreline of Lake Poygan in Waushara County; the area south of STH 21 and east of STH 49 in Waushara

County; that portion of Calumet County in the Lake Winnebago watershed; all of Fond du Lac County north of STH 23; that portion of Outagamie County south and east of USH 41; that portion of Waupaca County that includes the town of Mukwa, city of New London, town of Caledonia, town of Fremont~~,~~; and the portion and shoreline of Partridge Lake and the Wolf River in the town of Weyauwega.

SECTION 1261p. 30.265 of the statutes is created to read:

30.265 Adopt a river program. The department shall establish and adopt a river program to encourage program volunteers to clean up a specified portion of a lake, river, wetland, or ravine. The department shall supply to the volunteers educational support and necessary supplies. The department shall keep records of information related to the program, including the pounds of rubbish collected, the number of volunteer hours provided, and descriptions of the debris found. The department shall publicly recognize volunteers who participate in the program.

Vetoed In Part

SECTION 1261r. 30.277 (1m) (a) of the statutes is amended to read:

30.277 **(1m)** (a) Beginning in fiscal year 1992−93, from the appropriation under s. 20.866 (2) (tz), the department shall award grants to governmental units to assist 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, subject to the agreement under s. 23.0917 (4r).

SECTION 1262. 30.35 (2a) (b) of the statutes is amended to read:

30.35 **(2a)** (b) Exempt from the ~~certificate of~~ registration requirement under s. 30.51 (2) (c) 3.

SECTION 1263. 30.38 (9) (b) of the statutes is amended to read:

30.38 **(9)** (b) Exempt from the ~~certificate of~~ registration requirement under s. 30.51 (2) (c) 3.

Vetoed In Part

SECTION 1263h. 30.43 (4) of the statutes is created to read:

30.43 **(4)** In conjunction with the Kickapoo reserve management board, prepare and submit the report required under s. 41.41 (13) after consulting with the department and any tribal government with whom either board has entered into a memorandum of understanding.

SECTION 1264. 30.50 (3) of the statutes is amended to read:

30.50 **(3)** "Certificate of number" means the certificate of number certificate, certificate of number card, certification ~~sticker or~~ decal, and identification number issued by the department under the federally approved numbering system unless the context clearly indicates otherwise.

SECTION 1265. 30.50 (3b) of the statutes is created to read:

30.50 **(3b)** "Certification or registration documentation" means a certificate of number certificate, certificate of number card, certification decal, registration certificate, registration card, self−validated receipt, or registration decal.

SECTION 1266. 30.50 (4a) of the statutes is repealed.

Vetoed In Part

SECTION 1266m. 30.50 (4s) of the statutes is amended to read:

30.50 **(4s)** "Law enforcement officer" has the meaning specified under s. 165.85 (2) (c) and includes a person appointed as a conservation warden ~~by the department~~ under s. 23.10 (1) or a state forest ranger appointed under s. 28.92.

SECTION 1267. 30.50 (10) of the statutes is amended to read:

30.50 **(10)** "Registration" means the registration certificate, registration card, and registration ~~sticker or~~ decal issued by the department.

SECTION 1268. 30.50 (11m) of the statutes is created to read:

30.50 **(11m)** "Self−validated receipt" means a portion of an application form that is retained by the applicant upon submittal of an application for a certificate of of number or registration and that shows that an application and the required fee for a certificate of number or registration has been submitted to the department.

SECTION 1269. 30.51 (1) (a) of the statutes is amended to read:

30.51 **(1)** (a) *Certificate of number.* No person may operate, and no owner may give permission for the operation of, any boat on the waters of this state unless the boat is covered by a certificate of number issued under this chapter or is exempt from the certificate of number requirements of this chapter. ~~A boat is not covered by a certificate of number unless the owner is issued a valid certificate of number card, the certificate sticker or decal is properly attached to and displayed on the boat and the identification number is properly displayed on the boat.~~

SECTION 1270. 30.51 (1) (b) of the statutes is amended to read:

30.51 **(1)** (b) *Registration.* No person may operate, and no owner may give permission for the operation of, any boat on the waters of this state unless the boat is covered by a registration issued under this chapter or is exempt from the registration requirements of this chapter. ~~A boat is not covered by a registration unless the owner is issued a valid registration card and the registration sticker or decal is properly displayed on the boat.~~

SECTION 1271. 30.52 (1) (title) of the statutes is repealed and recreated to read:

30.52 **(1)** (title) ISSUANCE OF CERTIFICATES AND REGISTRATIONS.

SECTION 1272. 30.52 (1) (c) of the statutes is amended to read:

30.52 **(1)** (c) *Application for duplicate.* If a certificate of number card, a registration card, a certification

~~sticker or~~ decal or ~~a~~ registration ~~sticker or~~ decal is lost or destroyed the owner of a boat may apply for a duplicate. ~~The owner shall submit an application which shall be accompanied by the required fee for each duplicate certificate of number card, registration card, certification sticker or decal or registration sticker or decal applied for.~~

SECTION 1273. 30.52 (1m) (title) of the statutes is repealed and recreated to read:

30.52 **(1m)** (title) PROCEDURES.

SECTION 1274. 30.52 (1m) (a) (intro.) of the statutes is amended to read:

30.52 **(1m)** (a) ~~*Agents*~~ *Issuers*. (intro.) For the issuance of original or duplicate certification or registration documentation and for the transfer or renewal of ~~certificates of number or certificates of registration~~ certification or registration documentation, the department may do any of the following:

SECTION 1275. 30.52 (1m) (a) 1. of the statutes is amended to read:

30.52 **(1m)** (a) 1. Directly issue, transfer, or renew the ~~certificates~~ certification or registration documentation with or without using the expedited service under par. (ag) 1.

SECTION 1276. 30.52 (1m) (a) 2. of the statutes is repealed.

SECTION 1277. 30.52 (1m) (a) 3. of the statutes is amended to read:

30.52 **(1m)** (a) 3. Appoint persons who are not employees of the department as agents of the department to issue, transfer, or renew the ~~certificates as agents of the department~~ certification or registration documentation using either or both of the expedited services under par. (ag) 1.

SECTION 1278. 30.52 (1m) (ag) of the statutes is created to read:

30.52 **(1m)** (ag) *Methods of issuance.* 1. For the issuance of original or duplicate certification or registration documentation and for the transfer or renewal of certification or registration documentation, the department may implement either or both of the following expedited procedures to be provided by the department and any agents appointed under par. (a) 3.:

a. A noncomputerized procedure under which the department or agent may accept applications for certificates of number or registration and issue a self−validated receipt at the time the applicant submits the application accompanied by the required fees.

b. A computerized procedure under which the department or agent may accept applications for certification or registration documentation and issue to each applicant all or some of the items of the certification or registration documentation at the time the applicant submits the application accompanied by the required fees.

2. Under either procedure under subd. 1., the applicant shall receive any remaining items of certification or registration documentation directly from the department at a later date. The items of certification or registration documentation issued at the time of the submittal of the application under either procedure shall be sufficient to allow the boat for which the application is submitted to be operated in compliance with the registration requirements under this section and ss. 30.51 and 30.523.

SECTION 1279. 30.52 (1m) (ar) of the statutes is created to read:

30.52 **(1m)** (ar) *Fees.* 1. In addition to the applicable fee under sub. (3), each agent appointed under par. (a) 3. shall collect an expedited service fee of $3 each time the agent issues a self−validated receipt under par. (ag) 1. a. The agent shall retain the entire amount of each expedited service fee the agent collects.

2. In addition to the applicable fee under sub. (3), the department or the agent appointed under par. (a) 3. shall collect an expedited service fee of $3 each time the expedited service under par. (ag) 1. b. is provided. The agent shall remit to the department $1 of each expedited service fee the agent collects.

SECTION 1280. 30.52 (1m) (b) of the statutes is repealed.

SECTION 1281. 30.52 (1m) (c) of the statutes is repealed.

SECTION 1282. 30.52 (1m) (d) of the statutes is repealed.

SECTION 1283. 30.52 (1m) (e) of the statutes is amended to read:

30.52 **(1m)** (e) ~~*Remittal*~~ *Receipt 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~~ All fees remitted to or collected by the department under par. ~~(d)~~ (ar) shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 1284. 30.52 (1m) (f) of the statutes is created to read:

30.52 **(1m)** (f) *Inapplicability.* 1. A dealer in boats who assists a customer in applying for a certification of number or registration without using either procedure specified in par. (ag) 1., may charge the customer a reasonable fee for providing this assistance.

2. Paragraphs (a) to (ar) do not apply to certificates of numbers issued to manufactures or dealers in boats who pay the fee under sub. (3) (im).

SECTION 1285. 30.52 (1r) of the statutes is created to read:

30.52 **(1r)** RULES FOR ISSUERS. The department may promulgate rules to establish eligibility and other criteria for the appointment of agents under sub. (1m) (a) 3. and to regulate the activities of these agents.

SECTION 1286. 30.52 (3) (j) of the statutes is amended to read:

30.52 **(3)** (j) *Fee for issuance of duplicates.* The fee for the issuance of each duplicate certificate of number card, registration card, certification ~~sticker or~~ decal, or registration ~~sticker or~~ decal is $2.50.

SECTION 1287. 30.52 (5) (a) (title) of the statutes is amended to read:

30.52 **(5)** (a) (title) *Certificate of number; card; ~~sticker or decal~~ decals; number.*

SECTION 1288. 30.52 (5) (a) 1. of the statutes is amended to read:

30.52 **(5)** (a) 1. Upon receipt of a proper application for the issuance or renewal of a certificate of number accompanied by the required fee, a sales tax report, the payment of any sales and use tax due under s. 77.61 (1), and any other information the department determines to be necessary, the department or an agent appointed under sub. (1m) (a) 3. shall issue to the applicant a certificate of number card. The certificate of number card shall state the identification number awarded, the name and address of the owner, and other information the department determines to be necessary. The certificate of number card shall be of pocket size and of durable water resistant material.

SECTION 1289. 30.52 (5) (a) 2. of the statutes is amended to read:

30.52 **(5)** (a) 2. ~~At the time the~~ The department ~~issues a certificate of number card, it~~ or an agent appointed under sub. (1m) (a) 3. shall issue 2 certification ~~stickers or~~ decals per boat for each application that involves the issuance of certification decals. The certification ~~stickers or~~ decals shall bear the year of expiration of the current certification and registration period. The department shall provide the applicant with instructions concerning the attachment of the certification ~~stickers or~~ decals to the boat.

SECTION 1290. 30.52 (5) (a) 3. of the statutes is amended to read:

30.52 **(5)** (a) 3. At the time the department or an agent appointed under sub. (1m) (a) 3. issues a certificate of number card, ~~it~~ the department or agent shall award an identification number~~. The department~~ and shall provide the applicant with instructions concerning the painting or attachment of the awarded identification number to the boat. The identification number shall be awarded to a particular boat unless the owner of the boat is a manufacturer of or dealer in boats, motors, or trailers who has paid the fee under sub. (3) (im) and the identification number is used on that boat.

SECTION 1291. 30.52 (5) (a) 4. of the statutes is amended to read:

30.52 **(5)** (a) 4. At the time ~~the department issues a certificate of number card, it~~ a person receives the certification decals, the person shall ~~furnish to the person obtaining the card~~ be furnished with a copy of the state laws pertaining to operation of boats or informational material based on these laws.

SECTION 1292. 30.52 (5) (b) (title) of the statutes is amended to read:

30.52 **(5)** (b) (title) *Registration; card; ~~sticker or decal~~ decals.*

SECTION 1293. 30.52 (5) (b) 1. of the statutes is amended to read:

30.52 **(5)** (b) 1. Upon receipt of a proper application for the issuance or renewal of a registration accompanied by the required fee, a sales tax report, the payment of any sales and use tax due under s. 77.61 (1) and any other information the department determines to be necessary, the department or an agent appointed under sub. (1m) (a) 3. shall issue to the applicant a registration card. The registration card shall state the name and address of the owner and other information the department determines to be necessary. The registration card shall be of pocket size and of durable water resistant material.

SECTION 1294. 30.52 (5) (b) 2. of the statutes is amended to read:

30.52 **(5)** (b) 2. ~~At the time the~~ The department ~~issues a registration card, it~~ or an agent appointed under sub. (1m) (a) 3. shall issue 2 registration ~~stickers or~~ decals per boat for each application that involves the issuance of registration decals. The registration ~~stickers or~~ decals shall bear the year of expiration of the current certification and registration period. The department shall provide the applicant with instructions concerning the attachment of the registration ~~stickers or~~ decals to the boat.

SECTION 1295. 30.52 (5) (b) 3. of the statutes is amended to read:

30.52 **(5)** (b) 3. At the time ~~the department issues a registration card, it~~ a person receives registration decals, the person shall ~~furnish to the person obtaining the card~~ be furnished with a copy of the state laws pertaining to the operation of boats or informational material based on these laws.

SECTION 1296. 30.52 (5) (c) of the statutes is repealed.

SECTION 1297. 30.523 (title) of the statutes is amended to read:

30.523 (title) **Certification or registration card to be on board; display of ~~stickers or~~ decals and identification number.**

SECTION 1298. 30.523 (1) (a) of the statutes is amended to read:

30.523 **(1)** (a) *Certificate of number card.* ~~Any person operating~~ If a boat ~~which~~ is required to be covered by a certificate of number issued under this chapter and if the owner of the boat has received the certificate of number card for the boat, any person operating the boat shall have the ~~certificate of number~~ card available at all times for inspection on the boat, unless the department determines the boat is of the use, size, or type as to make the retention of the ~~certificate of number~~ card on the boat impractical.

SECTION 1299. 30.523 (1) (b) of the statutes is amended to read:

30.523 **(1)** (b) *Registration card.* ~~Any person operating~~ If a boat ~~which~~ is required to be covered by a registration issued under this chapter and the owner of the boat

has received the registration card for the boat, any person operating the boat shall have the ~~registration~~ card available at all times for inspection on the boat unless the department determines the boat is of the use, size, or type as to make the retention of the ~~registration~~ card on the boat impractical.

SECTION 1300. 30.523 (2) (title) of the statutes is amended to read:

30.523 **(2)** (title) DISPLAY OF ~~STICKERS OR~~ DECALS.

SECTION 1301. 30.523 (2) (a) of the statutes is amended to read:

30.523 **(2)** (a) *Certification ~~stickers or~~ decals.* Upon being issued ~~a certificate of number card and~~ certification ~~stickers or~~ decals, the owner of the boat shall attach or affix the ~~stickers or~~ decals to each side of the forward half of the boat in the manner prescribed by rules promulgated by the department. The owner shall maintain the ~~certification stickers or~~ decals in a legible condition at all times.

SECTION 1302. 30.523 (2) (b) of the statutes is amended to read:

30.523 **(2)** (b) *Registration ~~stickers or~~ decals.* Upon being issued ~~a registration card and~~ registration ~~stickers or~~ decals, the owner of the boat shall attach or affix the ~~stickers or~~ decals in the manner prescribed by rules promulgated by the department. The owner shall attach or affix the registration ~~stickers or~~ decals to the transom of the boat on each side of the federally documented name of the vessel in a manner so both ~~stickers or~~ decals are visible. The owner shall maintain the ~~registration stickers or~~ decals in a legible condition at all times.

SECTION 1303. 30.523 (2) (c) of the statutes is amended to read:

30.523 **(2)** (c) *~~Stickers or decals~~ Decals for boats owned by manufacturers and dealers.* Notwithstanding par. (a), a manufacturer or dealer in boats, motors, or trailers who has paid the fee under s. 30.52 (3) (im) may attach or affix the certification ~~stickers or~~ decals to removable signs to be temporarily but firmly mounted upon or attached to the boat while the boat is being operated.

SECTION 1304. 30.523 (2) (d) of the statutes is amended to read:

30.523 **(2)** (d) *Restriction on other stickers and decals.* No ~~sticker or decal~~ stickers or decals other than the certificate of number ~~stickers or~~ decals, other stickers or decals that may be provided by the department, and stickers or decals authorized by reciprocity may be attached, affixed, or displayed on either side of the forward half of a boat.

Vetoed In Part

SECTION 1304g. 30.54 (2) of the statutes is amended to read:

30.54 **(2)** If a person applies for a replacement certificate under sub. (1), ~~conservation wardens or local law enforcement officials~~ law enforcement officers, after presenting appropriate credentials to the owner or legal representative of the owner named in the certificate of title, shall inspect the boat's engine serial number or hull identification number, for purposes of verification or enforcement.

Vetoed In Part

SECTION 1304r. 30.544 of the statutes is amended to read:

30.544 Inspection of boats purchased out−of−state. For purposes of enforcement, ~~conservation wardens or local law enforcement officials~~ law enforcement officers, after presenting appropriate credentials to the owner of a boat which was purchased outside of this state and which is subject to the certificate of title requirements of this chapter, shall inspect the boat's engine serial number or hull identification number.

SECTION 1305. 30.547 (2) of the statutes is amended to read:

30.547 **(2)** No person may intentionally falsify an application for a certificate of number or registration ~~or a certificate of number or registration card~~ issued under s. 30.52.

SECTION 1306. 30.549 (2) (c) of the statutes is amended to read:

30.549 **(2)** (c) Notwithstanding s. 30.52 (5) (a) 2. or (b) 2., the department may not issue new certification ~~stickers or~~ decals or new registration ~~stickers or~~ decals if the fee specified under s. 30.52 (3) (h) rather than the appropriate fee specified under s. 30.52 (3) (b) to (g) is paid. The department shall not award a new identification number to the boat unless compliance with federal numbering regulations requires otherwise.

Vetoed In Part

SECTION 1306m. 30.67 (2) (a) of the statutes is amended to read:

30.67 **(2)** (a) If a boating accident results in death or injury to any person, the disappearance of any person from a boat under circumstances indicating death or injury, or property damage, every operator of a boat involved in an accident shall, without delay and by the quickest means available, give notice of the accident to a ~~conservation warden or local~~ law enforcement officer and shall file a written report with the department on the form prescribed by it. The department shall promulgate rules necessary to keep accident reporting requirements in conformity with rules adopted by the U.S. coast guard.

SECTION 1307. 30.715 (1) of the statutes is created to read:

30.715 **(1)** In this section:

(a) "Aquatic plant" means a submergent, emergent, or floating−leaf plant or any part thereof. "Aquatic plant" does not mean wild rice.

(b) "Public boat access site" means a site that provides access to a navigable water for boats and that is open to the general public for free or for a charge or that is open only to certain groups of persons for a charge.

SECTION 1308. 30.715 (2) of the statutes is created to read:

30.715 **(2)** No person may place or use a boat or boating equipment or place a boat trailer in a navigable water

if the person has reason to believe that the boat, boat trailer, or boating equipment has any aquatic plants attached.

SECTION 1309. 30.715 (4) (a) of the statutes is created to read:

30.715 **(4)** (a) Remove aquatic plants from a boat, boat trailer, or boating equipment before placing it in a navigable water.

SECTION 1310. 30.715 (4) (b) of the statutes is created to read:

30.715 **(4)** (b) Remove or not place a boat, boat trailer, or boating equipment in a navigable water if the law enforcement officer has reason to believe that the boat, boat trailer, or boating equipment has aquatic plants attached.

SECTION 1311. 30.715 (5) of the statutes is created to read:

30.715 **(5)** (a) The department shall prepare a notice that contains a summary of the provisions under this section and shall make copies of the notice available to owners required to post the notice under par. (b).

(b) Each owner of a public boat access site shall post and maintain the notice described in par. (a).

SECTION 1312. 30.725 (title) of the statutes is renumbered 30.715 (title) and amended to read:

30.715 (title) **Placement of boats, trailers, and equipment~~; Lower St. Croix River~~ in navigable waters.**

SECTION 1313. 30.725 (1) of the statutes is renumbered 30.715 (3).

SECTION 1314. 30.725 (2) (intro.) of the statutes is renumbered 30.715 (4) (intro.).

SECTION 1315. 30.725 (2) (a) of the statutes is renumbered 30.715 (4) (c).

SECTION 1316b. 30.725 (2) (b) of the statutes is renumbered 30.715 (4) (d) and amended to read:

30.715 **(4)** (d) Remove or not place a boat, boat trailer or boating equipment in ~~the Lower St. Croix River~~ a navigable water if the law enforcement officer has reason to believe that the boat, boat trailer or boating equipment has zebra mussels attached.

SECTION 1317. 30.725 (3) of the statutes is renumbered 30.715 (6) and amended to read:

30.715 **(6)** No person may refuse to obey the order of a law enforcement officer who is acting under sub. ~~(2)~~ (4).

SECTION 1318. 30.77 (3) (dm) 1. b. of the statutes is amended to read:

30.77 **(3)** (dm) 1. 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. 66.0131 (1) (a), that is established for the purpose of lake management.

SECTION 1319. 30.77 (3) (dm) 1. c. of the statutes is created to read:

30.77 **(3)** (dm) 1. c. "Qualified lake association" means an association that meets the qualifications under s. 281.68 (3m) (a).

SECTION 1319m. 30.92 (1) (b) of the statutes is amended to read: **Vetoed In Part**

30.92 **(1)** (b) "Governmental unit" means the department of natural resources, the department of forestry, a municipality, a lake sanitary district, a public inland lake protection and rehabilitation district organized under ch. 33, the Milwaukee River revitalization council, the Lower Wisconsin State Riverway board, the Fox River management commission, or any other local governmental unit, as defined in s. 66.0131 (1) (a), that is established for the purpose of lake management.

SECTION 1320. 30.92 (1) (br) (intro.) of the statutes is renumbered 30.92 (1) (br) and amended to read:

30.92 **(1)** (br) "Qualified lake association" means ~~a group incorporated under ch. 181 that meets all of the following conditions:~~ an association that meets the qualifications under s. 281.68 (3m) (a).

SECTION 1321. 30.92 (1) (br) 1. of the statutes is repealed.

SECTION 1322. 30.92 (1) (br) 2. of the statutes is repealed.

SECTION 1323. 30.92 (1) (br) 3. of the statutes is repealed.

SECTION 1324. 30.92 (1) (br) 4. of the statutes is repealed.

SECTION 1325. 30.92 (1) (br) 5. of the statutes is repealed.

SECTION 1326. 30.92 (1) (br) 6. of the statutes is repealed.

SECTION 1327. 30.92 (1) (br) 7. of the statutes is repealed.

SECTION 1328. 30.92 (1) (br) 8. of the statutes is repealed.

SECTION 1328m. 30.92 (3) (b) 7. of the statutes is amended to read: **Vetoed In Part**

30.92 **(3)** (b) 7. Location of the proposed project within the region identified in s. ~~25.29 (7) (a)~~ 25.28 (3) (am).

SECTION 1329. 30.92 (4) (b) 8. a. of the statutes is amended to read:

30.92 **(4)** (b) 8. a. A project for the dredging of a channel in a waterway to the degree that is necessary to accommodate recreational watercraft ~~if the project is for an inland water~~.

SECTION 1330. 30.92 (4) (b) 8. b. of the statutes is amended to read:

30.92 **(4)** (b) 8. b. Acquisition of capital equipment that is necessary to cut and remove aquatic plants ~~that are aquatic nuisances or~~ that are detrimental to fish habitat if

the acquisition is pursuant to a plan to cut and remove aquatic plants that is approved by the department.

SECTION 1331. 30.92 (4) (b) 8. bp. of the statutes is created to read:

30.92 **(4)** (b) 8. bp. Acquisition of capital equipment that is necessary to control and remove invasive aquatic plants, as defined in s. 23.24 (1) (g), if the equipment will be used to control and remove them as authorized by an aquatic plant management permit issued under s. 23.24 (3).

SECTION 1332. 30.93 (1) (b) of the statutes is amended to read:

30.93 **(1)** (b) "Fox River navigational system" ~~has the meaning designated under s. 30.94 (1) (b)~~ means locks, harbors, real property, structures, and facilities related to navigation that are located on or near the Fox River, including locks, harbors, real property, structures, and facilities that were under the ownership or control of the federal government on April 1, 1984. "Fox River navigational system" does not include dams on the Fox River.

SECTION 1334. 30.93 (8) of the statutes is amended to read:

30.93 **(8)** APPLICABILITY. This section does not apply after the date on which the ~~governor makes the certification under s. 30.94 (8)~~ state and the Fox River Navigational System Authority enter into the lease agreement specified in s. 237.06.

SECTION 1335. 30.94 (title) of the statutes is repealed.

SECTION 1336. 30.94 (1) (title), (intro.) and (a) of the statutes are repealed.

SECTION 1337. 30.94 (1) (b) of the statutes is renumbered 237.01 (4) and amended to read:

237.01 **(4)** "~~Fox River navigational~~ Navigational system" means locks, harbors, real property, structures, and facilities related to navigation that are located on or near the Fox River, including locks, harbors, real property, structures, and facilities that were under the ownership or control of the federal government on April 1, 1984. "~~Fox River navigational~~ Navigational system" does not include dams on the Fox River.

SECTION 1338. 30.94 (1) (c) of the statutes is repealed.

SECTION 1339. 30.94 (2) to (8) of the statutes are repealed.

Vetoed In Part

SECTION 1340r. 31.02 (4m) of the statutes is created to read:

31.02 **(4m)** The department may not impose the requirement under sub. (4) (c) on a dam that is owned by the city of Jefferson.

SECTION 1344g. 31.309 (1) (ag) of the statutes is created to read:

31.309 **(1)** (ag) The department shall provide a grant of $350,000 in fiscal year 2001−2002 and a grant of $350,000 in fiscal year 2002−2003 from the appropriation under s. 20.370 (5) (cq) to the city of Portage for the renovation and repair of the Portage canal.

SECTION 1345b. 31.385 (5) of the statutes is created to read:

31.385 **(5)** Notwithstanding the limitations under sub. (2) (a) and the funding allocation requirements under sub. (2) (ag) and (ar), the department shall provide financial assistance to the village of Cazenovia in the amount necessary for a dam safety project to repair a dam that is located in the portion of the village that is in Richland County. The amount of the financial assistance may not exceed $250,000. The village need not contribute to the repair costs, and sub. (2) (c) does not apply to this dam safety project. The repair of this dam need not be included as a dam safety project under the inventory maintained by the department under sub. (4) for the village to receive financial assistance under this section.

Vetoed In Part

SECTION 1345c. 31.385 (6) of the statutes is created to read:

31.385 **(6)** The department shall provide financial assistance to the city of Jefferson for a dam safety project for a dam that is owned by the city.

SECTION 1345cm. 31.387 of the statutes is created to read:

31.387 Dam rehabilitation projects. The department shall establish and administer a grant program under which the department shall provide grants to counties to rehabilitate dams located in those counties. The department may only provide a grant for a project under this section to match federal funds provided for the project under the federal Watershed Protection and Flood Prevention Act of 1953 (Public Law 83−566). The department shall promulgate rules necessary to implement this section.

Vetoed In Part

Vetoed In Part

SECTION 1346g. 32.02 (15m) of the statutes is created to read:

32.02 **(15m)** The department of forestry with the approval of the appropriate standing committees of each house of the legislature as determined by the presiding officer thereof and as authorized by law, for acquisition of lands.

SECTION 1346r. 32.035 (3) of the statutes is amended to read:

32.035 **(3)** PROCEDURE. The condemnor shall notify the department of any project involving the actual or potential exercise of the powers of eminent domain affecting a farm operation. If the condemnor is the department of natural resources or the department of forestry, the notice required by this subsection shall be given at the time that permission of the ~~senate and assembly~~ appropriate standing committees on natural resources is sought under s. 23.09 (2) (d) ~~or~~, 27.01 (2) (a), or 28.02 (2). To prepare an agricultural impact statement under this section, the department may require the condemnor to compile and submit information about an

Vetoed In Part

affected farm operation. The department shall charge the condemnor a fee approximating the actual costs of preparing the statement. The department may not publish the statement if the fee is not paid.

Vetoed In Part

SECTION 1346t. 34.05 (4) of the statutes is amended to read:

34.05 **(4)** Money from the appropriation under s. 20.143 (1) (fm) shall be deposited in a public depository located in this state that is ~~at least 51% owned by a minority group member or minority group members, as defined in s. 560.036 (1) (f)~~ a minority business certified by the department of commerce under s. 560.036 (2).

SECTION 1349e. 36.09 (1) (j) of the statutes is amended to read:

36.09 **(1)** (j) Except where such matters are a subject of bargaining with a certified representative of a collective bargaining unit under s. 111.91, the board shall establish salaries for persons not in the classified staff prior to July 1 of each year for the next fiscal year, and shall designate the effective dates for payment of the new salaries. In the first year of the biennium, payments of the salaries established for the preceding year shall be continued until the biennial budget bill is enacted. If the budget is enacted after July 1, payments shall be made following enactment of the budget to satisfy the obligations incurred on the effective dates, as designated by the board, for the new salaries, subject only to the appropriation of funds by the legislature and s. 20.928 (3). This paragraph does not limit the authority of the board to establish salaries for new appointments. The board may not increase the salaries of employees specified in ss. 20.923 (5) and (6) (m) and 230.08 (2) (d) under this paragraph unless the salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary increase to correct salary inequities under par. (h), to fund job reclassifications or promotions, or to recognize competitive factors. The board may not increase the salary of any position identified in s. 20.923 (4g) under this paragraph unless the salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary increase to correct a salary inequity or to recognize competitive factors. The board may not increase the salary of any position identified in s. 20.923 (4g) (ae) and (am) to correct a salary inequity that results from the appointment of a person to a position identified in s. 20.923 (4g) (ae) and (am) unless the increase is approved by the department of employment relations. The granting of salary increases to recognize competitive factors does not obligate inclusion of the annualized amount of the increases in the appropriations under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each year, the board shall report to the joint committee on finance and the departments of administration and employment relations concerning the amounts of any salary increases granted to recognize competitive factors, and the institutions at which they are granted, for the 12−month period ending on the preceding June 30.

SECTION 1349m. 36.09 (2) of the statutes is renumbered 36.09 (2) (a) and amended to read:

36.09 **(2)** (a) The president shall be president of all the faculties and shall be vested with the responsibility of administering the system under board policies and shall direct a central administration which shall assist the board and the president in establishing system−wide policies in monitoring, reviewing and evaluating these policies, in coordinating program development and operation among institutions, in planning the programmatic, financial and physical development of the system, in maintaining fiscal control and compiling and recommending educational programs, operating budgets and building programs for the board. ~~The~~ Subject to par. (b), the president shall appoint each senior vice president, vice president, associate vice president and assistant vice president of the system. The president shall fix the term of office for each senior vice president, vice president, associate vice president and assistant vice president of the system.

SECTION 1349r. 36.09 (2) (b) of the statutes is created to read:

36.09 **(2)** (b) The sum of the number of senior vice presidents and vice presidents of the system that the president may appoint under par. (a) may not exceed 4.

SECTION 1349u. 36.11 (27) of the statutes is created to read:

36.11 **(27)** CONDITION ON FINANCIAL ASSISTANCE. The board may not provide any state financial assistance under this chapter to any person during the period that the person is required to register with the selective service system under 50 USC, Appendix, sections 451 to 473 if the person has not so registered.

Vetoed In Part

SECTION 1349v. 36.11 (36) of the statutes is amended to read:

36.11 **(36)** AQUACULTURE DEMONSTRATION FACILITY. The board, in consultation with representatives of the aquaculture industry, shall operate the aquaculture demonstration facility authorized under 1999 Wisconsin Act 9, section 9107 (1) (i) 3. No person may introduce sturgeon reared in the aquaculture demonstration facility into any natural body of water in this state.

SECTION 1351m. 36.11 (43) of the statutes is created to read:

36.11 **(43)** PROGRAMMING AT UNIVERSITY OF WISCONSIN−GREEN BAY. The board shall ensure that the University of Wisconsin−Green Bay implements programming that is jointly developed by the University of Wisconsin−Green Bay and the Oneida Tribe.

SECTION 1351r. 36.11 (44) of the statutes is created to read:

36.11 **(44)** REPORT ON COURSES. By October 31, 2001, and annually by October 31 thereafter, the board shall submit a report to the cochairpersons of the joint commit-

tee on finance that contains the number and type of, and the number of students enrolled in, each course offered by the system for which the academic fees or tuition charged equals at least 100% of the cost of offering the course.

Vetoed In Part

SECTION 1351t. 36.11 (45) of the statutes is created to read:

36.11 **(45)** DEVELOPMENT OF TRIBAL LOGO. (a) The board shall ensure that the Robert M. La Follette institute of public affairs at the University of Wisconsin−Madison, in consultation with the governing bodies of federally recognized American Indian tribes and bands in this state, develops all of the following:

1. A tribal logo that is representative of federally recognized American Indian tribes and bands in this state and that would be appropriate for display on official state notifications of grants funded in whole or in part by Indian gaming receipts, as defined in s. 569.01 (1m).

2. A plan to implement the use of the logo, including ways to determine when the logo should be used, the cost of developing and using the logo, and how this cost would be funded.

(b) The board shall submit the logo and the plan under par. (a) to the joint committee on finance and to the governing body of each federally recognized American Indian tribe and band in this state. If the cochairpersons of the committee do not notify the board that the committee has scheduled a meeting to review the logo and the plan within 14 working days after the date of submission, use of the logo may, upon approval of the governing body of each tribe and band, be implemented as proposed in the plan. If, within 14 working days after the date of the submission, the cochairpersons of the committee notify the board that the committee has scheduled a meeting for the purpose of reviewing the logo and plan, use of the logo may be implemented only upon approval of the committee and the governing body of each tribe and band.

SECTION 1351wc. 36.11 (46) of the statutes is created to read:

36.11 **(46)** FOND DU LAC AVENUE CORRIDOR STUDY. The board shall ensure that the Center for Economic Development at the University of Wisconsin−Milwaukee completes an economic development study of the Fond du Lac Avenue corridor from North Avenue to Capitol Drive in Milwaukee.

Vetoed In Part

SECTION 1351x. 36.11 (47m) of the statutes is created to read:

36.11 **(47m)** TRANSFER OF CREDIT. (a) The board shall ensure that all institutions and college campuses accept credits transferred from the technical college system and from within the system for general education courses and for courses included in the plan required by 1999 Wisconsin Act 9, section 9154 (4g).

(b) Notwithstanding par. (a), the board may, on a case−by−case basis, request that the standing committees on higher education in the senate and assembly block the transfer of credits. A majority vote of each committee is required to block the transfer.

Vetoed In Part

SECTION 1351za. 36.11 (48m) of the statutes is created to read:

Vetoed In Part

36.11 **(48m)** DOMESTIC ABUSE TRAINING. The board shall ensure that training for medical students and nursing students in dealing with the emotional and psychological impact of domestic abuse on victims is increased.

SECTION 1351zb. 36.11 (49) of the statutes is created to read:

Vetoed In Part

36.11 **(49)** SPECIAL EDUCATION STUDY. The board shall direct the University of Wisconsin−Madison School of Education and the Department of Neurology of the University of Wisconsin−Madison Medical School to study methods of identifying special education pupils with dyslexia and irlen syndrome and methods of remediation.

SECTION 1351zd. 36.11 (50) of the statutes is created to read:

Vetoed In Part

36.11 **(50)** NOTICE REGARDING SEX OFFENDERS. If the board of regents receives information under s. 301.46 (2s) regarding a sex offender whom it employs or who attends an institution within the University of Wisconsin System, the board of regents shall provide the information that it receives, upon request, to any of the following:

(a) A student attending an institution at which the sex offender works, if the sex offender is an employee.

(b) A student attending the institution that the sex offender attends, if the sex offender is a student.

(c) A parent, guardian, or legal custodian of a person entitled to receive the information under par. (a) or (b).

SECTION 1351zf. 36.11 (54) of the statutes is created to read:

Vetoed In Part

36.11 **(54)** WILDLIFE BIOLOGIST. The board shall ensure that the job description for the wildlife biologist at the University of Wisconsin−Stevens Point requires the person in that position to devote a significant portion of time to bear hunting research and data collection.

SECTION 1356g. 36.25 (17) of the statutes is created to read:

Vetoed In Part

36.25 **(17)** GRAZING EDUCATION GRANT PROGRAM. The board shall administer a grazing education grant program through the extension to make grants for educational and technical assistance concerning management intensive grazing.

SECTION 1356L. 36.25 (20) of the statutes is repealed.

SECTION 1357. 36.25 (38) (b) 6. of the statutes is amended to read:

36.25 **(38)** (b) 6. To pay the department of ~~administration~~ electronic government for telecommunications services provided under s. ~~16.973~~ 22.05 (1).

Vetoed In Part

SECTION 1357k. 36.25 (43) of the statutes is created to read:

36.25 **(43)** PEST MANAGEMENT FOR SCHOOLS. The board shall provide, through the extension, programs to train employees of school districts and other persons about using integrated pest management, as defined in s. 94.715 (1) (cm), and about developing and implementing pest management plans to prevent unacceptable levels of pest activity and damage in schools and on school grounds while minimizing hazards to persons, property, and the environment, consistent with the requirements of s. 94.715.

SECTION 1357m. 36.25 (45) of the statutes is repealed.

Vetoed In Part

SECTION 1358m. 36.25 (46) of the statutes is created to read:

36.25 **(46)** WATERSHED MANAGEMENT CENTER. 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 1359m. 36.27 (2) (b) 3. of the statutes is created to read:

36.27 **(2)** (b) 3. Nonresident persons who served in active duty in the U.S. armed forces for at least 10 years, who were honorably discharged from such service within 4 years before registering at an institution, and who filed state income tax returns for at least 8 of the last 10 years of active duty in the U.S. armed forces, and their spouses and children are entitled to the exemption under par. (a).

Vetoed In Part

SECTION 1360m. 36.27 (2) (cr) of the statutes is created to read:

36.27 **(2)** (cr) A person who is a citizen of a country other than the United States is entitled to the exemption under par. (a) if that person meets all of the following requirements:

1. The person graduated from a high school in this state or received a high school graduation equivalency from this state.

2. The person resided in this state for at least 3 years after graduation from high school or after having received a high school graduation equivalency from this state.

3. The person enrolls in an institution and provides that institution with an affidavit stating that the person will file an application for a permanent resident visa with the Immigration and Naturalization Service as soon as the person is eligible to do so.

SECTION 1361. 36.27 (4) (a) of the statutes is amended to read:

36.27 **(4)** (a) ~~In the 1993−94 to 2000−01 academic years, the~~ The board may annually exempt from nonresident tuition, but not from incidental or other fees, up to 200 students enrolled at the University of Wisconsin−Parkside as juniors or seniors in programs identified by that institution as having surplus capacity and up to 150 students enrolled at the University of Wisconsin−Superior in programs identified by that institution as having surplus capacity.

SECTION 1369g. 38.04 (31) of the statutes is created to read:

38.04 **(31)** TRUCK DRIVER TRAINING. From the appropriation under s. 20.292 (1) (hm), subject to 2001 Wisconsin Act .... (this act), section 9148 (1f), the board shall award grants to the district boards governing Chippewa Valley Technical College, Fox Valley Technical College, and Waukesha County Technical College for truck driver training.

Vetoed In Part

SECTION 1369m. 38.08 (1g) of the statutes is amended to read:

38.08 **(1g)** The appointment committee for a district board that governs a district encompassing a 1st class city shall include 4 additional members ~~designated by~~ of the board of school directors in charge of the public schools of the 1st class city designated by the board of school directors. The additional members shall be appointed so as to reflect, to the extent possible, the distribution of women and minorities within the 1st class city.

Vetoed In Part

SECTION 1370m. 38.12 (12) of the statutes is created to read:

38.12 **(12)** TRANSFER OF CREDIT. Each district board shall accept credits transferred from another district or from an institution or college campus within the University of Wisconsin System for general education courses and for courses included in the plan required by 1999 Wisconsin Act 9, section 9154 (4g).

Vetoed In Part

SECTION 1370n. 38.12 (14) of the statutes is created to read:

38.12 **(14)** DOMESTIC ABUSE. The district board shall ensure that training for nursing students in dealing with the emotional and psychological impact of domestic abuse on victims is increased.

SECTION 1371g. 38.15 (1) of the statutes is amended to read:

38.15 **(1)** Subject to sub. (3), if the district board intends to make a capital expenditure in excess of ~~$500,000~~ $1,000,000, excluding moneys received from gifts, grants or federal funds, for the acquisition of sites, purchase or construction of buildings, the lease/purchase of buildings if costs exceed ~~$500,000~~ $1,000,000 for the lifetime of the lease, building additions or enlargements or the purchase of fixed equipment relating to any such activity, it shall adopt a resolution stating its intention to do so and identifying the anticipated source of revenue for each project and shall submit the resolution to the electors of the district for approval. The referendum shall be noticed, called and conducted as provided in s. 67.05 (3) insofar as applicable. For the purposes of this section, all projects located on a single campus site within one district which are bid concurrently or which are approved by the board under s. 38.04 (10) within a 2−year period shall be considered as one capital expenditure project.

SECTION 1371r. 38.15 (2) of the statutes is amended to read:

38.15 **(2)** No more than ~~$500,000~~ $1,000,000 in reserve funds, consisting of property tax revenues and investment earnings on those revenues, may be utilized by the district board to finance capital expenditures in excess of ~~$500,000~~ $1,000,000 for the purposes under sub. (1).

SECTION 1372g. 38.15 (3) (c) 3. of the statutes is amended to read:

38.15 **(3)** (c) 3. The capital expenditure is made before ~~January 1, 2002~~ July 1, 2003.

Vetoed In Part

SECTION 1372i. 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 shall be let by the district board to the lowest responsible bidder, and may be awarded to a minority business that is certified by the department of commerce under s. 560.036 (2), 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 1374m. 38.27 (2m) (f) of the statutes is created to read:

38.27 **(2m)** (f) Beginning in the 2001−02 school year, at least $750,000 annually is awarded under this section to districts with limited fiscal capacity, as defined by the board by rule.

Vetoed In Part

Vetoed In Part

SECTION 1375. 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 sub. (6) 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~~, (19), (20), and (31), 38.14 (11), 38.26, 38.27, 38.305, 38.31, 38.33 and 38.38, all fees collected under s. 38.24, and driver education and chauffeur training aids.

SECTION 1375d. 38.28 (2) (b) 2. of the statutes is amended to read:

38.28 **(2)** (b) 2. The most current equalized values certified by the department of revenue shall be used in aid determinations. Equalized values shall include the full value of ~~computers~~ property that ~~are~~ is exempt under s. 70.11 (39) and (39m) as determined under s. 79.095 (3).

SECTION 1375m. 38.305 (1) (a) of the statutes is amended to read:

38.305 **(1)** (a) The student enrolled in a district college within 3 years of graduating from a high school in this state or within 3 years of receiving a certificate of general educational development from the state superintendent of public instruction under s. 115.29 (4).

SECTION 1375p. 38.305 (2) of the statutes is repealed.

SECTION 1375r. 38.37 of the statutes is created to read: **Vetoed In Part**

38.37 Crime prevention resource center. The Fox Valley Technical College shall permit the Wisconsin Crime Prevention Practitioners Association or a person designated by the association to establish at the college a crime prevention resource center and shall operate the center in cooperation with the association or the person designated by the association.

SECTION 1379t. 39.17 of the statutes is created to read: **Vetoed In Part**

39.17 Medical College of Wisconsin; domestic abuse training. The Medical College of Wisconsin, Inc., shall increase training of medical students in dealing with the emotional and psychological impact of domestic abuse on victims.

SECTION 1380g. 39.28 (6) of the statutes is created to read:

39.28 **(6)** The board may not provide any state financial assistance under this subchapter to any person during the period that the person is required to register with the selective service system under 50 USC, Appendix, sections 451 to 473 if the person has not so registered.

SECTION 1380m. 39.30 (3m) (a) of the statutes is amended to read:

39.30 **(3m)** (a) ~~No grant awarded under this section may exceed $1,150 per semester or a prorated amount in the case of a quarter or trimester institution, or $2,300 per academic year~~ The board shall establish the maximum amount of a grant awarded under this subsection. The board may not establish a maximum amount that exceeds the maximum amount in the previous academic year unless the board determines, to the best of its ability, that in doing so the board will award grants under this paragraph in the current academic year to at least as many students as the board awarded grants to under this paragraph in the previous academic year. Grants under this section may not be less than $250 during any one academic year.

SECTION 1380t. 39.393 of the statutes is created to read:

39.393 Nursing student loan program. (1) The board shall establish a loan program to defray the cost of tuition, fees, and expenses for persons enrolled in any of the following:

(a) A program in this state that confers an associate degree in nursing.

(b) A program in this state that confers a bachelor's degree in nursing.

(c) A program in this state that confers a 2nd degree that will make the person eligible to sit for examination under s. 441.04 or 441.10.

(d) A program in this state that confers a diploma in nursing.

(2) Beginning in the 2002−03 fiscal year, the board shall make loans under this section from the appropriation under s. 20.235 (1) (cm). The maximum amount of loan for a person during any fiscal year is $3,000. The maximum that a person may receive under this section is $15,000. The board shall ensure that the terms of the loan do not require a loan recipient to repay the loan while the recipient is enrolled in a program under sub. (1).

(3) After the recipient of a loan under sub. (1) has completed the program described in sub. (1), the board shall forgive 25% of the loan's principal and interest after the first full year and 25% of the loan's principal and interest after the 2nd full year that the recipient has been employed full time in this state as a nurse. The board may forgive loans on a prorated basis for persons who are employed less than full time.

(4) The board shall promulgate rules to implement and administer this section.

Vetoed In Part

SECTION 1381g. 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 school operated by the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing or the school operated by the Wisconsin Center for the Blind and Visually Impaired.

Vetoed In Part

SECTION 1381m. 39.41 (1m) (bm) of the statutes is created to read:

39.41 **(1m)** (bm) The school board of a school district operating one or more high schools and the governing body of each private high school may, in lieu of designating a scholar who meets the criteria under par. (a) or nominating a scholar who meets the criteria under par. (b), designate the senior with the highest grade point average in the International Baccalaureate Degree Program as a scholar.

Vetoed In Part

SECTION 1381p. 39.41 (1m) (c) 2. of the statutes is amended to read:

39.41 **(1m)** (c) 2. For the school operated by the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing, designate the senior with the highest grade point average in all subjects as a scholar.

SECTION 1381r. 39.41 (1m) (fm) of the statutes is amended to read:

39.41 **(1m)** (fm) If 2 or more seniors from the school operated by the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing have the same grade point average and, except for the limitation of one designated senior, are otherwise eligible for designation under par. (c) 2., the executive secretary shall make the designation under par. (c) 2. 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. **Vetoed In Part**

SECTION 1382r. 39.44 (1) (b) of the statutes is amended to read: **Vetoed In Part**

39.44 **(1)** (b) There is established, to be administered by the board, the minority undergraduate retention grant program for minority ~~undergraduates~~ students enrolled as freshmen, sophomores, juniors, or seniors in private, nonprofit higher educational institutions in this state or in technical colleges in this state.

SECTION 1383. 39.44 (5) of the statutes is created to read:

39.44 **(5)** By November 1, 2001, and annually thereafter, the board shall report to the department of administration on the effectiveness of the program under this section.

SECTION 1384m. 39.75 (7) (d) of the statutes is amended to read:

39.75 **(7)** (d) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established by its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified certified public accountant licensed or certified under ch. 442, and the report of the audit shall be included in and become part of the annual reports of the commission.

SECTION 1385. 39.76 (1) of the statutes is amended to read:

39.76 **(1)** STATE REPRESENTATION ON THE EDUCATION COMMISSION OF THE STATES. There is created a 7−member delegation to represent the state of Wisconsin on the education commission of the states. The delegation shall consist of the governor, the state superintendent of public instruction, one senator and one representative to the assembly selected as are the members of standing committees in their respective houses, and 3 members appointed by the governor in compliance with s. 39.75 (3) (a) who shall serve at the pleasure of the governor. The chairperson of the delegation shall be designated by the governor from among its members. Members of the delegation shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties from the appropriation in s. 20.505 ~~(3) (a)~~ (4) (ba). Annual commission membership dues shall be paid from the appropriation in s. 20.505 ~~(3) (a)~~ (4) (ba).

SECTION 1385m. 39.80 (5) (c) of the statutes is amended to read:

39.80 **(5)** (c) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified ~~or licensed~~ public accountant licensed or certified under ch. 442 and the report of the audit shall be included in and become part of the annual report of the commission.

Vetoed In Part

SECTION 1387e. 40.02 (17) (n) of the statutes is created to read:

40.02 **(17)** (n) Notwithstanding par. (d), each participant who is a state forest ranger on or after the effective date of this paragraph .... [revisor inserts date], shall be granted creditable service as a protective occupation participant for all covered service as a state forest ranger that was earned on or after the effective date of this paragraph .... [revisor inserts date], but may not be granted creditable service as a protective occupation participant for any covered service as a state forest ranger that was earned before the effective date of this paragraph .... [revisor inserts date], unless that service was earned while the participant was classified under sub. (48) (a) and s. 40.06 (1) (d) as a protective occupation participant.

SECTION 1388. 40.02 (26g) of the statutes is renumbered 40.02 (26g) (intro.) and amended to read:

40.02 **(26g)** (intro.) "Employee−funded reimbursement account plan" means ~~a~~ any of the following:

(a) A plan in accordance with section 125 of the ~~internal revenue code~~ Internal Revenue Code under which an employee may direct an employer to place part of the employee's gross compensation in an account to pay for certain future expenses of the employee under section 125 of the ~~internal revenue code~~ Internal Revenue Code.

SECTION 1389. 40.02 (26g) (b) of the statutes is created to read:

40.02 **(26g)** (b) A plan in accordance with section 132 of the Internal Revenue Code under which an employee may direct an employer to place part of the employee's gross compensation in an account to pay for certain future expenses of the employee under section 132 of the Internal Revenue Code.

Vetoed In Part

SECTION 1389r. 40.02 (48) (c) of the statutes is amended to read:

40.02 **(48)** (c) In s. 40.65, "protective occupation participant" means a participating employee who is a police officer, fire fighter, an individual determined by a participating employer under par. (a) or (bm) to be a protective occupation participant, county undersheriff, deputy sheriff, state probation and parole officer, county traffic police officer, conservation warden, state forest ranger, field conservation employee of the department of natural resources or the department of forestry who is subject to call for forest fire control or warden duty, member of the state traffic patrol, state motor vehicle inspector, University of Wisconsin System full−time police officer, guard or any other employee whose principal duties are supervision and discipline of inmates at a state penal institution, excise tax investigator employed by the department of revenue, person employed under s. 61.66 (1), or special criminal investigation agent employed by the department of justice.

Vetoed In Part

SECTION 1389t. 40.02 (54) (a) of the statutes is repealed.

SECTION 1391. 40.02 (54) (i) of the statutes is created to read:

40.02 **(54)** (i) The Fox River Navigational System Authority.

SECTION 1391h. 40.03 (2) (it) of the statutes is created to read:

40.03 **(2)** (it) Shall promulgate, with the approval of the private employer health care coverage board, all rules required for the administration of the private employer health care coverage program established under subch. X.

SECTION 1392. 40.03 (2) (v) of the statutes is created to read:

40.03 **(2)** (v) May settle any dispute in an appeal of a determination made by the department that is subject to review under sub. (1) (j), (6) (i), (7) (f), or (8) (f), or s. 40.80 (2g), but only with the approval of the board having the authority to accept the appeal. In deciding whether to settle such a dispute, the secretary shall consider the cost of litigation, the likelihood of success on the merits, the cost of delay in resolving the dispute, the actuarial impact on the trust fund, and any other relevant factor the secretary considers appropriate. Any moneys paid by the department to settle a dispute under this paragraph shall be paid from the appropriation account under s. 20.515 (1) (r).

SECTION 1393. 40.03 (2) (w) of the statutes is created to read:

40.03 **(2)** (w) If the secretary determines that an otherwise eligible participant has unintentionally forfeited or otherwise involuntarily ceased to be eligible for any benefit provided under this chapter principally because of an error in administration by the department, may order the correction of the error to prevent inequity. A decision under this paragraph is not subject to review. The secretary shall submit a quarterly report to the employee trust funds board on decisions made under this paragraph.

SECTION 1396. 40.04 (9m) (a) of the statutes is amended to read:

40.04 **(9m)** (a) Maintain a separate account in the fund for ~~the~~ each employee−funded reimbursement account plan authorized under subch. VIII.

SECTION 1397. 40.04 (9m) (b) of the statutes is amended to read:

40.04 **(9m)** (b) Credit to the ~~account~~ appropriate accounts established under par. (a) money received from employees in connection with ~~the~~ each employee−funded reimbursement account plan and income from investment of the reserves in the account.

SECTION 1398. 40.04 (9m) (c) of the statutes is amended to read:

40.04 **(9m)** (c) Charge to the ~~account~~ appropriate accounts established under par. (a) payments made to reimburse employee−funded reimbursement account plan providers for payments made to employees under ~~the~~ each employee−funded reimbursement account plan under subch. VIII.

SECTION 1398m. 40.04 (10) of the statutes is amended to read:

40.04 **(10)** An accumulated sick leave conversion account shall be maintained within the fund, to which shall be credited all money received under s. 40.05 (4) (b), (bc), (bf), (bm), (br), and (bw) for health insurance premiums, as dividends or premium credits arising from the operation of health insurance plans and from investment income on any reserves established in the fund for health insurance purposes for retired employees and their surviving dependents. Premium payments to health insurers authorized in s. 40.05 (4) (b), (bc), (bf), (bm), and (bw) shall be charged to this account. ~~The department shall separately account for premium payments authorized under s. 40.05 (4) (bf) for purposes of reimbursement from the appropriation under s. 20.515 (1) (b).~~ This subsection does not prohibit the direct payment of premiums to insurers when appropriate administrative procedures have been established for direct payments.

SECTION 1398s. 40.05 (4) (b) of the statutes is amended to read:

40.05 **(4)** (b) Except as provided under pars. (bc) and (bp), accumulated unused sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, and 757.02 (5) and subch. I or V of ch. 111 of any eligible employee shall, at the time of death, upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon termination of creditable service and qualifying as an eligible employee under s. 40.02 (25) (b) 6. or 10., be converted, at the employee's current basic pay rate, to credits for payment of health insurance premiums on behalf of the employee or the employee's surviving insured dependents. Any supplemental compensation that is paid to a state employee who is classified under the state classified civil service as a teacher, teacher supervisor, or education director for the employee's completion of educational courses that have been approved by the employee's employer is considered as part of the employee's basic pay for purposes of this paragraph. The full premium for any eligible employee who is insured at the time of retirement, or for the surviving insured dependents of an eligible employee who is deceased, shall be deducted from the credits until the credits are exhausted and paid from the account under s. 40.04 (10), and then deducted from annuity payments, if the annuity is sufficient. The department shall provide for the direct payment of premiums by the insured to the insurer if the premium to be withheld exceeds the annuity payment. ~~Except as provided in par. (bd), upon~~ Upon conversion of an employee's unused sick leave to credits under this paragraph or par. (bf), the employee or, if the employee is deceased, the employee's surviving insured dependents may initiate deductions from those credits or may elect to delay initiation of deductions from those credits ~~for any period of time~~, but only if the employee or surviving insured dependents are covered by a comparable health insurance plan or policy during the period beginning on the date of the conversion and ending on the ~~last day of the 2nd month after the~~ date on which the employee or surviving insured dependents later elect to initiate deductions from those credits. If an employee or an employee's surviving insured dependents elect to delay initiation of deductions from those credits, an employee or the employee's surviving insured dependents may only later elect to initiate deductions from those credits during the annual enrollment period under par. (be). A health insurance plan or policy is considered comparable if it provides hospital and medical benefits that are substantially equivalent to the standard health insurance plan established under s. 40.52 (1).

SECTION 1398t. 40.05 (4) (bd) of the statutes is repealed.

SECTION 1398u. 40.05 (4) (be) of the statutes is repealed and recreated to read:

40.05 **(4)** (be) The department shall establish an annual enrollment period during which an employee or, if the employee is deceased, an employee's surviving insured dependents may elect to initiate or delay continuation of deductions from the employee's sick leave credits under par. (b). An employee or surviving insured dependent may elect to continue or delay continuation of such deductions any number of times. If an employee or surviving insured dependent has initiated the deductions but later elects to delay continuation of the deductions, the employee or surviving insured dependent must be covered by a comparable health insurance plan or policy during the period beginning on the date on which the employee or surviving insured dependent delays continuation of the deductions and ending on the date on which the employee or surviving insured dependent later elects to continue the deductions. A health insurance plan or policy is considered comparable if it provides hospital and medical benefits that are substantially equivalent to the standard health insurance plan established under s. 40.52 (1).

SECTION 1398w. 40.21 (3m) of the statutes is created to read:

40.21 **(3m)** A city−county health department that is established under s. 251.02 (1m), that is subject to s. 251.02 (1r), and that is not otherwise a participating

employer, is a participating employer with respect to its employees who are included in a collective bargaining unit for which a representative is recognized or certified under subch. IV of ch. 111 and is not required to adopt a resolution electing to participate in the Wisconsin retirement system or provide notice of such election to the department under sub. (1).

SECTION 1398wm. 40.51 (12) of the statutes is amended to read:

40.51 **(12)** Every ~~managed care~~ defined network plan, as defined in s. 609.01 ~~(3c)~~ (1b), and every limited service health organization, as defined in s. 609.01 (3), that is offered by the state under sub. (6) shall comply with ch. 609.

SECTION 1398y. 40.51 (13) of the statutes is amended to read:

40.51 **(13)** Every ~~managed care~~ defined network plan, as defined in s. 609.01 ~~(3c)~~ (1b), and every limited service health organization, as defined in s. 609.01 (3), that is offered by the group insurance board under sub. (7) shall comply with ch. 609.

Vetoed In Part

SECTION 1398ym. 40.65 (4w) of the statutes is created to read:

40.65 **(4w)** A state forest ranger who becomes a protective occupation participant on or after the effective date of this subsection .... [revisor inserts date], is not entitled to a duty disability benefit under this section for an injury or disease occurring before the effective date of this subsection .... [revisor inserts date].

SECTION 1399. 40.85 (2) (g) of the statutes is amended to read:

40.85 **(2)** (g) Deposit into the ~~account~~ appropriate accounts established under s. 40.04 (9m) (a) that part of an employee's gross compensation that the employee wants placed in ~~an~~ each employee−funded reimbursement account.

SECTION 1400. 40.86 (4) of the statutes is created to read:

40.86 **(4)** Transportation expenses authorized under section 132 of the Internal Revenue Code.

SECTION 1400b. 40.98 (1) (bm) of the statutes is created to read:

40.98 **(1)** (bm) "Eligible employee" has the meaning given in s. 632.745 (5) (a).

SECTION 1400c. 40.98 (1) (d) of the statutes is amended to read:

40.98 **(1)** (d) "Employer" means any person doing business or operating an organization in this state and employing at least 2 eligible employees, except that for a person operating a farm business the person must employ at least one eligible employee. "Employer" does not include an employer as defined in s. 40.02 (28).

SECTION 1400d. 40.98 (2) (a) 3. of the statutes is amended to read:

40.98 **(2)** (a) 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.

SECTION 1400e. 40.98 (2) (a) 4. of the statutes is amended to read:

40.98 **(2)** (a) 4. The department or the administrator selected under subd. 2. shall solicit and accept bids and shall enter into a contract for marketing the health care coverage program.

SECTION 1400em. 40.98 (2) (a) 5. of the statutes is amended to read:

40.98 **(2)** (a) 5. The department or the administrator selected under subd. 2. shall maintain a toll−free telephone number to provide information on the health care coverage program.

SECTION 1400f. 40.98 (2) (d) of the statutes is amended to read:

40.98 **(2)** (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 employees in a manner determined by the board. Rates that apply to coverage for small employers, as defined in s. 635.02 (7), shall be published at least annually, as required in s. 635.12. The rates may be listed by county or by any other regional factor that the board considers appropriate. Annually, the board shall submit a report to the appropriate standing committees under s. 13.172 (3) specifying the average insurance rate for health care coverage under the program by county or by any other regional factor the board considers appropriate.

SECTION 1400g. 40.98 (3) (a) of the statutes is amended to read:

40.98 **(3)** (a) Offer health care coverage under one or more plans to all of its ~~permanent~~ eligible employees ~~who have a normal work week of 30 or more hours~~ and, if permitted by any plan offered by an insurer under the health care coverage program, may offer health care coverage under ~~one or more plans~~ such a plan to any of its other employees.

SECTION 1400h. 40.98 (3) (b) of the statutes is amended to read:

40.98 **(3)** (b) Provide health care coverage under one or more plans to at least 50% of its ~~permanent~~ eligible employees ~~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 employees specified by the board, whichever percentage is greater.

SECTION 1400i. 40.98 (3) (c) of the statutes is amended to read:

40.98 **(3)** (c) Pay for each eligible employee at least 50% ~~but not more than 100% of the lowest premium rate that would be~~ of the lowest premium rate for single coverage that is available to the employer for that employee's coverage under the health care coverage program.

SECTION 1400j. 40.98 (5) of the statutes is renumbered 40.98 (5) (am).

SECTION 1400k. 40.98 (5) (bm) of the statutes is created to read:

40.98 **(5)** (bm) Notwithstanding par. (am), the department, in consultation with the board, may limit the requirement under par. (am) to compliance with s. 635.19.

SECTION 1400L. 40.98 (6) (b) of the statutes is amended to read:

40.98 **(6)** (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~~ listed by the insurer under s. 628.11.

SECTION 1400m. 40.98 (6) (d) of the statutes is repealed and recreated to read:

40.98 **(6)** (d) The board may establish training requirements that an insurance agent must satisfy, in addition to any requirements under s. 628.04 (3), to sell health care coverage under the health care coverage program.

Vetoed In Part

SECTION 1400mm. 40.98 (6m) of the statutes is created to read:

40.98 **(6m)** The secretary of administration shall lapse from the appropriation under s. 20.515 (2) (g) to the general fund the amounts necessary to repay the loan from the state life insurance fund under s. 607.25 when the secretary of administration, after consulting with the board, determines that funds in the appropriation under s. 20.515 (2) (g) are sufficient to make the lapse. The amounts that are required to be lapsed under s. 20.515 (2) (g) shall equal the amount necessary to repay the loan, less any amount that is lapsed to the general fund under s. 20.515 (2) (a) at the end of the 2001−03 fiscal biennium. The secretary of administration may lapse the amounts under s. 20.515 (2) (g) in installments.

Vetoed In Part

SECTION 1400n. 41.11 (4) of the statutes is amended to read:

41.11 **(4)** ADVERTISING. The department shall plan and conduct a program of advertising and promotion designed to attract interested persons to this state and to stimulate the enjoyment of its recreational opportunities by residents and nonresidents alike. Any contracts engaging a private agency to conduct an advertising or promotion program under this subsection shall reserve to the department the right to terminate the contract if the service is unsatisfactory to the department. The department shall encourage and coordinate the efforts of public and private organizations to publicize the facilities and attractions of the state for the purpose of stimulating their enjoyment by residents and tourists. The department shall advertise historic sites and state parks with funding from the same appropriation account or accounts.

Vetoed In Part

SECTION 1400q. 41.11 (7) of the statutes is created to read:

41.11 **(7)** WILD RIVERS INTERPRETIVE CENTER GRANTS. From the appropriation under s. 20.380 (1) (kg), the department shall make a grant of $20,000 in each fiscal year to the Florence County forestry and park department for distribution of state tourism materials at the Wild Rivers Interpretive Center.

Vetoed In Part

SECTION 1400r. 41.17 (6) of the statutes is created to read:

41.17 **(6)** FUNDING FOR STATE HISTORICAL SOCIETY. The state historical society shall be eligible for funds under this section for any project related to a historic site listed in s. 44.20 (1), regardless of whether program revenues under s. 20.245 are also used for the project.

SECTION 1401. 41.19 (1) (b) of the statutes is created to read:

41.19 **(1)** (b) "Nonprofit organization" has the meaning given in s. 108.02 (19).

SECTION 1402. 41.19 (2m) (c) (intro.) of the statutes is amended to read:

41.19 **(2m)** (c) (intro.) Subject to par. (d), from the ~~appropriation~~ appropriations under s. 20.380 (1) (bm) and (kg), the department shall, in the fiscal biennium in which an area is selected under par. (a), award a grant to the applicant on behalf of ~~an~~ the area ~~of the state selected under par. (a)~~ if all of the following apply:

SECTION 1403. 41.19 (2m) (d) of the statutes is amended to read:

41.19 **(2m)** (d) The department may not, under par. (c), award to an applicant on behalf of an area selected under par. (a) more than one grant per fiscal year ~~to an applicant on behalf of an area under par. (c) and may not~~ or award grants to the applicant for more than 2 fiscal years. Grants awarded to an applicant under par. (c) may not exceed $25,000 in the first fiscal year, or $15,000 in the 2nd fiscal year, in which the applicant receives a grant under par. (c).

SECTION 1404. 41.19 (2r) of the statutes is created to read:

41.19 **(2r)** From the appropriations under s. 20.380 (1) (bm) and (kg), the department may award to a nonprofit organization that is located in an area of the state that was selected under sub. (2m) (a) grants of up to $5,000 in any fiscal year after the fiscal biennium in which the area was selected under sub. (2m) (a). Grant proceeds must be used to promote historic and prehistoric attractions in the area, and may be used for such purposes as interpretive or directional signs, website development, advertising, and public relations. The department may award grants under this subsection to a nonprofit organization that received grants under sub. (2m) (c) as an applicant on behalf of an area of the state selected under sub. (2m) (a).

Vetoed In Part

SECTION 1404f. 41.41 (13) of the statutes is created to read:

Vetoed In Part

41.41 **(13)** REPORT ON GENERATING REVENUE AND RESUBMITTING BUILDING PLANS. After consulting with the department of natural resources and any tribal government with whom the Kickapoo reserve management board or the Lower Wisconsin State Riverway board has entered into a memorandum of understanding, the Kickapoo reserve management board, in conjunction with the Lower Wisconsin State Riverway board, shall prepare and submit to the building commission and to the joint committee on finance a report that includes all of the following:

(a) Recommendations on how revenue may be generated to cover the operational costs of the 2 boards through hunting, camping, or parking or other fees.

(b) Resubmission of plans for building facilities that, given their close proximity, have their own individual emphases.

SECTION 1405. 42.035 of the statutes is amended to read:

42.035 Treatment of certain state fair park board employees. Notwithstanding s. 230.08 (2) (pm), those employees holding positions in the classified service at the state fair park board on October 29, 1999, 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 employees 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. Such employees shall also be eligible for transfer under s. 230.29 and shall have reinstatement privileges to the classified service under s. 230.33 (1m). Those employees of the state fair park board on October 29, 1999, 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.

Vetoed In Part

SECTION 1405g. 42.09 (2) (b) of the statutes is amended to read:

42.09 **(2)** (b) The state fair park board shall allow the department of natural resources and the department of forestry access to and use of the buildings, appurtenances, fixtures, exhibits and other structures and facilities described in par. (a) so that the ~~department~~ departments may prepare, display and dismantle exhibits during events occurring at state fair park.

SECTION 1405m. 42.09 (3) (a) of the statutes is amended to read:

42.09 **(3)** (a) ~~The~~ Subject to approval of the building commission when required under s. 13.48 (12), the state fair park board may permit a private person to construct a building, structure or facility in the state fair park under a lease agreement with the board.

Vetoed In Part

SECTION 1406w. 43.17 (9) (a) of the statutes is amended to read:

43.17 **(9)** (a) All contracts for public construction 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, and may be awarded to a minority business that is certified by the department of commerce under s. 560.036 (2), 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 1407m. 43.17 (9) (b) of the statutes is amended to read:

43.17 **(9)** (b) A public library system board of a multicounty library system may borrow money to accomplish any of its purposes, but the outstanding amount of such loans at any time may not exceed an amount equal to the system board's receipts for the prior fiscal year. A federated public library system whose territory lies within 2 or more counties may obtain a state trust fund loan to accomplish any of its purposes, but the outstanding amount of a federated public library system's state trust fund loans, together with all other indebtedness of the system, may not exceed an amount equal to the system's receipts for the prior fiscal year.

SECTION 1408. 43.70 (2) of the statutes is amended to read:

43.70 **(2)** Annually~~, within 40 days after December 1~~ by January 10, the state superintendent shall apportion the amount that is estimated to be appropriated under s. 20.255 (2) (s) in the current school year to the school districts in proportion to the number of persons resident therein, as shown by the report certified under sub. (1).

SECTION 1409. 43.70 (3) of the statutes is amended to read:

43.70 **(3)** Immediately upon making such apportionment, the state superintendent shall certify to the department of administration the ~~total~~ estimated amount that each school district is entitled to receive under this section and shall notify each school district administrator of the estimated amount so certified for his or her school district. ~~Within 15 days after receiving such certification, the~~ The department of administration shall issue its warrants upon which the state treasurer shall ~~pay to each school district 50% of its total aid entitlement on or before January 31 and the balance on or before June 30, except that, beginning in the 1999–2000 school year, the state treasurer shall~~ distribute each school district's aid

entitlement in one payment on or before ~~June 30~~ May 1. The amount paid to each school district shall be based upon the amount in the appropriation account under s. 20.255 (2) (s) on April 15. All moneys distributed under this section shall be expended for the purchase of instructional materials from the state historical society for use in teaching Wisconsin history and for the purchase of library books and other instructional materials for school libraries, but not for public library facilities operated by school districts under s. 43.52, in accordance with rules promulgated by the state superintendent. Appropriate records of such purchases shall be kept and necessary reports thereon shall be made to the state superintendent.

SECTION 1410. 44.02 (28) of the statutes is repealed.

SECTION 1411m. 44.025 of the statutes is repealed.

SECTION 1413. 44.15 (4) of the statutes is amended to read:

44.15 **(4)** STATE–FUNDED MARKERS. The historical society may identify and authorize construction of individual markers or plaques, or any series of markers or plaques, to be funded from the appropriation under s. 20.245 ~~(3) (d)~~ (1) (a). No matching funds are required for a marker or plaque that is constructed under this subsection. Funds under this subsection may be used for the purchase of plaques to be installed on historical properties and for the construction of markers or plaques in other states or countries.

SECTION 1414. 44.34 (13) of the statutes is repealed.

Vetoed In Part

SECTION 1414g. 44.57 (1) (c) of the statutes is amended to read:

44.57 **(1)** (c) Game farms, fish hatcheries, nurseries, and other production facilities operated by the department of natural resources or the department of forestry.

SECTION 1414m. 44.62 (2) of the statutes is amended to read:

44.62 **(2)** Subject to sub. (3), the board shall award grants under the Wisconsin regranting program to local arts agencies and municipalities. Grants shall be awarded from the ~~appropriation~~ appropriations under s. 20.215 (1) (f) and (j).

SECTION 1415. 44.70 (1d) of the statutes is created to read:

44.70 **(1d)** "Charter school sponsor" means an entity described under s. 118.40 (2r) (b) that is sponsoring a charter school.

SECTION 1416. 44.70 (2g) of the statutes is amended to read:

Vetoed In Part

44.70 **(2g)** "Educational agency" means a school district, charter school sponsor, museum, secured correctional facility, 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~~ Educational Services Program for the Deaf and Hard of Hearing.

Vetoed In Part

SECTION 1417. 44.70 (3d) of the statutes is created to read:

44.70 **(3d)** "Political subdivision" means any city, village, town, or county.

SECTION 1418. 44.70 (3r) of the statutes is created to read:

44.70 **(3r)** "Secured correctional facility" means the Southern Oaks Girls School, the Ethan Allen School, the Youth Leadership Training Center, and the Lincoln Hills School.

SECTION 1419. 44.70 (4) of the statutes is amended to read:

44.70 **(4)** "Telecommunications" has the meaning given in s. ~~16.99 (1)~~ 22.01 (10).

SECTION 1420. 44.71 (2) (a) of the statutes is renumbered 44.71 (2), and 44.71 (2) (g) and (h), as renumbered, are amended to read:

44.71 **(2)** (g) Coordinate the purchasing of educational technology materials, supplies, equipment, and contractual services for school districts, cooperative educational service agencies, technical college districts, and the board of regents of the University of Wisconsin System by the department under s. 16.72 (8), and, in cooperation with the department and subject to the approval of the department of electronic government, establish standards and specifications for purchases of educational technology hardware and software by school districts, cooperative educational service agencies, technical college districts, and the board of regents of the University of Wisconsin System.

(h) ~~Purchase~~ With the approval of the department of electronic government, 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 ~~subdivision~~ paragraph does not require the purchase or lease of any educational technology equipment from the board.

SECTION 1420m. 44.71 (2) (i) of the statutes is created to read:

44.71 **(2)** (i) Administer, modify, or rescind any grant or award made by the Wisconsin Advanced Telecommunications Foundation to fund a project described in s. 14.28 (3) (a) 1. to 5., 1999 stats., to the extent allowed under a contract for making the grant or award.

SECTION 1422. 44.72 (1) (intro.) of the statutes is amended to read:

44.72 **(1)** EDUCATIONAL TECHNOLOGY TRAINING AND TECHNICAL ASSISTANCE GRANTS. (intro.) From the appropriation under s. 20.275 (1) (et), the board shall award grants to cooperative educational service agencies and to consortia consisting of 2 or more school districts, charter school sponsors, secured correctional facilities, or cooperative educational service agencies, or one or more school districts, charter school sponsors, secured correc-

tional facilities, or cooperative educational service agencies and one or more public library boards, to provide technical assistance and training in the use of educational technology. An applicant for a grant shall submit to the board a plan that specifies the school districts, charter school sponsors, secured correctional facilities, and public library boards that will participate in the program and describes how the funds will be allocated. The board shall do all of the following:

SECTION 1424. 44.72 (2) (b) 2. of the statutes is amended to read:

44.72 **(2)** (b) 2. From the ~~appropriation~~ appropriations under s. 20.275 (1) (f), (im), (jm), (js), and (mp), annually the board shall pay $5,000 to each eligible school district and $5,000 to the department of corrections for each eligible correctional facility. The department of corrections shall allocate funds received under this subsection among the eligible secured correctional facilities as it deems appropriate. The board shall distribute the balance in the appropriation to eligible school districts and to charter school sponsors in proportion to the weighted membership of each school district~~, which~~ and in proportion to the number of pupils attending each charter school on the 3rd Friday of September. The weighted membership for a school district shall be determined by dividing the statewide average equalized valuation per member by the school district's equalized valuation per member and multiplying the result by the school district's membership, as defined in s. 121.004 (5).

SECTION 1425. 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. (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 secured correctional facility is eligible for a grant under par. (b) 2. only if the secretary of corrections submits a written request to the board. A charter school sponsor is eligible for a grant under par. (b) 2. only if it submits a written request to the board. A grant under this subsection may not be used to replace funding available from other sources.

SECTION 1426. 44.72 (2) (d) of the statutes is amended to read:

44.72 **(2)** (d) A school district or secured correctional facility receiving a grant under par. (b) shall deposit the moneys in a separate fund. The moneys may be used for any purpose related to educational technology, except that a school district or secured correctional facility may not use the moneys to pay the salary or benefits of any school district or secured correctional facility employee. A charter school sponsor that receives a grant under par. (b) may use the moneys for any purpose related to educational technology that benefits the pupils attending the charter school, except that a charter school sponsor may not use the moneys to pay the salary or benefits of any charter school employee.

SECTION 1426m. 44.72 (3) of the statutes is created to read:

44.72 **(3)** COMPUTER TRAINING. Annually, the board shall pay to the Racine Unified School District the amount appropriated under s. 20.275 (1) (q) for training teachers and pupils in computers, including training in use of the Internet, Web design, computer animation, graphic design, and video skills.

SECTION 1428b. 44.72 (4) (a) of the statutes is amended to read:

44.72 **(4)** (a) *Financial assistance authorized.* The board may provide financial assistance under this subsection to school districts and charter school sponsors 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). 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 1430b. 44.72 (4) (b) of the statutes is amended to read:

44.72 **(4)** (b) *Financial assistance applications, terms and conditions.* The board shall establish application procedures for, and the terms and conditions of, financial assistance under this subsection, including a condition requiring a charter school sponsor to use financial assistance under this subsection for wiring upgrading and installation that benefits pupils attending the charter school. The board shall make a loan to a school district, charter school sponsor, 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 and conditions 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 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 the loans. The term of a loan under this subsection may not exceed 10 years.

SECTION 1431. 44.72 (4) (c) of the statutes is amended to read:

44.72 **(4)** (c) *Repayment of loans.* The board shall credit all moneys received from school districts and charter school sponsors 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 for repayment of loans under this subsection to the appropriation account under s. 20.275 (1) (hb).

SECTION 1433. 44.73 (1) of the statutes is amended to read:

44.73 **(1)** Except as provided in s. 196.218 (4t), the board, in consultation with the department and subject to the approval of the department of electronic government, shall promulgate rules establishing an educational telecommunications access program to provide educational agencies with access to data lines and video links.

SECTION 1434. 44.73 (2) (a) of the statutes is amended to read:

44.73 **(2)** (a) Allow an educational agency to make a request to the board for access to either one data line or one video link, except that 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 or a public library board that operates more than one library facility may request access to both a data line and a video link and access to more than one data line or video link.

SECTION 1435. 44.73 (2) (b) of the statutes is amended to read:

44.73 **(2)** (b) Establish eligibility requirements for an educational agency to participate in the program established under sub. (1), including a requirement that a charter school sponsor use data lines and video links to benefit pupils attending the charter school and a requirement that Internet access to material that is harmful to children, as defined in s. 948.11 (1) (b), is blocked on the computers of secured correctional facilities that are served by data links and video links subsidized under this section.

SECTION 1436. 44.73 (2) (f) of the statutes is created to read:

44.73 **(2)** (f) Ensure that secured correctional facilities that receive access under this section to data lines and video links use them only for educational purposes.

SECTION 1437. 44.73 (2g) of the statutes is created to read:

44.73 **(2g)** An educational agency that is provided access to a data line under the program established under sub. (1) may not do any of the following:

(a) Provide access to the data line to any business entity, as defined in s. 13.62 (5).

(b) Request access to an additional data line for purposes of providing access to bandwidth to a political subdivision under a shared service agreement under sub. (2r) (a).

SECTION 1438. 44.73 (2r) of the statutes is created to read:

44.73 **(2r)** (a) A public library board that is provided access to a data line under the program established under sub. (1) may enter into a shared service agreement with a political subdivision that provides the political subdivision with access to any excess bandwidth on the data line that is not used by the public library board, except that a public library board may not sell, resell, or transfer in consideration for money or anything of value to a political subdivision access to any excess bandwidth. A shared service agreement under this paragraph is not valid unless the agreement allows the public library board to cancel the agreement at any time after providing notice to the political subdivision.

(b) A political subdivision that obtains access to bandwidth under a shared service agreement under par. (a) may not receive compensation for providing any other person with access to the bandwidth.

(c) A public library board shall provide the technology for educational achievement in Wisconsin board with written notice within 30 days after entering into or modifying a shared service agreement under par. (a).

SECTION 1439. 44.73 (3) of the statutes is amended to read:

44.73 **(3)** The board shall submit an annual report to the department on the status of providing data lines and video links that are requested under sub. (2) (a) and the impact on the universal service fund of any payment under contracts under s. 16.974 ~~(7)~~.

SECTION 1440b. 44.73 (6) of the statutes is renumbered 44.73 (6) (a) and amended to read:

44.73 **(6)** (a) From the appropriation under s. 20.275 (1) (s) or (tm), the board may award an annual grant to a school district or private school that had in effect on October 14, 1997, a contract for access to a data line or video link, as documented by the 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)~~ (1) or (3) less the amount that the school district or private school would be paying under sub. (2) (d) if the school district or private school were participating in the program established under 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 subsection is not eligible to participate in the program under sub. (1). No grant may be awarded under this subsection after ~~June 30, 2002~~ December 31, 2005.

SECTION 1440c. 44.73 (6) (b) of the statutes is created to read:

44.73 **(6)** (b) Notwithstanding par. (a), the board may award a school district that operates more than one high school and that had in effect on October 14, 1997, a contract for access to more than one data line or video link an annual grant for each data line or video link serving each high school covered by that contract.

SECTION 1441. 45.01 of the statutes is renumbered 45.014.

SECTION 1442. 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 of higher education, as defined in s. 45.396 (1) (a), in this state, enrolling in a school that is approved under s. 45.35 (9m), enrolling in a proprietary school that is approved under s. 45.54, or receiving a waiver of nonresident tuition under s. 39.47.

SECTION 1443. 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~~ 12-month period after entry or reentry into service and before the date of his or her application. If a person applying for a benefit under this section meets ~~that 5-consecutive-year~~ the residency requirement of 12 consecutive months, the department may not require the person to reestablish that he or she meets ~~the 5-consecutive-year~~ that residency requirement when he or she later applies for any other benefit under this chapter that requires ~~a 5-consecutive-year~~ that residency.

SECTION 1444. 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 a full-time undergraduate semester in any institution of higher education, as defined in s. 45.396 (1) (a), in this state, any school that is approved under s. 45.35 (9m), any proprietary school that is approved under s. 45.54, or any institution from which the individual receives a waiver of nonresident tuition under s. 39.47, may be reimbursed ~~for up to 65%~~ an amount not to exceed the total cost of the individual's tuition and fees~~. The reimbursement under this paragraph is limited to a maximum of 65% of~~ minus any grants or scholarships, including those made under s. 21.49, that the individual receives specifically for the payment of the tuition or fees, or 85% 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.

SECTION 1447. 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 or 8 full semesters of full-time study at any institution of higher education, as defined in s. 45.396 (1) (a), in this state, 60 credits or 4 full semesters of full-time study at 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 a school that is approved under s. 45.35 (9m), at a proprietary school that is approved under s. 45.54, or at an institution where he or she is receiving a waiver of nonresident tuition under s. 39.47.

SECTION 1448. 45.35 (2) of the statutes is renumbered 45.012 and amended to read:

45.012 Definition. In this ~~chapter~~ subchapter, "board" means the board of veterans affairs.

SECTION 1449. 45.35 (2g) of the statutes is created to read:

45.35 **(2g)** DEFINITION. In this section, "department" means the department of veterans affairs.

SECTION 1450. 45.35 (3d) (a) of the statutes is amended to read:

45.35 **(3d)** (a) The council on veterans programs created under s. 15.497 shall advise the board ~~of veterans affairs~~ and the department ~~of veterans affairs~~ on solutions and policy alternatives relating to the problems of veterans.

SECTION 1451. 45.35 (3d) (b) of the statutes is amended to read:

45.35 **(3d)** (b) The council on veterans programs and the department ~~of veterans affairs~~, jointly or separately, shall submit a report regarding the council on veterans programs to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) by November 1, 1989, and by September 30 of every odd-numbered year thereafter. The report shall include a general summary of the activities and membership over the past 2 years of the council and each organization on the council.

SECTION 1451m. 45.35 (4) of the statutes is renumbered 45.35 (4) (a) and amended to read: **Vetoed In Part**

45.35 **(4)** (a) ~~The~~ Except as provided in pars. (b) to (d), the secretary shall appoint under the classified service such persons as are necessary to carry out the policy of the board and for the proper conduct of the Wisconsin veterans museum. All persons appointed by the department shall, if possible, be veterans as defined in sub. (5) and preference shall be given to disabled veterans.

SECTION 1451n. 45.35 (4) (b) of the statutes is created to read:

45.35 **(4)** (b) The department shall employ not more than 8 regional coordinators. The duties of a regional coordinator shall include providing direct claims and benefit application assistance to veterans. The regional coordinators shall coordinate claims and benefit **Vetoed In Part**

application assistance with the appropriate county veterans' service officers under s. 45.43 to maximize the level of assistance and benefits provided to veterans.

SECTION 1451p. 45.35 (4) (c) of the statutes is created to read:

Vetoed In Part

45.35 **(4)** (c) The department shall employ no more than 7 claims officers. The claims officers shall provide federal claims and benefit assistance to veterans and shall be based in the department's regional office in Milwaukee County.

SECTION 1451r. 45.35 (4) (d) of the statutes is created to read:

Vetoed In Part

Vetoed In Part

45.35 **(4)** (d) The department shall employ no more than 2 mobile claims officers in the department's southeast region and shall employ no more than one mobile claims officer in each of the department's other 3 regions. The mobile claims officers shall provide claim and benefit assistance to veterans. The mobile claims officers shall coordinate that claim and benefit assistance with the appropriate county veterans' service officers under s. 45.43 to maximize the level of assistance and benefits provided to veterans.

SECTION 1452. 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~~ 12−month period after entry or reentry into service 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~~ that residency requirement of 12 consecutive months, the department may not require the person to reestablish that he or she meets ~~the 5−consecutive−year~~ that residency requirement when he or she later applies for any other benefit under this chapter that requires ~~a 5−consecutive−year~~ that residency.

SECTION 1453. 45.35 (5) (e) 8. of the statutes is amended to read:

45.35 **(5)** (e) 8. Persian Gulf war: Between August 1, 1990, and the ending date of Operation Desert Shield or the ending date of Operation Desert Storm as established by the department ~~of veterans affairs~~ by rule.

SECTION 1454. 45.351 (1) of the statutes is amended to read:

45.351 **(1)** SUBSISTENCE GRANTS. The department may grant subsistence aid to any incapacitated individual who is a veteran or ~~to any~~ a dependent of a veteran in an amount that the department determines is advisable to prevent want or distress. The department may grant subsistence aid under this subsection to an individual whose incapacitation is the result of the individual's abuse of alcohol or other drugs if the individual is participating in an alcohol and other drug abuse treatment program that is approved by the department. The department may grant subsistence aid on a month−to−month basis or for a 3−month period. The department may grant subsistence aid for a 3−month period if the veteran or dependent whose incapacity is the basis for the aid will be incapacitated for more than 3 months and if earned or unearned income or aid from sources other than those listed in the application will not be available in the 3−month period. Subsistence aid is limited to a maximum of 3 months in a 12−month period unless the department determines that the need for subsistence aid in excess of this maximum time period is caused by the aid recipient's relapse. The department may submit a request to the joint committee on finance for supplemental funds from the veterans trust fund to be credited to the appropriation account under s. 20.485 (2) (vm) for subsistence grants to veterans. 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.

SECTION 1457. 45.353 (2) of the statutes is amended to read:

45.353 **(2)** Upon application the department shall make a payment to any state veterans organization that establishes that it, or its national organization, or both, has maintained a full−time service office at the regional office for at least 5 of the 10 years preceding the date of application. The payment shall equal 25% of all salaries and travel expenses under sub. (3) paid during the previous fiscal year by the state veterans organization to employees engaged in veterans claims service and stationed at the regional office, except that the sum paid to a state veterans organization annually shall not be less than either $2,500, or the amount of salaries and travel expenses paid by the state veterans organization to employees stationed at the regional office, whichever is less, nor more than ~~$20,000~~ $30,000.

SECTION 1457m. 45.353 (3) of the statutes is amended to read:

45.353 **(3)** Application by any such state veterans organization shall be filed annually with the department for the 12−month period commencing on April 1 and ending on March 31 of the year in which it is filed. An application shall contain a statement of salaries and travel expenses paid to employees engaged in veterans claims service maintained at the regional office by such state veterans organization covering the period for which application for a grant is made, which statement has been certified as correct by ~~an~~ a certified public accountant licensed or certified under ch. 442 and sworn to as correct by the adjutant or principal officer of the state veterans organization. The application shall also contain the state organization's financial statement for its last completed

fiscal year and such evidence of claims service activity as the department requires. Sufficient evidence shall be submitted with an initial application to establish that the state veterans organization, or its national organization, or both, has maintained a full−time service office at the regional office without interruption throughout 5 years out of the 10−year period immediately preceding such application. Subsequent applications must be accompanied by an affidavit by the adjutant or principal officer of such state veterans organization stating that a full−time service office was maintained at the regional office by such state veterans organization, or by such state organization and its national organization, for the entire 12−month period for which application for a grant is made.

SECTION 1458. 45.353 (3m) of the statutes is created to read:

45.353 **(3m)** From the appropriation under s. 20.485 (2) (s), the department shall annually provide a grant of $100,000 to the Wisconsin department of the Disabled American Veterans for the provision of transportation services to veterans.

Vetoed In Part

SECTION 1458m. 45.353 (3r) of the statutes is created to read:

45.353 **(3r)** From the appropriation under s. 20.485 (2) (vw) the department, annually, shall award a grant of $12,500 to the Wisconsin chapter of Vietnam Veterans of America, Inc., to reimburse the costs of training individuals to represent veterans in federal benefits disputes. No grant awarded under this subsection may be counted toward the payment limits under sub. (2).

SECTION 1461x. 45.365 (1) (am) of the statutes is amended to read:

45.365 **(1)** (am) The department shall operate the home, and employ a commandant and the officers, nurses, attendants, and other personnel necessary for the proper conduct of the home. The department may employ a commandant for the southeastern facility. In compliance with the compensation plan established pursuant to s. 230.12 (3), ~~the~~ a commandant may recommend to the director of personnel charges for meals, living quarters, laundry, and other services furnished to employees and members of the employees' family maintained at the home and the southeastern facility. Complete personal maintenance and medical care to include programs and facilities that promote comfort, recreation, well−being, or rehabilitation shall be furnished to all members of the home under the policy of the department.

SECTION 1461xf. 45.365 (3) of the statutes is amended to read:

45.365 **(3)** ~~The~~ A commandant and employees designated by the commandant may summarily arrest all persons within or upon the grounds of the home or southeastern facility who are guilty of any offense against the laws of this state or the rules and regulations governing the home or southeastern facility. For this purpose ~~the~~, a commandant and deputies have the power of constables.

SECTION 1462. 45.37 (3) of the statutes is amended to read:

45.37 **(3)** EXCEPTIONS TO THE BASIC ELIGIBILITY REQUIREMENTS. 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~~ 12−month period after enlistment or induction into service and before the date of his or her application. If a person applying for a benefit under this subchapter meets ~~that 5−consecutive−year~~ the residency requirement of 12 consecutive months, the department may not require the person to reestablish that he or she meets ~~the 5−consecutive−year~~ that residency requirement when he or she later applies for any other benefit under this chapter that requires ~~a 5−consecutive−year~~ residency.

SECTION 1463. 45.37 (6) (f) of the statutes is amended to read:

45.37 **(6)** (f) Has been a resident of this state for the ~~5 years~~ 12 months immediately preceding the date of application for membership.

SECTION 1464. 45.37 (7) (b) of the statutes is amended to read:

45.37 **(7)** (b) Has been a resident of this state for the ~~5 years next~~ 12−months preceding the date of application for membership; and

SECTION 1464g. 45.37 (10) (a) of the statutes is amended to read:

45.37 **(10)** (a) Except as otherwise provided in this subsection, the application and admission of any applicant admitted under this section shall constitute a valid and binding contract between ~~such~~ a member and the department. If a member dies leaving a relative that is entitled to an interest in the property of the member under the rules of intestate succession or a will the existence of which is made known to the commandant of the home within 60 days of ~~such~~ the member's death, the member's property shall constitute a part of the member's estate, except that personal effects of nominal monetary value of ~~such~~ a deceased member who is not survived by a member spouse may be distributed by the commandant of the home or the southeastern facility to surviving relatives of ~~such~~ the member who request ~~such~~ the personal effects within a reasonable time after ~~such~~ the member's death.

SECTION 1464i. 45.37 (11) of the statutes is amended to read:

45.37 **(11)** DISPOSITION OF PROPERTY DESCENDING TO STATE. If a member dies without a relative that is entitled to an interest in the property of the member under the rules of intestate succession and without leaving a will the existence of which is made known to the commandant of the home or the southeastern facility, within 60 days of

the member's death, the member's property shall be converted to cash and turned over by the commandant of the home or the southeastern facility, to the state treasurer to be paid into the appropriation under s. 20.485 (1) (h), without administration. The amount is subject to refund within 6 years to the estate of a veteran if it is subsequently discovered that the veteran left a will or a relative that is entitled to an interest in the property of the member under the rules of intestate succession or to any creditor of the veteran who establishes right to the fund or property or any portion thereof. The department, upon being satisfied that a claim out of such funds or property is legal and valid, shall pay the same out of such funds or property, except that payment of claims for a member's funeral and burial expenses may not exceed a total of $1,500 including any amount allowed by the United States for the member's funeral and burial and the right for burial and interment provided in sub. (15) (a).

SECTION 1464L. 45.37 (14) of the statutes is amended to read:

45.37 **(14)** POWERS OF COMMANDANT OVER PERSONAL FUNDS OF MEMBERS. ~~The~~ A commandant ~~of the home~~ may receive, disburse, and account for funds of members ~~of the home~~.

SECTION 1465. 45.396 (1) (a) of the statutes is amended to read:

45.396 **(1)** (a) "Institution of higher education" has the meaning given in ~~20 USC 1088 (a)~~ 20 USC 1001 (a).

SECTION 1466. 45.396 (2) of the statutes is amended to read:

45.396 **(2)** Any veteran upon the completion of any correspondence course or part−time classroom study from an institution of higher education located in this state, from a school that is approved under s. 45.35 (9m), from a proprietary school that is approved under s. 45.54, or from any public or private high school may be reimbursed in part for the cost of the course by the department upon presentation to the department of a certificate from the school indicating that the veteran has completed the course and stating the cost of the course and upon application for reimbursement completed by the veteran and received by the department no later than 60 days after the termination of the course for which the application for reimbursement is made. The department shall accept and process an application received more than 60 days after the termination of the course if the applicant shows good cause for the delayed receipt. The department may not require that an application be received sooner than 60 days after a course is completed. Benefits granted under this section shall be paid out of the appropriation under s. 20.485 (2) (th).

SECTION 1467. 45.396 (3) (intro.) of the statutes is amended to read:

45.396 **(3)** (intro.) A veteran who is a resident of this state and otherwise qualified to receive benefits under this section may receive the benefits under this section upon the completion of any correspondence courses or part−time classroom study from an institution of higher education located outside this state, from a school that is approved under s. 45.35 (9m), or from a proprietary school that is approved under s. 45.54, if any of the following applies:

SECTION 1468. 45.396 (5) of the statutes is amended to read:

45.396 **(5)** Except as provided in sub. (9), the amount of the reimbursement may not exceed ~~65%~~ 85% of the total cost of the individual's tuition and fees ~~and shall also be limited to a maximum of 65% of~~ or 85% 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, whichever is less, and may not be provided to an individual more than 4 times during any consecutive 12−month period.

SECTION 1470. 45.397 (1) of the statutes is amended to read:

45.397 **(1)** GRANT AMOUNT AND APPLICATION. The department may grant a veteran not more than $3,000 for retraining to enable the veteran to obtain gainful employment. The department shall determine the amount of the grant based on the veteran's financial need. A veteran may apply for a grant to the county veterans' service officer of the county in which the veteran is living. The department may, on behalf of a veteran who is engaged in a structured on−the−job training program and who meets the requirements under sub. (2), pay a retraining grant under this subsection to the veteran's employer.

SECTION 1470m. 45.43 (7) (title) of the statutes is amended to read:

45.43 **(7)** (title) GRANTS TO COUNTIES FOR IMPROVEMENT OF SERVICES.

SECTION 1470p. 45.43 (7m) of the statutes is created to read:

45.43 **(7m)** TRANSPORTATION SERVICES GRANTS TO COUNTIES. (a) Annually, from the appropriation under s. 20.485 (2) (s), the department shall award grants to counties that are not served by transportation services provided by the Wisconsin department of Disabled American Veterans to develop, maintain, and expand transportation services for disabled veterans. The grants may be used to support multi−county cooperative transportation services.

(b) The department shall promulgate rules specifying the application procedures and eligibility criteria for grants under this subsection.

(c) A county may not allocate any portion of a grant awarded under this subsection for use by another county department and may not reduce funding to a county veterans' service office based upon receipt of a grant.

SECTION 1471. 45.54 (2) of the statutes is amended to read:

45.54 **(2)** PURPOSE. The purpose of the board is to ~~approve schools and courses of instruction for the train-~~

~~ing of veterans of the armed forces and war orphans receiving assistance from the federal government,~~ protect the general public by inspecting and approving private trade, correspondence, business, and technical schools doing business within this state whether located within or outside this state, changes of ownership or control of these schools, teaching locations used by these schools, and courses of instruction offered by these schools and to regulate the soliciting of students for correspondence or classroom courses and courses of instruction offered by these schools.

SECTION 1472. 45.54 (6) of the statutes is renumbered 45.35 (9m), and 45.35 (9m) (a), as renumbered, is amended to read:

45.35 **(9m)** (a) Except as provided in par. (b), the ~~board~~ department shall be the state approval agency for the education and training of veterans and war orphans. ~~It~~ The department shall approve and supervise schools and courses of instruction for ~~their~~ the training of veterans and war orphans under Title 38, USC, and may enter into and receive money under contracts with the U.S. department of veterans affairs or other appropriate federal agencies.

SECTION 1473. 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~~ 12-month period after enlistment or induction into service 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~~ the residency requirement of 12 consecutive months, the department may not require the person to reestablish that he or she meets ~~the 5-consecutive-year~~ that residency requirement when he or she applies for any other benefit under this chapter that requires ~~a 5-consecutive-year~~ that residency.

SECTION 1474. 45.76 (1) (c) of the statutes is amended to read:

45.76 **(1)** (c) *Home improvements.* A loan of not more than $25,000 to improve a home, including the construction of a garage or the removal or other alteration of existing improvements that were made to improve the accessibility of a home for a disabled individual.

SECTION 1475. 45.79 (3) (b) of the statutes is amended to read:

45.79 **(3)** (b) *Casualty insurance coverage.* Mortgages given to secure loans under this section shall provide for adequate fire and extended coverage insurance. Policies providing such insurance coverage shall name the authorized lender ~~involved~~ or the department as an insured.

SECTION 1476. 45.79 (5) (a) 6. of the statutes is amended to read:

45.79 **(5)** (a) 6. Require borrowers to make monthly escrow payments to be held by the authorized lender or the department for real estate taxes and casualty insurance premiums ~~which~~. The authorized lender or, if the department holds the payments in escrow, the department shall ~~be paid by the authorized lender where due to the extent of the amounts owing thereon or to the extent escrowed, whichever is less~~ pay all of the amounts due for real estate taxes and casualty insurance premiums, even if the amount held in escrow is insufficient to cover the amounts due. If the amount held in escrow is insufficient to cover the amounts due, the authorized lender or, if the department holds the payments in escrow, the department shall recover from the borrower, after paying the amounts due under this subdivision, an amount equal to the difference between the amounts paid and the amount held in escrow. If the amount held in escrow is more than the amounts due, the authorized lender or, if the department holds the payments in escrow, the department shall refund to the borrower, after paying the amounts due under this subdivision, an amount equal to the difference between the amount held in escrow and the amounts paid by the authorized lender or the department.

SECTION 1477. 45.79 (5) (a) 10. of the statutes is created to read:

45.79 **(5)** (a) 10. Service loans made under this section and purchase from authorized lenders the servicing rights for loans made by authorized lenders under this section.

SECTION 1478. 45.79 (5) (b) of the statutes is amended to read:

45.79 **(5)** (b) 1. ~~Persons~~ Veterans receiving loans under this section shall pay at the time of closing an origination fee to the authorized lender participating in the loan, except that the department shall pay, on behalf of a veteran who receives a loan under this section and who has at least a 30% service connected disability rating for purposes of 38 USC 1114 or 1134, the origination fee to the authorized lender. The origination fee charged ~~to borrowers~~ under this ~~section~~ paragraph shall be negotiated between the department and the authorized lender but may not exceed that which the authorized lender would charge other borrowers in the ordinary course of business under the same or similar circumstances.

SECTION 1479. 45.79 (7) (a) (intro.) of the statutes is amended to read:

45.79 **(7)** (a) (intro.) There is created the veterans mortgage loan repayment fund. All moneys received by the department for the repayment of loans funded under sub. (6) (a) except for servicing fees required to be paid to authorized lenders, net proceeds from the sale of mortgaged properties, any repayment to the department of moneys paid to authorized lenders, gifts, grants, other appropriations, and interest earnings accruing thereon, any repayment of moneys borrowed under s. 45.356 (9) (a), all moneys received under sub. (5) (a) 6., and any moneys deposited or transferred under s. 18.04 (6) (b) or (d) shall be promptly deposited into the veterans mortgage loan repayment fund. The board shall establish by

resolution a system of accounts providing for the maintenance and disbursement of moneys of the veterans mortgage loan repayment fund to fund loans under sub. (6) (a) or to fund, refund, or acquire public debt as provided in s. 18.04 (5). The system of accounts shall record and provide moneys for all of the following purposes:

SECTION 1480. 45.79 (7) (a) 4. of the statutes is amended to read:

45.79 **(7)** (a) 4. Payment of all costs incurred by the department in processing and servicing loans, purchasing servicing rights for loans under this section, and accounting for and administering the program under this section, including a portion of grants made to county veterans' service officers under s. 45.43 (7).

SECTION 1481. 45.79 (7) (a) 10. of the statutes is created to read:

45.79 **(7)** (a) 10. Payment of origination fees, on behalf of veterans who have at least a 30% service connected disability rating for purposes of 38 USC 1114 or 1134, to authorized lenders under sub. (5) (b).

SECTION 1482. 45.79 (7) (a) 11. of the statutes is created to read:

45.79 **(7)** (a) 11. To make payments required of the department under sub. (5) (a) 6.

SECTION 1483. 46.03 (34) of the statutes is amended to read:

46.03 **(34)** FETAL ALCOHOL SYNDROME AND DRUG DANGER PAMPHLETS. The department shall acquire, without cost if possible, pamphlets that describe the causes and effects of fetal alcohol syndrome and the dangers to a fetus of the mother's use of cocaine or other drugs during pregnancy and shall distribute the pamphlets free of charge to each county clerk in sufficient quantities so that each county clerk may provide pamphlets to marriage license applicants under s. 765.12 (1) (a).

SECTION 1483gb. 46.03 (43) of the statutes is amended to read:

46.03 **(43)** COMPULSIVE GAMBLING AWARENESS CAMPAIGNS. ~~Provide~~ From the appropriation account under s. 20.435 (7) (kg), provide grants to one or more individuals or organizations in the private sector to conduct compulsive gambling awareness campaigns.

Vetoed In Part

SECTION 1483j. 46.03 (44) of the statutes is created to read:

46.03 **(44)** PERFORMANCE EVALUATIONS FOR ALCOHOL AND OTHER DRUG ABUSE INTERVENTION AND TREATMENT SERVICES. Promote efficient use of resources for alcohol and other drug abuse intervention and treatment services by doing all of the following:

(a) Developing one or more methods to evaluate the effectiveness of, and developing performance standards for, alcohol and other drug abuse intervention and treatment services that are administered by the department.

(b) Adopting policies to ensure that, to the extent possible under state and federal law, funding for alcohol and other drug abuse intervention and treatment services that are administered by the department is distributed giving primary consideration to the effectiveness of the services in meeting department performance standards for alcohol and other drug abuse services.

Vetoed In Part

(c) Requiring every application for funding from the department for alcohol and other drug abuse intervention or treatment services to include a plan for the evaluation of the effectiveness of the services in reducing alcohol and other drug abuse by recipients of services.

(d) Requiring every person receiving funding from the department for alcohol and other drug abuse intervention or treatment services to provide the department the results of the evaluation conducted under par. (c).

SECTION 1484m. 46.034 (3) of the statutes is amended to read:

46.034 **(3)** With the agreement of the affected county board of supervisors in a county with a single−county department or boards of supervisors in counties with a multicounty department, effective for the contract period beginning January 1, 1980, the department may approve a county with a single−county department or counties participating in a multicounty department to administer a single consolidated aid consisting of the state and federal financial aid available to that county or those counties from appropriations under s. 20.435 (3) (o) and (7) (b)~~, (kw)~~ and (o) for services provided and purchased by county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437. Under such an agreement, in the interest of improved service coordination and effectiveness, the county board of supervisors in a county with a single−county department or county boards of supervisors in counties with a multicounty department may reallocate among county departments under ss. 46.215, 46.22, 46.23, 51.42, and 51.437 funds that otherwise would be specified for use by a single county department. The budget under s. 46.031 (1) shall be the vehicle for expressing the proposed use of the single consolidated fund by the county board of supervisors in a county with a single−county department or county boards of supervisors in counties with a multicounty department. Approval by the department of this use of the fund shall be in the contract under s. 46.031 (2g). Counties that were selected by the department to pilot test consolidated aids for contract periods beginning January 1, 1978, may continue or terminate consolidation with the agreement of the affected county board of supervisors in a county with a single−county department or county boards of supervisors in counties with a multicounty department.

SECTION 1485. 46.036 (5m) (a) 1. of the statutes is amended to read:

46.036 **(5m)** (a) 1. "Provider" means a nonstock corporation organized under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17), and that contracts under this section to provide client services on the

basis of a unit rate per client service or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437 that contracts under this section to provide client services on the basis of a unit rate per client service.

SECTION 1486. 46.036 (5m) (b) 1. of the statutes is amended to read:

46.036 **(5m)** (b) 1. Subject to subd. 2. and pars. (e) and (em), if revenue under a contract for the provision of a rate−based service exceeds allowable costs incurred in the contract period, the provider may retain from the surplus generated by that rate−based service up to 5% of the revenue received under the contract. A provider that retains a surplus under this subdivision shall use that retained surplus to cover a deficit between revenue and allowable costs incurred in any preceding or future contract period for the same rate−based service that generated the surplus or to address the programmatic needs of clients served by the same rate−based service that generated the surplus.

SECTION 1487. 46.036 (5m) (b) 2. of the statutes is amended to read:

46.036 **(5m)** (b) 2. ~~A~~ Subject to pars. (e) and (em), a provider may accumulate funds from more than one contract period under this paragraph, except that, if at the end of a contract period the amount accumulated from all contract periods for a rate−based service exceeds 10% of the revenue received under all current contracts for that rate−based service, the provider shall, at the request of a purchaser, return to that purchaser the purchaser's proportional share of that excess and use any of that excess that is not returned to a purchaser to reduce the provider's unit rate per client for that rate−based service in the next contract period. If a provider has held for 4 consecutive contract periods an accumulated reserve for a rate−based service that is equal to or exceeds 10% of the revenue received under all current contracts for that rate−based service, the provider shall apply 50% of that accumulated amount to reducing its unit rate per client for that rate−based service in the next contract period.

SECTION 1488. 46.036 (5m) (e) of the statutes is amended to read:

46.036 **(5m)** (e) Notwithstanding ~~this subsection~~ par. (b) 1. and 2., the department or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437 that purchases care and services from an inpatient alcohol and other drug abuse treatment program that is not affiliated with a hospital and that is licensed as a community−based residential facility, may allocate to the program an amount that is equal to the amount of revenues received by the program that are in excess of the allowable costs incurred in the period of a contract between the program and the department or the county department for purchase of care and services under this section. The department or the county department may make the allocation under this paragraph only if the funds so allocated do not reduce any amount of unencumbered state aid to the department or the county department that otherwise would lapse to the general fund.

SECTION 1489. 46.036 (5m) (em) of the statutes is created to read:

46.036 **(5m)** (em) Notwithstanding pars. (b) 1. and 2. and (e), a county department under s. 46.215, 51.42, or 51.437 providing client services in a county having a population of 500,000 or more or a nonstock, nonprofit corporation providing client services in such a county may not retain a surplus under par. (b) 1., accumulate funds under par. (b) 2., or allocate an amount under par. (e) from revenues that are used to meet the maintenance−of−effort requirement under the federal temporary assistance for needy families program under 42 USC 601 to 619.

SECTION 1489m. 46.041 (1) (a) of the statutes is amended to read: **Vetoed In Part**

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, the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing, the Wisconsin Center for the Blind and Visually Impaired, and mental health facilities within the state at the discretion of the director of the institution providing services under this section.

SECTION 1490. 46.043 (2) of the statutes is amended to read:

46.043 **(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)~~ (g).

SECTION 1491. 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~~ $1,379,300 in fiscal year ~~1999−2000~~ 2001−02 and $1,379,300 in fiscal year ~~2000−01~~ 2002−03 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)

Vetoed In Part

Vetoed In Part

~~$2,489,300~~ $2,694,400 in fiscal year ~~1999−2000~~ 2001−02 and ~~$2,489,900~~ $2,947,200 in fiscal year ~~2000−01~~ 2002−03 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 1492. 46.10 (8m) (b) 2. of the statutes is amended to read:

46.10 **(8m)** (b) 2. Paragraph (a) 2. and 4. does not apply to services provided under s. 51.06 ~~(1)~~ (1m) (d) that are billed under s. 51.437 (4rm) (c) 2m. and does not apply to treatment and services provided under s. 51.42 (3) (aw) 1. d.

SECTION 1494m. 46.215 (1) (k) of the statutes is amended to read:

46.215 **(1)** (k) ~~Except as provided under sub. (1g), certify~~ Certify eligibility for and issue food coupons to needy households in conformity with the federal food stamp act of 1964 as amended, and, in addition, the county department of social services may certify eligibility for and distribute surplus commodities and food stuffs.

SECTION 1494q. 46.215 (1g) of the statutes is repealed.

SECTION 1494r. 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 1494t. 46.22 (1) (b) 2. d. of the statutes is amended to read:

46.22 **(1)** (b) 2. d. ~~Except as provided in sub. (1g), to~~ To certify eligibility for and issue food coupons to needy households in conformity with 7 USC 2011 to 2029.

SECTION 1495g. 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 1495m. 46.22 (1g) of the statutes is repealed.

SECTION 1502L. 46.27 (3) (f) of the statutes is amended to read:

46.27 **(3)** (f) Beginning on January 1, 1996, from the annual allocation to the county for the provision of long−term community support services under subs. (7) (b) and (11), annually establish a maximum total amount that may be encumbered in a calendar year for services for eligible individuals in community−based residential facilities, unless the department waives the requirement under sub (2) (i) or approves a request for an exception under sub. (6r) (c).

SECTION 1502n. 46.27 (7) (cm) 1. (intro.) of the statutes is amended to read:

46.27 **(7)** (cm) 1. (intro.) ~~Except as provided sub. (7b), beginning~~ 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~~ 20 beds, unless one of the following applies:

SECTION 1502p. 46.27 (7) (cm) 1. c. of the statutes is amended to read:

46.27 **(7)** (cm) 1. c. The department approves the provision of services in a community−based residential facility that is initially licensed after July 29, 1995, that is licensed for more than 20 ~~or fewer~~ beds and that meets standards established under subd. 2.

SECTION 1502r. 46.27 (7b) of the statutes is repealed.

SECTION 1503. 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 (4) (b) or (w) 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 1504. 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 (4) (b) or (w) because of increased utilization of nursing home services, as estimated by the department.

Vetoed In Part

SECTION 1504r. 46.27 (11) (c) 5p. of the statutes is repealed.

SECTION 1505b. 46.27 (11) (c) 6. (intro.) and a. of the statutes are consolidated, renumbered 46.27 (11) (c) 6. a. and amended to read:

46.27 **(11)** (c) 6. a. No county, private nonprofit agency or aging unit may use funds received under this subsection to provide residential services in ~~any community−based residential facility, as defined in s. 50.01 (1g), or~~ a group home, as defined in s. 48.02 (7), that has more than ~~4~~ 5 beds, unless ~~one of the following applies: a. The~~ the department approves the provision of services in a ~~community−based residential facility or~~ group home that has ~~5~~ 6 to 8 beds.

SECTION 1505d. 46.27 (11) (c) 6. b. of the statutes is repealed and recreated to read:

46.27 **(11)** (c) 6. b. No county, private nonprofit agency, or aging unit may use funds received under this subsection to provide residential services in a community−based residential facility, as defined in s. 50.01 (1g), that has more than 20 beds, unless the requirements of sub. (7) (cm) 1. a., b., or c. are met.

SECTION 1506. 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 (4) (b) ~~and~~, (o), and (w). 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 1507. 46.275 (5) (c) of the statutes is amended to read:

46.275 **(5)** (c) The total allocation under s. 20.435 (4) (b) ~~and~~, (o), and (w) 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 1507s. 46.277 (5) (d) 1m. (intro.) of the statutes is amended to read:

46.277 **(5)** (d) 1m. (intro.) No county may use funds received under this section to provide services to a person who does not live in his or her own home or apartment unless, subject to the limitations under subds. 2. ~~and~~, 3., and 4. and par. (e), one of the following applies:

SECTION 1507t. 46.277 (5) (d) 1n. (intro.) of the statutes is amended to read:

46.277 **(5)** (d) 1n. (intro.) A county may also use funds received under this section, subject to the limitations under subds. 2. ~~and~~, 3., and 4. and par. (e), to provide services to a person who does not live in his or her own home or apartment if the services are provided to the person in a community−based residential facility and the county department or aging unit has determined that all of the following conditions have been met:

SECTION 1507u. 46.277 (5) (d) 2. (intro.) of the statutes is amended to read:

46.277 **(5)** (d) 2. (intro.) No county may use funds received under this section to provide residential services in any community−based residential facility, as defined in s. 50.01 (1g), ~~or group home, as defined in s. 48.02 (7), that has more than 4 beds,~~ unless one of the following applies:

SECTION 1508b. 46.277 (5) (d) 2. a. of the statutes is repealed and recreated to read:

46.277 **(5)** (d) 2. a. The requirements of s. 46.27 (7) (cm) 1. a. or c. are met.

SECTION 1508d. 46.277 (5) (d) 4. of the statutes is created to read:

46.277 **(5)** (d) 4. No county may use funds received under this section to provide residential services in a group home, as defined in s. 48.02 (7), that has more than 5 beds, unless the department approves the provision of services in a group home that has 6 to 8 beds.

SECTION 1508rg. 46.278 (title) and (1) of the statutes are amended to read:

46.278 (title) **Community integration program and brain injury waiver program for persons with ~~mental retardation~~ developmental disabilities.**

(1) LEGISLATIVE INTENT. The intent of the ~~program~~ programs under this section is to provide home or community−based care to serve in a noninstitutional community setting a person who meets eligibility requirements under 42 USC 1396n (c) and who is diagnosed as developmentally disabled under the definition specified in s. 51.01 (5) and relocated from an institution other than a state center for the developmentally disabled or who meets the intermediate care facility for the mentally retarded or a brain injury rehabilitation facility level of care requirements for medical assistance reimbursement in an intermediate care facility for the mentally retarded or brain injury rehabilitation facility and is ineligible for services under s. 46.275 or 46.277. The intent of the program is also that counties use all existing services for providing care under this section, including those services currently provided by counties.

SECTION 1508rh. 46.278 (1m) (a) of the statutes is created to read:

46.278 **(1m)** (a) "Brain injury rehabilitation facility" means a nursing facility or hospital designated as a facility for brain injury rehabilitation by the department under the approved state medicaid plan.

SECTION 1508ri. 46.278 (1m) (c) of the statutes is amended to read:

46.278 **(1m)** (c) "Program" means the community integration program or the brain injury waiver program, for facilities certified as medical assistance providers, for which a waiver has been received under sub. (3).

SECTION 1508rj. 46.278 (2) (a) of the statutes is amended to read:

46.278 **(2)** (a) The department may request ~~a waiver~~ one or more waivers from the secretary of the federal department of health and human services, under 42 USC 1396n (c), authorizing the department to serve medical assistance recipients, who meet the level of care requirements for medical assistance reimbursement in an intermediate care facility for the mentally retarded or in a brain injury rehabilitation facility, in their communities by providing home or community−based services as part of medical assistance. If the department requests a waiver, it shall include all assurances required under 42 USC 1396n (c) (2) in its request.

SECTION 1508rk. 46.278 (3) (a) of the statutes is amended to read:

46.278 **(3)** (a) Evaluate the effect of ~~the~~ each program on medical assistance costs and on the program's ability to provide community care alternatives to institutional care in facilities certified as medical assistance providers.

SECTION 1508rL. 46.278 (4) (a) of the statutes is amended to read:

46.278 **(4)** (a) Sections 46.27 (3) (b) and 46.275 (3) (a) and (c) to (e) apply to county participation in ~~this~~ a program, except that services provided in the program shall substitute for care provided a person in an intermediate care facility for the mentally retarded or brain injury rehabilitation facility who meets the intermediate care facility for the mentally retarded or brain injury rehabilitation facility level of care requirements for medical assistance reimbursement to that facility rather than for care provided at a state center for the developmentally disabled.

SECTION 1508rm. 46.278 (4) (b) 2. of the statutes is amended to read:

46.278 **(4)** (b) 2. Each county department participating in ~~the~~ a program shall provide home or community−based care to persons eligible under this section, except that the number of persons who receive home or community−based care under this section may not exceed the number that are approved under ~~the~~ an applicable waiver received under sub. (3).

SECTION 1508rn. 46.278 (5) (a) and (b) of the statutes are amended to read:

46.278 **(5)** (a) Any medical assistance recipient who meets the level of care requirements for medical assistance reimbursement in an intermediate care facility for the mentally retarded or in a brain injury rehabilitation facility and is ineligible for service under s. 46.275 or 46.277 is eligible to participate in ~~the~~ a program, except that persons eligible for the brain injury waiver program must meet the definition of brain injury under s. 51.01 (2g), and except that the number of participants may not exceed the number approved under the waiver received under sub. (3). Such a recipient may apply, or any person may apply on behalf of such a recipient, for participation in ~~the~~ a program. Section 46.275 (4) (b) applies to participation in ~~the~~ a program.

(b) To the extent authorized under 42 USC 1396n, if a person discontinues participation in ~~the~~ a program, a medical assistance recipient may participate in ~~the~~ a program in place of the participant who discontinues if that recipient meets the ~~intermediate care facility for the mentally retarded level of care requirements for medical assistance reimbursement in an intermediate care facility for the mentally retarded except that the number of participants concurrently served may not exceed the number approved under the waiver received under sub. (3)~~ requirements under par. (a).

SECTION 1508rp. 46.278 (6) (a), (b) and (c) of the statutes are amended to read:

46.278 **(6)** (a) The provisions of s. 46.275 (5) (a), (b) and (d) apply to funding received by counties under the ~~program~~ programs.

(b) Total funding to counties for relocating each person under ~~the~~ a program may not exceed the amount approved in the waiver received under sub. (3).

(c) Funding may be provided under ~~the~~ a program for services of a family consortium.

SECTION 1509. 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~~ a waiver received under sub. (3), the department may, from the appropriation under s. 20.435 (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 (4) (b) or (w).

SECTION 1509g. 46.278 (6) (e) 1. of the statutes is amended to read:

46.278 **(6)** (e) 1. The department may provide enhanced reimbursement for services under the community integration program for an individual who was relocated to the community by a county department from one of the following:

SECTION 1509h. 46.278 (6) (f) of the statutes is amended to read:

46.278 **(6)** (f) If a county owns the institution or intermediate care facility for the mentally retarded from

which an individual is relocated to the community under this section, in order to receive funding under the community integration program, the county shall submit a plan for delicensing a bed of the institution or intermediate care facility for the mentally retarded that is approved by the department.

Vetoed In Part

SECTION 1520d. 46.282 (3) (a) 2. a. of the statutes is amended to read:

46.282 **(3)** (a) 2. a. ~~In the years 2000 and 2001~~ Before July 1, 2003, 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.

SECTION 1520e. 46.282 (3) (a) 2. b. of the statutes is amended to read:

46.282 **(3)** (a) 2. b. ~~In the year 2002 and thereafter~~ After June 30, 2003, 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.

SECTION 1520w. 46.282 (3) (a) 15. of the statutes is amended to read:

46.282 **(3)** (a) 15. Annually report to the department and, before July 1, ~~2001~~ 2003, to the council on long−term care ~~council~~ concerning significant achievements and problems in the local long−term care system.

SECTION 1528. 46.283 (5) of the statutes is amended to read:

46.283 **(5)** FUNDING. From the appropriation accounts under s. 20.435 (4) (b), (bm) ~~and~~, (pa), and (w) 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.

SECTION 1532. 46.284 (5) (a) of the statutes is amended to read:

46.284 **(5)** (a) From the appropriation accounts under s. 20.435 (4) (b), (g) ~~and~~, (im), (o), and (w) 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.

SECTION 1534. 46.286 (1) (a) 2. (intro.) of the statutes is amended to read:

46.286 **(1)** (a) 2. (intro.) 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 but that does not meet the level specified under subd. 1. a. or b.; the person first applies for eligibility for the family care benefit within 36 months after the date on which the family care benefit is initially available in the person's county residence; 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, that were funded under any of the following:

SECTION 1535. 46.286 (1m) of the statutes is amended to read:

46.286 **(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~~ 2003, a care management organization under s. 46.281 (1) (d), is at least 18 years of age and meets ~~all other~~ eligibility criteria under ~~this subsection~~ sub. (1) (a) and (b).

SECTION 1536. 46.286 (3) (a) (intro.) of the statutes is amended to read:

46.286 **(3)** (a) (intro.) 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, except as provided in subd. 5., he or she ~~meets the requirements of sub. (1) (intro.)~~ 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), is financially eligible, fulfills any applicable cost−sharing requirements and meets any of the following criteria:

SECTION 1537. 46.286 (3) (a) 6. of the statutes is created to read:

46.286 **(3)** (a) 6. Is functionally eligible at the intermediate level and meets all of the following criteria:

a. On the date on which the family care benefit is initially available in the person's county of residence, is a resident in a nursing home or has been receiving for at least 60 days, under a written plan of care, long−term care services, as specified by the department, which are funded as specified under sub. (1) (a) 2. a., b., c., d., or e.

b. Enrolls within 36 months after the date on which the family care benefit is initially available in the person's county of residence.

SECTION 1538. 46.286 (3) (d) of the statutes is amended to read:

46.286 **(3)** (d) The department shall determine the date, which shall not be later than ~~July 1, 2000~~ January 1, 2004, on which par. (a) shall first apply to persons who are not eligible for medical assistance under ch. 49. Before the date determined by the department, persons who are not eligible for medical assistance may receive the family care benefit within the limits of state funds appropriated for this purpose and available federal funds.

SECTION 1553b. 46.29 (1) (f) of the statutes is repealed.

SECTION 1553t. 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 (9).

SECTION 1554d. 46.40 (2) of the statutes is amended to read:

46.40 **(2)** BASIC COUNTY ALLOCATION. 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 ~~$284,978,800~~ $244,745,200 for fiscal year ~~1999−2000~~ 2001−02 and ~~$285,511,800~~ $244,703,400 for fiscal year ~~2000−01~~ 2002−03.

SECTION 1555. 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 ~~$11,318,700~~ $9,735,700 in each fiscal year.

SECTION 1555w. 46.40 (7) of the statutes is amended to read:

46.40 **(7)** FAMILY SUPPORT ALLOCATION. For family support programs for the families of disabled children under s. 46.985, the department shall distribute not more than ~~$4,339,800~~ $4,589,800 in ~~each~~ fiscal year 2001−02 and not more than $5,089,800 in fiscal year 2002−03 and in each fiscal year thereafter.

SECTION 1556. 46.40 (8) of the statutes is amended to read:

46.40 **(8)** ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT ALLOCATION. 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 ~~$1,993,400 for fiscal year 1999−2000 and $2,226,300 for fiscal year 2000−01~~ $2,342,800 in each fiscal year.

SECTION 1556d. 46.40 (9) (a) (intro.) of the statutes is amended to read:

46.40 **(9)** (a) *Transfer to family care program and adult protective services allocation.* (intro.) If a care management organization under s. ~~46.285~~ 46.284 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; and, of the amount allocated under sub. (8), may dispose of the lesser of up to 60% or the amount remaining after subtracting an amount necessary to maintain funding for recipients under sub. (8) who, on the effective date of this paragraph .... [revisor inserts date], are ineligible for the family care benefit under s. 46.286, to that county, as follows:

SECTION 1557b. 46.45 (2) (a) of the statutes, as affected by 1999 Wisconsin Act 9, 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, except that in the calendar year in which a county achieves compliance with s. 46.22 (1) (c) 8. f. and in the 2 calendar years after that calendar year the county may use 100% of the moneys distributed under this paragraph to reimburse the department for the costs of achieving that compliance. 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). All moneys received by the department under this paragraph shall be credited to the appropriation account under s. 20.435 (3) (j).

SECTION 1557jd. 46.46 (1) of the statutes is amended to read: **Vetoed In Part**

46.46 (1) 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~~ itself 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~~. In addition, the department may expend moneys from the appropriation account under s. 20.435 (8) (mb) as provided in sub. (2)~~. The department may not contract with any person to perform those augmentation activities.

SECTION 1557jg. 46.46 (1m) of the statutes is created to read:

46.46 **(1m)** In addition to expending moneys from the appropriation account under s. 20.435 (8) (mb) for the augmentation activities specified in sub. (1), the department may expend moneys received under 42 USC 1396 to 1396v in reimbursement of the cost of providing targeted case management services to children whose care is not eligible for reimbursement under 42 USC 670 to 679a and credited to the appropriation account under s.

20.435 (8) (mb) to support the counties' share of implementing the statewide automated child welfare information system under s. 46.22 (1) (c) 8. f.

Vetoed In Part

SECTION 1557k. 46.46 (2) of the statutes is repealed.

Vetoed In Part

SECTION 1557v. 46.48 (6) of the statutes is amended to read:

46.48 **(6)** CAREER YOUTH DEVELOPMENT CENTER. The department shall distribute ~~$80,000~~ $110,000 in each fiscal year to the career youth development center in the city of Milwaukee. Of those 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 and intervention programs for middle school and high school athletes in the Milwaukee public schools system.

SECTION 1558. 46.48 (10) of the statutes is repealed.

SECTION 1559t. 46.495 (1) (am) of the statutes is amended to read:

46.495 **(1)** (am) The department shall reimburse each county from the appropriations under s. 20.435 (3) (o) and (7) (b)~~, (kw)~~ and (o) for social services as approved by the department under ss. 46.215 (1), (2) (c) 1., and (3) and 46.22 (1) (b) 1. d. and (e) 3. a. except that no reimbursement may be made for the administration of or aid granted under s. 49.02.

SECTION 1560d. 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), (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 1562. 46.52 of the statutes is amended to read:

46.52 Systems change grants. From the appropriation under s. 20.435 (7) (md), the ~~department may not distribute more than $350,000 in each fiscal year to counties to assist in relocating individuals with mental illness from institutional or residential care to less restrictive and more cost−effective community settings and services. The~~ department shall distribute funds to each grant recipient under this section so as to permit initial phasing in of ~~community services~~ recovery−oriented system changes, prevention and early intervention strategies, and consumer and family involvement for individuals with mental illness ~~who are relocated or diverted from institutional or residential care and~~. A grant recipient under this section may include only a nonprofit, tax−exempt corporation, as defined in s. 49.134 (1) (c), or a county. At least 10% of the funds distributed shall be for children with mental illness. The department shall eliminate the funding for a recipient at the end of a period of not more than ~~5~~ 3 years in order to provide funding to benefit another ~~county~~ recipient. The department shall require that ~~the~~ community services that are developed under this section are continued, following termination of ~~a county's~~ funding under this section, by use of ~~funding~~ savings made available ~~to the county from reduced institutional and residential care utilization~~ from incorporating recovery, prevention and early intervention strategies, and consumer and family involvement in the services.

Vetoed In Part

SECTION 1562d. 46.54 of the statutes is amended to read:

46.54 Consumer and family self−help and peer−support programs. From the appropriation under s. 20.435 (7) (md), the department may not distribute more than ~~$480,000~~ $874,000 in each fiscal year to increase support for mental health family support projects, employment projects operated by consumers of mental health services, mental health crisis intervention and drop−in projects, and public mental health information activities.

SECTION 1563d. 46.56 (3) (b) 6. of the statutes is amended to read:

46.56 **(3)** (b) 6. Representatives of the county health department~~, as defined in s. 251.01 (2)~~ established under s. 251.02 (1) or city−county health department established under s. 251.02 (1m).

SECTION 1568b. 46.766 of the statutes is created to read:

Vetoed In Part

46.766 Food pantry grants. (1) In this section:

Vetoed In Part

(a) "Nonprofit organization" means an organization described in section 501 (c) of the Internal Revenue Code.

(b) "Rural" means outside a metropolitan statistical area specified under 42 CFR 412.62 (ii) (A) or within a

Vetoed In Part

metropolitan statistical area but isolated from an urban center.

Vetoed In Part

(2) (a) From the appropriation under s. 20.435 (3) (fp), the department shall provide annual grants to food pantries that meet the eligibility requirements under sub. (4). The amount of each grant awarded to a food pantry shall be in proportion to the number of persons served by the food pantry.

Vetoed In Part

(b) The department shall allocate 25% of the amounts appropriated under s. 20.435 (3) (fp) for grants to rural food pantries. The department shall allocate the remainder of the amounts available for grants under s. 20.435 (3) (fp) for grants to all food pantries. If, after awarding the grants to rural food pantries, any of the moneys remain unallocated, the department shall distribute the unallocated amounts for grants to all food pantries in proportion to the number of persons served by those food pantries.

(c) The total amount of all grants awarded annually to each food pantry under this section may not exceed $15,000.

(3) Grants awarded under this section may be used for any of the following purposes:

(a) The purchase, storage, transportation, coordination, or distribution of food to needy households.

(b) The administration of emergency food distribution.

(c) The purchase of capital equipment.

(d) Programs designed to increase food availability to needy households or enhance food security.

(e) Nutrition education and outreach.

(f) Technical assistance related to food pantry management.

Vetoed In Part

(4) A food pantry is eligible for a grant under this section if the food pantry meets all of the following requirements:

(a) The food pantry applies for a grant on an application developed by the department. The application may not exceed one page.

(b) The food pantry is a nonprofit organization or is affiliated with a nonprofit organization.

(c) The food pantry distributes food packages directly, without charge, to needy households.

(d) The food pantry is open to the general public in its service area.

(e) The food pantry does not base food distribution on any criteria other than need of the recipient, except to the extent necessary for the orderly and fair distribution of food.

(f) The food pantry has a permanent address, regular hours of operation, and is open at least one day per month.

(g) The food pantry adheres to the U.S. department of agriculture food safety and food storage standards.

(5) The department may not use more than 5% of the total amount appropriated under s. 20.435 (3) (fp) for administration of the grant program under this section.

Vetoed In Part

(6) A food pantry that receives a grant under this section shall, not later than 60 days after the end of the grant period, submit a report, not longer than 3 pages, to the department in the manner prescribed by the department, that describes how the grant money was used by the food pantry. The department shall compile the reports and submit the compiled reports to the legislature under s. 13.172 (2).

Vetoed In Part

SECTION 1568c. 46.858 of the statutes is created to read:

46.858 Publicity for Alzheimer's disease registration program. (1) In this section, "Alzheimer's disease" has the meaning given in s. 46.87 (1) (a).

(2) From the appropriation under s. 20.435 (6) (a), the department shall engage in activities to publicize the existence of a program administered by a nongovernmental entity that registers persons with Alzheimer's disease or other related dementias in a national database and provides the persons identification products in order to facilitate the safe return to caregivers of persons who have Alzheimer's disease or other related dementias and who have become lost or have wandered.

SECTION 1568d. 46.86 (6) (a) (intro.) of the statutes is amended to read:

46.86 **(6)** (a) (intro.) From the appropriation under s. 20.435 (7) (md), the department may award ~~not more than $1,167,900 in each fiscal year~~ up to $1,369,000 in fiscal year 2001−02 and up to $1,330,800 in fiscal year 2002−03 and in each fiscal year thereafter, and from the appropriation under s. 20.435 (6) (gb), the department may award not more than $231,300 in fiscal year 2001−02 and not more than $319,500 in fiscal year 2002−03 and in each fiscal year thereafter, as grants to counties and private entities to provide community−based alcohol and other drug abuse treatment programs that do all of the following:

SECTION 1568m. 46.87 (2) of the statutes is amended to read:

46.87 **(2)** From the appropriations under s. 20.435 (7) (b)~~, (kw)~~ and (o), the department shall allocate funds to agencies designated under sub. (3) (c), to be used for the administration and implementation of an Alzheimer's family and caregiver support program for persons with Alzheimer's disease and their caregivers.

SECTION 1568mg. 46.87 (5) (a) 3. of the statutes is amended to read:

46.87 **(5)** (a) 3. The household meets financial eligibility requirements specified by the department by rule, and persons in the household are ineligible for the family care benefit under s. 46.286 in a county in which a care management organization under s. 46.284 operates.

SECTION 1568mh. 46.87 (5) (b) of the statutes is amended to read:

46.87 **(5)** (b) Provide or contract for the provision of services and goods or make payments for services to ~~persons~~ a person with Alzheimer's disease living in a resi-

dential ~~facilities~~ facility in the county who ~~meet~~ meets financial eligibility requirements specified by the department by rule and is ineligible for the family care benefit under s. 46.286 in a county in which a care management organization under s. 46.284 operates.

SECTION 1569. 46.93 (1m) (b) of the statutes is amended to read:

46.93 **(1m)** (b) "Board" means the adolescent pregnancy prevention and pregnancy services board ~~under s. 15.195 (5)~~.

SECTION 1570. 46.93 (2) (intro.) of the statutes is amended to read:

46.93 **(2)** PURPOSE; ALLOCATION. (intro.) From the ~~appropriation~~ appropriations under s. 20.434 (1) (b) and (ky), the board shall award not more than $439,300 in each fiscal 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 1571. 46.93 (2m) (a) of the statutes is amended to read:

46.93 **(2m)** (a) Each organization that receives a grant under this section shall provide matching funds equal to 20% of the grant amount awarded. The match may be in the form of money or in−kind services or both, but any moneys used by an organization toward a match may not include moneys received from the state or federal government.

SECTION 1572. 46.93 (3) of the statutes is amended to read:

46.93 **(3)** STAFF AND SALARIES. The salaries of the board staff and all actual and necessary operating expenses of the board shall be paid from the ~~appropriation~~ appropriations under s. 20.434 (1) (a) and (kp).

SECTION 1574b. 46.972 (4) of the statutes is repealed.

SECTION 1574p. 46.985 (7) (a) of the statutes is amended to read:

46.985 **(7)** (a) From the appropriations under s. 20.435 (7) (b)~~, (kw)~~ and (o), the department shall allocate to county departments funds for the administration and implementation of the program.

SECTION 1574v. 46.986 (2) (b) 2. (intro.) of the statutes is amended to read:

46.986 **(2)** (b) 2. (intro.) Solicit applications from and, using the criteria under subd. 1., award in ~~the 1999−2001~~ each 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:

SECTION 1575. 46.99 (2) (a) (intro.) of the statutes is amended to read:

46.99 **(2)** (a) (intro.) 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~~ $1,199,300 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:

SECTION 1576. 46.995 (1m) of the statutes is amended 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~~ $195,000 in each fiscal year and, from the appropriation account under s. 20.435 (3) (eg), the department may allocate ~~$7,500~~ $15,000 in each fiscal year to provide the grants specified in subs. (2), (3) (b) and (4m) (b).

SECTION 1577. 46.995 (4m) (b) (intro.) of the statutes is amended to read:

46.995 **(4m)** (b) (intro.) From the allocations under sub. (1m), the department may provide a grant annually in the amount of ~~$30,000~~ $60,000 to the elected governing body of a federally recognized American Indian tribe or band for the provision of information to 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 1577g. 48.02 (15) of the statutes is amended to read:

48.02 **(15)** "Relative" means a parent, grandparent, greatgrandparent, stepparent, brother, sister, first cousin, nephew, niece, uncle, or aunt. This relationship shall be by blood, marriage, or adoption.

SECTION 1578. 48.21 (5) (b) of the statutes is renumbered 48.21 (5) (b) (intro.) and amended to read:

48.21 **(5)** (b) (intro.) An order relating to a child held in custody outside of his or her home shall also ~~describe~~ include all of the following:

1. A description of any efforts that were made to permit the child to remain safely at home and the services that are needed to ensure the child's well−being, to enable the child to return safely to his or her home, and to involve the parents in planning for the child.

SECTION 1579. 48.21 (5) (b) 2. of the statutes is created to read:

48.21 **(5)** (b) 2. If the child is held in custody outside the home in a placement recommended by the intake worker, a statement that the court approves the placement recommended by the intake worker or, if the child is placed outside the home in a placement other than a placement recommended by the intake worker, a statement that the court has given bona fide consideration to the recommendations made by the intake worker and all parties relating to the placement of the child.

SECTION 1580. 48.315 (1) (h) of the statutes is created to read:

48.315 **(1)** (h) Any period of delay resulting from the need to appoint a qualified interpreter.

SECTION 1583. 48.355 (2) (b) 6m. of the statutes is created to read:

48.355 **(2)** (b) 6m. If the child is placed outside the home in a placement recommended by the agency designated under s. 48.33 (1), a statement that the court approves the placement recommended by the agency or, if the child is placed outside the home in a placement other than a placement recommended by that agency, a statement that the court has given bona fide consideration to the recommendations made by the agency and all parties relating to the child's placement.

SECTION 1584. 48.357 (2v) of the statutes is created to read:

48.357 **(2v)** If a hearing is held under sub. (1) or (2m) and the change in placement would place the child outside the home in a placement recommended by the person or agency primarily responsible for implementing the dispositional order, the change in placement order shall include a statement that the court approves the placement recommended by that person or agency or, if the child is placed outside the home in a placement other than a placement recommended by that person or agency, a statement that the court has given bona fide consideration to the recommendations made by that person or agency and all parties relating to the child's placement.

SECTION 1585d. 48.366 (8) of the statutes is amended to read:

48.366 **(8)** TRANSFER TO OR BETWEEN FACILITIES. The department of corrections may transfer a person subject to an order between secured correctional facilities. After the person attains the age of 17 years, the department of corrections may place the person in a state prison named in s. 302.01, except that the department of corrections may not place any person under the age of 18 years in the correctional institution authorized in s. 301.16 (1n). If the person is 15 years of age or over, the department of corrections may transfer the person to the Racine youthful offender correctional facility named in s. 302.01 as provided in s. 938.357 (4) (d). If the department of corrections places a person subject to an order under this section in a state prison, that department shall provide services for that person from the appropriate appropriation under s. 20.410 (1). The department of corrections may transfer a person placed in a state prison under this subsection to or between state prisons named in s. 302.01 without petitioning for revision of the order under sub. (5) (a), except that the department of corrections may not transfer any person under the age of 18 years to the correctional institution authorized in s. 301.16 (1n).

SECTION 1587. 48.375 (7) (d) 1m. of the statutes is amended to read:

48.375 **(7)** (d) 1m. Except as provided under s. 48.315 (1) (b), (c) ~~and~~, (f), and (h), if the court fails to comply with the time limits specified under subd. 1. without the prior consent of the minor and the minor's counsel, if any, or the member of the clergy who filed the petition on behalf of the minor, if any, the minor and the minor's counsel, if any, or the member of the clergy, if any, shall select a temporary reserve judge, as defined in s. 753.075 (1) (b), to make the determination under par. (c) and issue an order granting or denying the petition and the chief judge of the judicial administrative district in which the court is located shall assign the temporary reserve judge selected by the minor and the minor's counsel, if any, or the member of the clergy, if any, to make the determination and issue the order. A temporary reserve judge assigned under this subdivision to make a determination under par. (c) and issue an order granting or denying a petition shall make the determination and issue the order within 2 calendar days after the assignment, unless the minor and her counsel, if any, or the member of the clergy who filed the petition on behalf of the minor, if any, consent to an extension of that time period. The order shall be effective immediately. The court shall prepare and file with the clerk of court findings of fact, conclusions of law and a final order granting or denying the petition, and shall notify the minor of the court's order, as provided under subd. 1.

SECTION 1618r. 48.48 (17) (e) of the statutes is created to read: **Vetoed In Part**

48.48 **(17)** (e) The department shall promulgate rules regulating the administration of child welfare services in a county having a population of 500,000 or more. Those rules shall include rules providing for all of the following:

1. The process by which the department contracts for the provision of child welfare services that the department is authorized to provide under this chapter.

2. Grievance procedures under which any person who is aggrieved by any act or omission of the department, or of a person contracting to provide child welfare services under this chapter, relating to the provision of those services may grieve that act or omission.

3. Caseload ratios for staff providing direct child welfare services under this chapter, whether employed by the department or by a person contracting to provide child welfare services under this chapter.

4. Standards for the provision of child welfare services under this chapter.

5. The use of an open public participation process for the planning, monitoring, and evaluation of child welfare services provided under this chapter.

SECTION 1619r. 48.55 (1) of the statutes is 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 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 ~~$125,000~~ $163,700 in fiscal year 2001−02 and not more than $171,300 in each fiscal year thereafter as grants to individuals and private agencies to provide adoption information exchange services and to operate the state adoption center.

SECTION 1620. 48.561 (3) (a) of the statutes is renumbered 48.561 (3) (a) (intro.) and amended to read:

48.561 **(3)** (a) (intro.) A county having a population of 500,000 or more shall contribute $58,893,500 in each state fiscal year for the provision of child welfare services in that county by the department. That contribution shall be made as follows:

SECTION 1621. 48.561 (3) (a) 1. of the statutes is created to read:

48.561 **(3)** (a) 1. Through a reduction of $37,209,200 from the amount distributed to that county under s. 46.40 (2) in each state fiscal year.

SECTION 1622. 48.561 (3) (a) 2. of the statutes is created to read:

48.561 **(3)** (a) 2. Through a reduction of $1,583,000 from the amount distributed to that county under s. 46.40 (2m) (a) in each state fiscal year.

SECTION 1623. 48.561 (3) (a) 3. of the statutes is created to read:

48.561 **(3)** (a) 3. Through a deduction of $20,101,300 from any state payment due that county under s. 79.03, 79.04, 79.058, 79.06, or 79.08 as provided in par. (b).

SECTION 1624d. 48.561 (3) (b) of the statutes is amended to read:

48.561 **(3)** (b) The department of administration shall collect the amount specified in par. (a) 3. from a county having a population of 500,000 or more 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. The department of administration shall notify the department of revenue, by September 15 of each year, of the amount to be deducted from the state payments due 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. The department may not expend any moneys from the appropriation account under s. 20.435 (3) (cx) for providing services to children and families under s. 48.48 (17) until the amounts in the appropriation account under s. 20.435 (3) (kw) are exhausted.

SECTION 1629. 48.57 (3p) (fm) 2. of the statutes is amended to read:

48.57 **(3p)** (fm) 2. A person receiving payments under sub. (3m) may provisionally 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 provisionally permit a person to be an adult resident if the person receiving those payments states to the county department or, in a county having a population of 500,000 or more, the department of health and family services that the employee or adult resident does not have any arrests or convictions that could adversely affect the child or the ability of the person receiving payments to care for the child. A person receiving payments under sub. (3m) may not finally 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 finally permit a person to be an adult resident until the county department or, in a county having a population of 500,000 or more, the department of health and family services receives information from the department of justice indicating that the person's conviction record under the law of this state is satisfactory according to the criteria specified in par. (g) 1. to 3. and the county department ~~so advises~~ or, in a county having a population of 500,000 or more, the department of health and family services ~~and~~ so advises the person receiving payments under sub. (3m) or ~~the department of health and family services so advises that person~~ until a decision is made under par. (h) 4. to permit a person who is receiving payments under sub. (3m) to employ a person in a position in which that person would have regular contact with the child for whom payments are being made or to permit a person to be an adult resident and the county department or, in a county having a population of 500,000 or more, the department of health and family services so advises the person receiving payments under sub. (3m). A person receiving payments under sub. (3m) may finally 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 finally permit a person to be an adult resident conditioned on the receipt of information from the county department or, in a county having a population of 500,000 or more, the department of health and family services that the federal bureau of investigation indicates 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 1629x. 48.57 (3r) of the statutes is created to read: **Vetoed In Part**

48.57 **(3r)** If the amounts in the appropriation under s. 20.435 (3) (kc) are insufficient to provide payments under sub. (3m) (am) (intro.) or (3n) (am) (intro.) to all persons who are eligible to receive those payments, the department may request the secretary of administration

Vetoed In Part

under s. 16.515 to supplement that appropriation for the purpose of increasing funding for those payments. Notwithstanding s. 16.515 (1), the secretary of administration may supplement the appropriation under s. 20.435 (3) (kc) if all of the following occur:

(a) The secretary of administration determines that the amounts in the appropriation are insufficient to provide payments under sub. (3m) (am) (intro.) or (3n) (am) (intro.) to all persons who are eligible to receive those payments.

(b) The joint committee on finance either does not schedule a meeting for the purpose of reviewing the proposed supplementation within 14 working days after the secretary of administration notifies the committee of the proposed supplementation or, if the committee schedules a meeting for the purpose of reviewing the proposed supplementation, the committee approves the proposed supplementation.

SECTION 1635. 48.627 (3) (h) of the statutes is amended to read:

48.627 **(3)** (h) If a claim by a foster, treatment foster or family−operated group home parent or a member of the foster, treatment foster or family−operated group home parent's family is approved, the department shall deduct from the amount approved ~~$200~~ $100 less any amount deducted by an insurance company from a payment for the same claim, except that a foster, treatment foster or family−operated group home parent and his or her family are subject to only one deductible for all claims filed in a fiscal year.

SECTION 1636. 48.651 (1) (intro.) of the statutes is amended to read:

48.651 **(1)** (intro.) Each county department shall certify, according to the standards adopted by the department of workforce development under s. 49.155 (1d), each day care provider reimbursed for child care services provided to families determined eligible under s. 49.155 ~~(1m)~~, unless the provider is a day care center licensed under s. 48.65 or is established or contracted for under s. 120.13 (14). Each county may charge a fee to cover the costs of certification. To be certified under this section, a person must meet the minimum requirements for certification established by the department of workforce development under s. 49.155 (1d), meet the requirements specified in s. 48.685 and pay the fee specified in this section. The county shall certify the following categories of day care providers:

SECTION 1636d. 48.67 of the statutes is amended to read:

48.67 Rules governing child welfare agencies, day care centers, foster homes, treatment foster homes, group homes, shelter care facilities and county departments. The department shall promulgate rules establishing minimum requirements for the issuance of licenses to, and establishing standards for the operation of, child welfare agencies, day care centers, foster homes, treatment foster homes, group homes, shelter care facilities, and county departments. These rules shall be designed to protect and promote the health, safety, and welfare of the children in the care of all licensees. The department shall consult with the department of commerce and the department of public instruction before promulgating these rules. In establishing the minimum requirements for the issuance of licenses to day care centers that provide care and supervision for children under one year of age, the department shall include a requirement that all licensees who are individuals and all employees and volunteers of a licensee who provide care and supervision for children receive, before the date on which the license is issued or the employment or volunteer work commences, whichever is applicable, training in the most current medically accepted methods of preventing sudden infant death syndrome.

SECTION 1651g. 48.981 (1) (am) 1. of the statutes is amended to read:

48.981 **(1)** (am) 1. The child's parent, grandparent, greatgrandparent, stepparent, brother, sister, stepbrother, stepsister, half brother, or half sister.

SECTION 1651h. 48.981 (1) (fm) of the statutes is amended to read:

48.981 **(1)** (fm) "Relative" means a parent, grandparent, greatgrandparent, stepparent, brother, sister, first cousin, 2nd cousin, nephew, niece, uncle, aunt, stepgrandparent, stepbrother, stepsister, half brother, half sister, brother−in−law, sister−in−law, stepuncle, or stepaunt.

SECTION 1651m. 48.981 (3) (a) of the statutes is amended to read:

48.981 **(3)** (a) *Referral of report.* 1. A person required to report under sub. (2) shall immediately inform, by telephone or personally, the county department or, in a county having a population of 500,000 or more, the department or a licensed child welfare agency under contract with the department or the sheriff or city, village, or town police department of the facts and circumstances contributing to a suspicion of child abuse or neglect or of unborn child abuse or to a belief that abuse or neglect will occur.

2. The sheriff or police department shall within 12 hours, exclusive of Saturdays, Sundays, or legal holidays, refer to the county department or, in a county having a population of 500,000 or more, the department or a licensed child welfare agency under contract with the department all cases reported to it. The county department, department, or licensed child welfare agency may require that a subsequent report be made in writing. ~~Each~~

3. A county department, the department, or a licensed child welfare agency under contract with the department shall within 12 hours, exclusive of Saturdays, Sundays, or legal holidays, refer to the sheriff or police department all cases of suspected or threatened abuse, as defined in s. 48.02 (1) (b) to (f), reported to it. For cases of suspected or threatened abuse, as defined in s. 48.02 (1) (a), (am),

or (gm), or neglect, each county department, the department, and a licensed child welfare agency under contract with the department shall adopt a written policy specifying the kinds of reports it will routinely report to local law enforcement authorities.

SECTION 1651p. 48.981 (3) (a) 4. of the statutes is created to read:

48.981 **(3)** (a) 4. If the report is of suspected or threatened abuse, as defined in s. 48.02 (1) (b) to (f), the sheriff or police department and the county department, department, or licensed child welfare agency under contract with the department shall coordinate the planning and execution of the investigation of the report.

SECTION 1651r. 48.981 (3) (b) 3. of the statutes is amended to read:

48.981 **(3)** (b) 3. If the ~~police or other law enforcement officials determine~~ sheriff or police department determines that criminal action is necessary, ~~they~~ the sheriff or police department shall refer the case to the district attorney for criminal prosecution. Each sheriff and police department shall adopt a written policy specifying the kinds of reports of suspected or threatened abuse, as defined in s. 48.02 (1) (b) to (f), that the sheriff or police department will routinely refer to the district attorney for criminal prosecution.

SECTION 1651v. 48.981 (8) (a) of the statutes is amended to read:

48.981 **(8)** (a) The department, the county departments, and a licensed child welfare agency under contract with the department in a county having a population of 500,000 or more to the extent feasible shall conduct continuing education and training programs for staff of the department, the county departments, ~~a~~ licensed child welfare ~~agency~~ agencies under contract with the department or a county department, law enforcement agencies, and the tribal social services departments, persons and officials required to report, the general public, and others as appropriate. The programs shall be designed to encourage reporting of child abuse and neglect and of unborn child abuse, to encourage self−reporting and voluntary acceptance of services and to improve communication, cooperation, and coordination in the identification, prevention, and treatment of child abuse and neglect and of unborn child abuse. Programs provided for staff of the department, county departments, and licensed child welfare agencies under contract with county departments or~~, in a county having a population of 500,000 or more,~~ the department whose responsibilities include the investigation or treatment of child abuse or neglect shall also be designed to provide information on means of recognizing and appropriately responding to domestic abuse, as defined in s. 46.95 (1) (a). The department, the county departments, and a licensed child welfare agency under contract with the department in a county having a population of 500,000 or more shall develop public information programs about child abuse and neglect and about unborn child abuse.

SECTION 1652d. 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 credited to the appropriation accounts under s. 20.433 (1) (i)~~,~~ or (q) ~~or (r)~~. Interest earned on moneys received under s. 341.14 (6r) (b) 6. may be credited to the appropriation ~~accounts~~ account under s. 20.433 (1) (q) ~~or (r)~~.

SECTION 1653. 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) 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 1654. 48.982 (3) of the statutes is amended to read:

48.982 **(3)** STAFF AND SALARIES. The board shall determine the qualifications of and appoint, in the classified service, an executive director and staff. The salaries of the executive director and staff and all actual and necessary operating expenses of the board shall be paid from the appropriations under s. 20.433 (1) (g), (i), (k), (m), and ~~(r)~~ (q).

SECTION 1655. 48.982 (5) of the statutes is amended to read:

48.982 **(5)** STATEWIDE PROJECTS. From the appropriations under s. 20.433 (1) (i) and ~~(r)~~ (q), the board shall administer any statewide project for which it has accepted money under sub. (2m) (c).

SECTION 1656. 48.982 (6) (a) of the statutes is amended to read:

48.982 **(6)** (a) From the appropriations under s. 20.433 (1) ~~(b),~~ (h), (i), (k), (ma), and (q), the board shall award grants to organizations in accordance with the request−for−proposal procedures developed under sub. (2) (a). No organization may receive a grant or grants under this subsection totaling more than $150,000 in any year.

SECTION 1656b. 48.985 (5) of the statutes is created to read:

48.985 **(5)** MILWAUKEE CHILD WELFARE AIDS. Of the amounts received under 42 USC 620 to 626 and credited to the appropriation account under s. 20.435 (3) (nL), the department shall transfer $58,600 in fiscal year 2001−02 and $66,800 in fiscal year 2002−03 to the appropriation account under s. 20.435 (3) (kw) and shall expend those

moneys to provide services to children and families under s. 48.48 (17).

SECTION 1656d. 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 and subject to par. (c), from the appropriation under s. 20.435 (4) (bt), an amount for that year determined as follows:

SECTION 1656dd. 49.027 (2) (a) 1. of the statutes is repealed.

SECTION 1656dg. 49.027 (2) (a) 3. of the statutes is repealed.

SECTION 1656di. 49.027 (2) (a) 4. of the statutes is amended to read:

49.027 **(2)** (a) 4. From the amount determined under subd. ~~3.~~ 2., the department shall subtract amounts paid to hospitals in that county under s. 49.45 (6y) and (6z) for that calendar year.

SECTION 1656dL. 49.027 (2) (c) of the statutes is created to read:

49.027 **(2)** (c) If sufficient funds are not available to pay all of the relief block grants calculated under par. (a), the department shall prorate the available funds among the eligible counties in proportion to the amounts calculated under par. (a).

SECTION 1656sy. 49.124 (title) of the statutes is renumbered 49.79 (title).

SECTION 1656ta. 49.124 (1) (intro.) of the statutes is renumbered 49.79 (1) (intro.).

SECTION 1656tb. 49.124 (1) (ag) of the statutes is renumbered 49.79 (1) (a).

SECTION 1656tc. 49.124 (1) (am) of the statutes is renumbered 49.79 (1) (b).

SECTION 1656td. 49.124 (1) (b) of the statutes is renumbered 49.79 (1) (c).

SECTION 1656tf. 49.124 (1) (c) of the statutes is renumbered 49.79 (1) (d).

SECTION 1656tg. 49.124 (1) (d) of the statutes is renumbered 49.79 (1) (e).

SECTION 1656th. 49.124 (1) (df) of the statutes is renumbered 49.79 (1) (f).

SECTION 1656ti. 49.124 (1) (e) of the statutes is renumbered 49.13 (1) (b).

SECTION 1656tj. 49.124 (1g) (title) of the statutes is renumbered 49.79 (2) (title).

SECTION 1656tjk. 49.124 (1g) of the statutes is renumbered 49.79 (2) (a), and 49.79 (2) (a) 1. and 5. (intro.), as renumbered, are amended to read:

49.79 **(2)** (a) 1. 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, establishing or enforcing a support order, if appropriate, or obtaining other payments or property, if any, to which that individual or the child may have rights. This ~~paragraph~~ subdivision 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.

5. (intro.) The individual is obligated by court order to provide child support payments and is delinquent in making those court−ordered payments. This ~~paragraph~~ subdivision does not apply if any of the following applies:

SECTION 1656tjm. 49.124 (1m) (title) of the statutes is renumbered 49.13 (title).

SECTION 1656tjn. 49.124 (1m) (a) of the statutes is renumbered 49.13 (2) (a) and amended to read:

49.13 **(2)** (a) The department shall contract with the department of health and family services as provided under s. 49.79 (10) to administer an employment and training program for recipients under the food stamp program. The department may ~~contract~~ subcontract with a Wisconsin works agency to administer the employment and training program under this subsection. Except as provided in pars. (b) and (bm), the department may require able individuals who are 18 to 60 years of age who are not participants in a Wisconsin works employment position to participate in the employment and training program under this subsection.

SECTION 1656tk. 49.124 (1m) (b) to (d) of the statutes are renumbered 49.13 (2) (b) to (d).

SECTION 1656tL. 49.124 (1n) (intro.) of the statutes is renumbered 49.13 (3) (intro.) and amended to read:

49.13 **(3)** ~~INELIGIBILITY FOR NONCOMPLIANCE WITH WORK REQUIREMENTS.~~ (intro.) An individual who fails to comply with the work requirements under sub. ~~(1m)~~ (2) (a) without good cause is ineligible to participate in the food stamp program under ~~this section~~ s. 49.79 as follows:

SECTION 1656tm. 49.124 (1n) (a) of the statutes is renumbered 49.13 (3) (a) and amended to read:

49.13 **(3)** (a) For the first occurrence of noncompliance, one month, or until the person complies with the work requirements under sub. ~~(1m)~~ (2) (a), whichever is later.

SECTION 1656tn. 49.124 (1n) (b) of the statutes is renumbered 49.13 (3) (b) and amended to read:

49.13 **(3)** (b) For the 2nd occurrence of noncompliance, 3 months, or until the person complies with the work requirements under sub. ~~(1m)~~ (2) (a), whichever is later.

SECTION 1656tp. 49.124 (1n) (c) of the statutes is renumbered 49.13 (3) (c) and amended to read:

49.13 **(3)** (c) For the 3rd and subsequent occurrences of noncompliance, 6 months, or until the person complies with the work requirements under sub. ~~(1m)~~ (2) (a), whichever is later.

SECTION 1656tq. 49.124 (1p) of the statutes is repealed.

SECTION 1656tr. 49.124 (2) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is renumbered 49.79 (3).

SECTION 1656trg. 49.124 (2) (a) of the statutes is amended to read:

49.124 **(2)** (a) A county~~,~~ or federally recognized American Indian tribe ~~or Wisconsin works agency~~ is liable for all food stamp coupons lost, misappropriated, or destroyed while under the county's~~,~~ or tribe's ~~or Wisconsin works agency's~~ direct control, except as provided in par. (b).

SECTION 1656trm. 49.124 (2) (b) of the statutes is amended to read:

49.124 **(2)** (b) A county~~,~~ or federally recognized American Indian tribe ~~or Wisconsin works agency~~ is not liable for food stamp coupons lost in natural disasters if it provides evidence acceptable to the department that the coupons were destroyed and not redeemed.

SECTION 1656trs. 49.124 (2) (c) of the statutes is amended to read:

49.124 **(2)** (c) A county~~,~~ or federally recognized American Indian tribe ~~or Wisconsin works agency~~ is liable for food stamp coupons mailed to residents of the county~~,~~ or members of the tribe ~~or participants in the Wisconsin works program~~ and lost in the mail due to incorrect information submitted to the department by the county~~,~~ or tribe ~~or Wisconsin works agency~~.

SECTION 1656ts. 49.124 (3) of the statutes is renumbered 49.79 (4) and amended to read:

49.79 **(4)** DEDUCTIONS FROM COUNTY INCOME MAINTENANCE PAYMENTS. The department shall withhold the value of food stamp losses for which a county or federally recognized American Indian tribe is liable under sub. ~~(2)~~ (3) from the payment to the county or tribe under ~~s. 20.445 (3) (dz) and (nL)~~ income maintenance contracts under s. 49.33 and reimburse the federal government from the funds withheld.

SECTION 1656tt. 49.124 (4) of the statutes is repealed.

SECTION 1656tu. 49.124 (5) of the statutes is renumbered 49.79 (5).

SECTION 1656tv. 49.124 (6) of the statutes is renumbered 49.79 (6).

SECTION 1656tw. 49.124 (7) of the statutes is renumbered 49.79 (7).

SECTION 1656tx. 49.124 (8) of the statutes is renumbered 49.79 (8) and amended to read:

49.79 **(8)** BENEFITS FOR QUALIFIED ALIENS. ~~Not later than June 15, 1998, the department shall submit a plan to the secretary of the federal department of agriculture to provide benefits under this section to a qualified alien who is ineligible for benefits under this section solely because of the application of 8 USC 1612 or 1613. If the secretary of the federal department of agriculture approves the plan, the~~ The department shall provide benefits under this section ~~beginning on August 1, 1998, or on the day that the plan is approved, whichever is later,~~ to a qualified alien who is ~~otherwise eligible for benefits under this section~~ ineligible for benefits under this section solely because of the application of 9 USC 1612 or 1613 according to a plan approved by the federal department of agriculture. This subsection does not apply to the extent that federal food stamp benefits for qualified aliens are restored by the federal government.

SECTION 1656ty. 49.125 of the statutes, as affected by 2001 Wisconsin Act .... (this act), is renumbered 49.793.

SECTION 1656tym. 49.125 (1) of the statutes is amended to read:

49.125 **(1)** The department~~,~~ or a county~~,~~ or an elected governing body of a federally recognized American Indian tribe or band ~~or a Wisconsin works agency~~ acting on behalf of the department, may recover overpayments that arise from an overissuance of food coupons under the food stamp program administered under s. 46.215 (1) (k)~~,~~ or 46.22 (1) (b) 2. d. ~~or 49.143 (2) (e)~~. Recovery shall be made in accordance with 7 USC 2022.

SECTION 1656tz. 49.127 of the statutes is renumbered 49.795.

SECTION 1656u. 49.129 (title) of the statutes is renumbered 49.797 (title).

SECTION 1656ua. 49.129 (1) of the statutes is renumbered 49.797 (1).

SECTION 1656ub. 49.129 (2) (title) of the statutes is renumbered 49.797 (2) (title).

SECTION 1656uc. 49.129 (2) (a) of the statutes is repealed.

SECTION 1656ud. 49.129 (2) (b) 1. of the statutes is renumbered 49.797 (2) (a) and amended to read:

49.797 **(2)** (a) Except as provided in ~~subd. 2.~~ par. (b) and sub. (8), ~~if the necessary authorization under par. (a) is granted,~~ the department shall ~~begin to implement, no later than July 1, 1999, a~~ administer a statewide program to deliver food stamp benefits to recipients of food stamp benefits by an electronic benefit transfer system ~~and shall implement the program statewide no later than April 1, 2000~~. All suppliers, as defined in s. ~~49.127 (1) (d)~~ 49.795 (1) (d), may participate in the delivery of food stamp benefits under the electronic benefit transfer system. The department shall explore methods by which nontraditional retailers, such as farmers' markets, may participate in the delivery of food stamp benefits under the electronic benefit transfer system.

SECTION 1656ue. 49.129 (2) (b) 2. of the statutes is renumbered 49.797 (2) (b).

SECTION 1656uf. 49.129 (3) (title) of the statutes is repealed.

SECTION 1656ug. 49.129 (3) (a) of the statutes is renumbered 49.131 (1) and amended to read:

49.131 **(1)** The department shall request any necessary authorization from the appropriate federal agency to deliver benefits that are administered by the department~~, other than food stamp benefits,~~ to recipients of benefits by an electronic benefit transfer system.

SECTION 1656uh. 49.129 (3) (b) of the statutes is renumbered 49.131 (2) and amended to read:

49.131 **(2)** If the necessary authorization under ~~par. (a)~~ sub. (1) is granted, and except as provided in sub. ~~(8)~~ (3), the department may implement a program to deliver by an electronic benefit transfer system any benefit that is administered by the department and that the department designates by rule.

SECTION 1656uj. 49.129 (4) (intro.) of the statutes is renumbered 49.797 (4) (intro.) and amended to read:

49.797 **(4)** DUTIES~~; IMPLEMENTATION~~. (intro.) In ~~implementing~~ administering a program to deliver benefits by an electronic benefit transfer system, the department shall do all of the following:

SECTION 1656uk. 49.129 (4) (a) of the statutes is renumbered 49.797 (4) (a).

SECTION 1656uL. 49.129 (4) (b) of the statutes is renumbered 49.797 (4) (b).

SECTION 1656um. 49.129 (4) (c) of the statutes is renumbered 49.797 (4) (c).

SECTION 1656un. 49.129 (4) (d) of the statutes is renumbered 49.797 (4) (d).

SECTION 1656up. 49.129 (5) of the statutes is renumbered 49.797 (5).

SECTION 1656uq. 49.129 (5m) of the statutes is repealed.

SECTION 1656ur. 49.129 (6) of the statutes is renumbered 49.797 (6).

SECTION 1656us. 49.129 (7) of the statutes is renumbered 49.797 (7).

SECTION 1656ut. 49.129 (8) of the statutes is renumbered 49.797 (8).

SECTION 1656uu. 49.13 (1) (intro.) and (a) of the statutes are created to read:

49.13 **(1)** (intro.) In this section:

(a) "Food stamp program" means the federal food stamp program under 7 USC 2011 to 2036.

SECTION 1656uv. 49.131 (title) of the statutes is created to read:

49.131 (title) **Electronic transfer of benefits.**

SECTION 1656uw. 49.131 (3) of the statutes is created to read:

49.131 **(3)** The department may not require a county or tribal governing body to participate in an electronic benefit transfer system under this section if the costs to the county or tribal governing body would be greater than the costs that the county or tribal governing body would incur in delivering the benefits through a system that is not an electronic benefit transfer system.

SECTION 1657. 49.137 (4m) of the statutes is created to read:

49.137 **(4m)** LOCAL PASS−THROUGH GRANT PROGRAM. The department shall award grants to local governments and tribal governing bodies for programs to improve the quality of child care. The department shall promulgate rules to administer the grant program, including rules that specify the eligibility criteria and procedures for awarding the grants.

SECTION 1657g. 49.143 (1) (a) of the statutes is repealed and recreated to read:

49.143 **(1)** (a) Except as provided in par. (ar), the department may do any of the following:

1. 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 competitive process shall include cost and prior experience criteria.

2. Contract with a Wisconsin works agency to administer Wisconsin works if that agency has met the performance standards established by the department under sub. (3), during the immediately preceding contract period.

SECTION 1657j. 49.143 (1) (ag) of the statutes is created to read:

49.143 **(1)** (ag) A contract entered into under par. (a) 2. shall be for a term of at least 2 years. A Wisconsin works agency may elect not to enter into a contract under par. (a) 2. if the Wisconsin works agency informs the department by the date established by the department that the Wisconsin works agency has made that election. A Wisconsin works agency that has not met the performance standards established by the department under sub. (3) may apply for a contract under the competitive process established under par. (a) 1.

SECTION 1657m. 49.143 (1) (am) of the statutes is repealed.

SECTION 1657p. 49.143 (1) (ar) of the statutes is created to read:

49.143 **(1)** (ar) If the department changes the geographical areas for which a Wisconsin works agency administers Wisconsin works as provided under sub. (6), the department shall award contracts on the basis of the competitive process established by the department under par. (a) 1. regardless of whether a Wisconsin works agency has met the performance standards established by the department under sub. (3) and is eligible to contract with the department under par. (a) 2.

SECTION 1657r. 49.143 (1) (ay) of the statutes is amended to read:

49.143 **(1)** (ay) A county or tribal governing body that enters into a contract under par. (a) ~~or (am)~~ but elects not to compete for a subsequent contract under par. (a) 1. shall provide the notice required under this paragraph at least 6 months prior to the expiration of its contract under par. (a) ~~or (am) 1~~. A county or tribal governing body that elects not to enter into a contract under par. ~~(am) 1.~~ (a) 2.

or to compete for a contract under par. ~~(am) 2.~~ (ag) shall provide the notice required under this paragraph by the date established by the department, by rule, under par. ~~(am) 1.~~ (ag). The notice shall be provided to all employees of the county or tribal governing body who may be laid off as a result of the county's or tribal governing body's election not to enter into or compete for a contract and to the certified or recognized collective bargaining representatives of such employees, if any. The notice shall inform the employees and the representatives that the county or tribal governing body is making the election not to enter into or compete for a contract; that the employees may be laid off as a result of that election; that the employees may wish to consider forming a private agency to bid on the contract under par. (a) 1.; that the employees may obtain information from the department on the competitive process under par. (a) 1. and the contract requirements under this section; and that the employees may obtain information from the department on steps that the employees might take to organize themselves to form a private agency for the purposes of competing for a contract under par. (a) 1. The department shall provide the information specified in this paragraph upon the request of any employee or collective bargaining representative described in this paragraph.

SECTION 1657u. 49.143 (1) (b) of the statutes is amended to read:

49.143 **(1)** (b) If no acceptable provider in a geographical area is selected under par. (a) ~~or (am)~~, the department shall administer Wisconsin works in that geographical area.

SECTION 1659g. 49.143 (2) (a) 9. of the statutes is repealed.

SECTION 1660b. 49.143 (2) (e) of the statutes is repealed.

Vetoed In Part

SECTION 1660d. 49.143 (2g) of the statutes is created to read:

49.143 **(2g)** CONTRACT PROHIBITIONS. (a) Each contract under sub. (1) shall prohibit a Wisconsin works agency from using funding that is allocated under the contract to pay Wisconsin works benefits under s. 49.148 for any of the following:

1. Costs of providing direct services to Wisconsin works participants.

2. Costs of administering Wisconsin works.

(b) No Wisconsin works agency may expend moneys that are provided under a contract under sub. (1) to conduct public relations activities unless the public relations activities are directly related to providing community outreach and informing participants about the services available under Wisconsin works.

Vetoed In Part

SECTION 1660e. 49.143 (4m) of the statutes is created to read:

49.143 **(4m)** OVERSIGHT OF WISCONSIN WORKS AGENCIES. The department shall do all of the following with respect to Wisconsin works agencies that are located in counties that have a population of 500,000 or more:

Vetoed In Part

(a) Monitor each agency's compliance with contracts that are entered into under sub. (1).

(b) Provide technical assistance to each agency.

(c) Assist in coordinating among the agencies the services that are offered to Wisconsin works participants.

Vetoed In Part

SECTION 1660g. 49.143 (6) of the statutes is amended to read:

49.143 **(6)** GEOGRAPHICAL AREAS. The department shall determine the geographical area for which a Wisconsin works agency will administer Wisconsin works. Beginning on the effective date of this subsection .... [revisor inserts date], the department may not change the number or the boundaries of the geographical areas that have been established under this subsection unless the department first consults with a county department that is created under s. 46.21 (2m) (a) and holds at least one public hearing in each of the geographical areas that would be affected by the proposed change. Except for federally recognized American Indian reservations and in counties with a population of 500,000 or more, no geographical area may be smaller than one county. A geographical area may include more than one county. The department need not establish the geographical areas by rule.

SECTION 1660hb. 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~~ 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~~ Internal Revenue Code, as defined in s. 71.01 (6), any student financial aid received under any federal or state program, any scholarship used for tuition and books, 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 1660jk. 49.147 (4) (am) of the statutes is amended to read:

49.147 **(4)** (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, employer−sponsored training, 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.

SECTION 1660jv. 49.147 (5) (bm) of the statutes is amended to read:

49.147 **(5)** (bm) *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, employer−sponsored training, 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.

SECTION 1660p. 49.1473 of the statutes is created to read:

49.1473 Wisconsin works; domestic abuse screening and training. (1) (a) The department shall promulgate rules for screening victims of domestic abuse and for the training of Wisconsin works agency employees in domestic abuse issues. The rules shall allow an individual to voluntarily and confidentially disclose that he or she is or has been a victim of domestic abuse or is at risk of further domestic abuse. The rules shall also specify the evidence that is sufficient to establish that an individual is or has been a victim of domestic abuse or is at risk of further domestic abuse.

(b) Each Wisconsin works agency shall establish procedures, in accordance with the rules promulgated by the department under par. (a), for screening victims of domestic abuse.

(2) If a Wisconsin works agency employee identifies an individual as a past or present victim of domestic abuse or determines that the individual is at risk of domestic abuse or if the individual identifies himself or herself as a past or present victim of domestic abuse or as an individual who is at risk of further abuse, the Wisconsin works agency shall provide the individual with information on community−based domestic abuse services, including information on shelters or programs for battered individuals, sexual assault provider services, medical services, sexual assault nurse examiners services, domestic violence and sexual assault hotlines, legal and medical counseling and advocacy, mental health care, counseling, and support groups. The Wisconsin works agency shall provide the information to the individual orally and in writing in accordance with guidelines developed by the department. The Wisconsin works agency shall also provide referrals for community−based counseling and supportive service providers to the individual if the individual elects to receive the services.

SECTION 1660xa. 49.155 (1) (d) of the statutes is created to read:

49.155 **(1)** (d) "Tribal governing body" means an elected governing body of a federally recognized American Indian tribe.

SECTION 1660y. 49.155 (1d) (a) of the statutes is amended to read:

49.155 **(1d)** (a) The department shall promulgate rules establishing standards for the certification of child care providers under s. 48.651. In establishing the requirements for certification under this paragraph of a child care provider who provides care and supervision for children under one year of age, the department shall include a requirement that all providers and all employees and volunteers of a provider who provide care and supervision for children receive, before the date on which the provider is certified or the employment or volunteer work commences, whichever is applicable, training in the most current medically accepted methods of preventing sudden infant death syndrome. In establishing the requirements for certification as a Level II certified family day care provider, the department may not include ~~a~~ any other requirement for training for providers.

SECTION 1661b. 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 ~~$8,012,500~~ $44,955,200 in fiscal year ~~1999−2000~~ 2001−02 and ~~$7,412,500~~ $27,977,500 in fiscal year ~~2000−01~~ 2002−03 for the purposes of providing technical assistance for child care providers ~~and of~~, for 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~~ for reimbursement of child care providers that meet those quality of care standards ~~and~~, for grants under s. 49.137 (2) and (4m), for a child care scholarship and bonus program, for safe child care activities, for administration of the department's office of child care, and for contracts under s. 49.137 (4) to improve the quality of child day care services in this state.

SECTION 1662. 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 ~~$3,596,900~~ $4,549,500 in fiscal year ~~1999–2000~~ 2001–02 and ~~$3,745,200~~ $4,733,700 in fiscal year ~~2000–01~~ 2002–03 to the appropriation under s. 20.435 (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 1663j. 49.155 (1m) (a) 3m. of the statutes is amended to read:

49.155 **(1m)** (a) 3m. Participate in a job search or work experience component of the food stamp employment and training program under s. ~~49.124 (1m)~~ 49.13.

SECTION 1664. 49.155 (1m) (bm) of the statutes is amended to read:

49.155 **(1m)** (bm) If the individual is providing care for a child under a court order and is receiving payments on behalf of the child under s. 48.57 (3m) or (3n), or if the individual is a foster parent or treatment foster parent, and child care is needed for that child, the individual meets the requirement under s. 49.145 (2) (c).

SECTION 1665. 49.155 (1m) (c) (intro.) of the statutes is repealed.

SECTION 1666. 49.155 (1m) (c) 1. (intro.) of the statutes is amended to read:

49.155 **(1m)** (c) 1. (intro.) ~~The~~ Except as provided in subds. 1g., 1h., 1m., 2., and 3., the gross income of the individual's family is at or below 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. and 3., except that, in calculating farm and self–employment income, the Wisconsin works agency shall include the sum of the following:

SECTION 1667. 49.155 (1m) (c) 1g. of the statutes is amended to read:

49.155 **(1m)** (c) 1g. ~~The~~ If the individual is a foster parent of the child ~~and~~, the child's biological or adoptive family 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. and 3.

SECTION 1668. 49.155 (1m) (c) 1h. of the statutes is amended to read:

49.155 **(1m)** (c) 1h. ~~The~~ If 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) or (3n) on behalf of the child ~~and~~, the child's biological or adoptive family 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. and 3.

SECTION 1669. 49.155 (1m) (c) 1m. of the statutes is amended to read:

49.155 **(1m)** (c) 1m. ~~The~~ If the individual was eligible under s. 49.132 (4) (a), 1995 stats., for aid under s. 49.132, 1995 stats., and received aid under s. 49.132, 1995 stats., on September 30, 1997, but lost aid solely because of the application of s. 49.132 (6), 1995 stats., ~~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 at any time on or after September 30, 1997, is more than 200% of the poverty line for a family the size of the individual's family.

SECTION 1670. 49.155 (1m) (c) 2. of the statutes is amended to read:

49.155 **(1m)** (c) 2. ~~The~~ If the individual was eligible under s. 49.132 (4) (am), 1995 stats., for aid under s. 49.132, 1995 stats., and received aid under s. 49.132, 1995 stats., on or after May 10, 1996, but lost eligibility 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 1671. 49.155 (1m) (c) 3. of the statutes is amended to read:

49.155 **(1m)** (c) 3. ~~The~~ If 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 1674. 49.155 (3m) (title) of the statutes is amended to read:

49.155 **(3m)** (title) DISTRIBUTION OF CHILD CARE FUNDS ~~TO COUNTIES AND CERTAIN CHILD CARE PROVIDERS~~.

SECTION 1675. 49.155 (3m) (a) of the statutes is amended to read:

49.155 **(3m)** (a) The department shall reimburse child care providers or shall distribute funds to county departments under s. 46.215, 46.22 or 46.23 or tribal governing bodies for child care services provided under this section and to private nonprofit agencies that provide child care for children of migrant workers. The department may reimburse a Wisconsin works agency for child

care that the Wisconsin works agency provides to the children of Wisconsin works participants and applicants.

SECTION 1676. 49.155 (3m) (d) of the statutes is amended to read:

49.155 **(3m)** (d) No funds distributed under par. (a) may be used ~~to provide~~ for child care services that are provided for a child by a ~~person~~ child care provider who is the parent of the child or who resides with the child, unless the county determines that the care is necessary because of a special health condition of the child.

SECTION 1676n. 49.173 (title) of the statutes is amended to read:

49.173 (title) **Workforce attachment and advancement program.**

SECTION 1678. 49.175 (1) (intro.) of the statutes is amended to read:

49.175 **(1)** ALLOCATION OF FUNDS. (intro.) ~~Within~~ Except as provided in sub. (2), 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:

SECTION 1679b. 49.175 (1) (a) of the statutes is repealed and recreated to read:

49.175 **(1)** (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, $24,654,800 in fiscal year 2001−02; and for Wisconsin works benefits provided under contracts having a term that begins on January 1, 2002, and ends on December 31, 2003, $24,654,800 in fiscal year 2001−02 and $49,309,600 in fiscal year 2002−03.

SECTION 1680b. 49.175 (1) (b) of the statutes is repealed and recreated to read:

49.175 **(1)** (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, $63,269,900 in fiscal year 2001−02; and 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, 2002, and ends on December 31, 2003, $49,610,800 in fiscal year 2001−02 and $99,221,600 in fiscal year 2002−03.

SECTION 1681b. 49.175 (1) (c) of the statutes is amended to read:

49.175 **(1)** (c) *Performance bonuses.* For the payment of 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~~ $12,820,800 in fiscal year ~~2000−01~~ 2001−02.

SECTION 1682bc. 49.175 (1) (d) of the statutes is repealed and recreated to read:

49.175 **(1)** (d) *Community reinvestment.* 1. 'Contracts for 1997 to 1999'. For the payment of community reinvestment funds that are earned as part of contracts entered into under s. 49.143 having a term that begins on September 1, 1997, and ends on December 31, 1999, $20,849,000 in fiscal year 2001−02.

2. 'Contracts for 2000 and 2001.' For the payment of community reinvestment funds that are earned as part of contracts entered into under s. 49.143 having a term that begins on January 1, 2000, and ends on December 31, 2001, $2,769,900 in fiscal year 2001−02 and $5,539,700 in fiscal year 2002−03.

SECTION 1682cd. 49.175 (1) (d) 1. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 1682ce. 49.175 (1) (d) 2. (title) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 1682cf. 49.175 (1) (d) 2. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is renumbered 49.175 (1) (d).

SECTION 1683b. 49.175 (1) (e) of the statutes is amended to read:

49.175 **(1)** (e) ~~*Initial contracts*~~ *Contracts for 2000 and 2001.* For contracts under s. 49.143 having a term that begins on January 1, 2000, and ends on December 31, ~~1999, $245,171,800~~ 2001, $20,136,800 in fiscal year ~~1999−2000~~ 2001−02.

SECTION 1684b. 49.175 (1) (f) of the statutes is repealed.

SECTION 1685b. 49.175 (1) (g) of the statutes is amended to read:

49.175 **(1)** (g) *State administration of public assistance programs.* For state administration of public assistance programs, ~~$31,831,000~~ $24,680,700 in fiscal year ~~1999−2000~~ 2001−02 and ~~$31,783,200~~ $24,693,200 in fiscal year ~~2000−01~~ 2002−03.

SECTION 1686a. 49.175 (1) (h) of the statutes is amended to read:

49.175 **(1)** (h) *Food stamps for legal immigrants.* For food stamp benefits to qualified aliens under s. 49.124 (8), ~~$420,000~~ $745,000 in ~~each~~ fiscal year 2001−02.

SECTION 1686b. 49.175 (1) (h) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

49.175 **(1)** (h) *Food stamps for legal immigrants.* For food stamp benefits to qualified aliens under s. ~~49.124~~ 49.79 (8), $745,000 in fiscal year 2001−02.

SECTION 1687b. 49.175 (1) (j) of the statutes is amended to read:

49.175 **(1)** (j) *Funeral expenses.* For funeral expenses under s. 49.30, ~~$3,300,000~~ $4,550,200 in fiscal year ~~1999−2000~~ 2001−02 and ~~$3,925,100~~ $4,550,200 in fiscal year ~~2000−01~~ 2002−03.

SECTION 1689m. 49.175 (1) (o) of the statutes is repealed.

SECTION 1690b. 49.175 (1) (p) of the statutes is amended to read:

49.175 **(1)** (p) *Direct child care services.* For direct child care services under s. 49.155, ~~$159,560,000~~ $274,500,000 in fiscal year ~~1999−2000~~ 2001−02 and ~~$181,050,000~~ $305,550,000 in fiscal year ~~2000−01~~ 2002−03.

SECTION 1691b. 49.175 (1) (q) of the statutes is amended to read:

49.175 **(1)** (q) *Indirect child care services.* For indirect child care services under s. 49.155 (1g), ~~$11,812,300~~ $24,293,900 in fiscal year ~~1999−2000~~ 2001−02 and ~~$11,367,600~~ $15,458,000 in fiscal year ~~2000−01~~ 2002−03.

SECTION 1692b. 49.175 (1) (qm) of the statutes is created to read:

49.175 **(1)** (qm) *Local pass−through grant program.* For the local pass−through grant program under s. 49.137 (4m), $25,210,800 in fiscal year 2001−02 and $17,253,200 in fiscal year 2002−03.

SECTION 1692m. 49.175 (1) (r) of the statutes is amended to read:

49.175 **(1)** (r) *Early childhood excellence initiative.* For grants under s. 49.1375, ~~$7,500,000 in each~~ $11,395,900 in fiscal year 2001−02 and $2,750,000 in fiscal year 2002−03.

SECTION 1693b. 49.175 (1) (s) of the statutes is repealed.

SECTION 1694b. 49.175 (1) (t) of the statutes is repealed.

SECTION 1695b. 49.175 (1) (u) of the statutes is amended to read:

49.175 **(1)** (u) *Workforce attachment and advancement program.* For services specified under s. 49.173, ~~$9,700,000~~ $9,641,000 in fiscal year ~~1999−2000~~ 2001−02 and ~~$10,000,000~~ $7,842,200 in fiscal year ~~2000−01. The department may not distribute moneys allocated under this paragraph unless the joint committee on finance approves the distribution~~ 2002−03.

SECTION 1696b. 49.175 (1) (v) of the statutes is amended to read:

49.175 **(1)** (v) *Transportation assistance.* For transportation assistance ~~under s. 49.157, $200,000 in fiscal year 1999−2000 and $2,000,000~~ for individuals who are eligible to receive temporary assistance for needy families under 42 USC 601 et. seq., $900,000 in each fiscal year ~~2000−01~~.

SECTION 1697b. 49.175 (1) (w) of the statutes is repealed.

SECTION 1698b. 49.175 (1) (x) of the statutes is repealed.

SECTION 1699b. 49.175 (1) (y) of the statutes is amended to read:

49.175 **(1)** (y) *Literacy initiative.* For literacy grants under s. 49.169 and literacy services administered by the governor's office, ~~$1,454,100 in each~~ $1,425,800 in fiscal year 2001−02 and $800,000 in fiscal year 2002−03.

SECTION 1700b. 49.175 (1) (z) of the statutes is amended to read:

49.175 **(1)** (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~~ $7,579,700 in fiscal year 2001−02 and $500,000 fiscal year 2002−03. **Vetoed In Part**

SECTION 1701b. 49.175 (1) (zb) of the statutes is repealed.

SECTION 1702b. 49.175 (1) (zc) of the statutes is repealed.

SECTION 1703b. 49.175 (1) (zd) of the statutes is amended to read:

49.175 **(1)** (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~~ $500,000 in fiscal year 2001−02.

SECTION 1704b. 49.175 (1) (ze) 1. of the statutes is amended to read:

49.175 **(1)** (ze) 1. 'Kinship care and long−term kinship care assistance.' For the kinship care and long−term kinship care programs under s. 48.57 (3m), (3n), and (3p), ~~$24,530,100 in~~ $24,852,600 in each fiscal year ~~1999−2000 and $26,164,100 in fiscal year 2000−01~~.

SECTION 1705b. 49.175 (1) (ze) 2. of the statutes is amended to read:

49.175 **(1)** (ze) 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~~ $20,145,000 in fiscal year ~~1999−2000~~ 2001−02 and ~~$17,930,000~~ $19,796,000 in fiscal year ~~2000−01~~ 2002−03.

SECTION 1706b. 49.175 (1) (ze) 3. of the statutes is repealed.

SECTION 1706m. 49.175 (1) (ze) 5. of the statutes is repealed.

SECTION 1707b. 49.175 (1) (ze) 7. of the statutes is amended to read:

49.175 **(1)** (ze) 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~~ $1,816,500 in each fiscal year.

SECTION 1708b. 49.175 (1) (ze) 8. of the statutes is amended to read:

49.175 **(1)** (ze) 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~~.

SECTION 1709b. 49.175 (1) (ze) 10. of the statutes is repealed.

SECTION 1709d. 49.175 (1) (ze) 10m. of the statutes is created to read:

49.175 **(1)** (ze) 10m. 'Safety services.' For services provided in counties having a population of 500,000 or more to ensure the safety of children who the department of health and family services determines may remain at home if appropriate services are provided, $7,094,100 in each fiscal year.

SECTION 1709f. 49.175 (1) (ze) 11. of the statutes is created to read:

49.175 **(1)** (ze) 11. 'Prevention services.' For services to prevent child abuse or neglect in counties having a population of 500,000 or more, $1,489,600 in each fiscal year.

SECTION 1710b. 49.175 (1) (zf) of the statutes is amended to read:

49.175 **(1)** (zf) *Badger Challenge.* For the Badger Challenge program under s. 21.25, ~~$33,300 in fiscal year 1999–2000 and $83,200 in~~ $93,400 in fiscal year ~~2000–01~~ 2002–03.

SECTION 1711b. 49.175 (1) (zh) of the statutes is amended to read:

49.175 **(1)** (zh) EARNED INCOME TAX CREDIT. 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~~ $51,244,500 in fiscal year ~~1999–2000~~ 2001–02 and ~~$54,000,000~~ $52,200,000 in fiscal year ~~2000–01~~ 2002–03.

SECTION 1714. 49.175 (1) (zm) of the statutes is repealed.

Vetoed In Part

SECTION 1714d. 49.175 (1) (zo) of the statutes is created to read:

49.175 **(1)** (zo) *After–schoolcare program.* For the transfer of moneys to the department of public instruction for the after–school care grant program under 2001 Wisconsin Act .... (this act), section 9140 (6w), $150,000 in fiscal year 2002–03.

SECTION 1715. 49.175 (2) (title) of the statutes is amended to read:

49.175 **(2)** (title) ~~REDISTRIBUTION~~ REALLOCATION OF FUNDS.

Vetoed In Part

SECTION 1716m. 49.175 (2) of the statutes is renumbered 49.175 (2) (a) (intro.) and amended to read:

49.175 **(2)** (a) (intro.) The department may ~~redistribute~~ reallocate funds that are allocated ~~for a purpose specified under any~~ under a paragraph under sub. (1) ~~to be used~~ for any ~~other~~ purpose specified in ~~any other~~ a paragraph under sub. (1) if ~~the~~ all of the following requirements are met:

Vetoed In Part

3. If the department proposes to reallocate not more than 5% of the total amount allocated for a purpose specified under a paragraph under sub. (1), the secretary of administration approves the ~~redistribution~~ reallocation.

Vetoed In Part

SECTION 1716o. 49.175 (2) (a) 1. of the statutes is created to read:

49.175 **(2)** (a) 1. The purpose for which the funds are reallocated is authorized by the appropriation from which the funds are derived.

SECTION 1716q. 49.175 (2) (a) 2. of the statutes is created to read:

49.175 **(2)** (a) 2. The funds are reallocated for expenditure in the same fiscal year for which they were allocated under sub. (1).

SECTION 1716s. 49.175 (2) (a) 4. of the statutes is created to read:

49.175 **(2)** (a) 4. If the department proposes to reallocate more than 5% of the total amount allocated for a purpose specified under a paragraph under sub. (1), the secretary of administration approves the reallocation, and the joint committee on finance approves the reallocation as specified under par. (b).

SECTION 1716v. 49.175 (2) (b) of the statutes is created to read:

49.175 **(2)** (b) If the department proposes to reallocate more than 5% of the total amount allocated for a purpose specified under a paragraph under sub. (1), and the secretary of administration has approved the reallocation under par. (a) 4., the secretary shall submit the proposal to the joint committee on finance for review. If the cochairpersons of the joint committee on finance do not notify the secretary within 14 working days after the date on which the proposal is submitted that the committee intends to schedule a meeting to review the proposal, the funds may be reallocated as proposed by the department. If, within 14 working days after the date on which the proposal is submitted, the cochairpersons of the committee notify the secretary that the committee intends to schedule a meeting to review the proposal, the funds may be reallocated only upon approval by the committee.

SECTION 1717g. 49.175 (2) (c) of the statutes is created to read:

49.175 **(2)** (c) If the amounts of federal block grant moneys that are required to be credited to the appropriation accounts under s. 20.445 (3) (mc) and (md) are less than the amounts appropriated under s. 20.445 (3) (mc) and (md), the department shall submit a plan to the secretary of administration for reducing the amounts of moneys allocated under sub. (1). If the secretary of administration approves the plan, the amounts of moneys required to be allocated under sub. (1) may be reduced as proposed by the department and the department shall allocate the moneys as specified in the plan.

Vetoed In Part

SECTION 1718. 49.175 (3) of the statutes is created to read:

49.175 **(3)** REPORT ON EXPENDITURES. By November 1 of each fiscal year, the department shall submit a report to the secretary of administration and the cochairpersons of the joint committee on finance on the expenditures made from the appropriation accounts under s. 20.445 (3) (a), (cm), (dc), (dz), (e), (jL), (k), (L), (mc), (md), (nL), (pm), and (ps) in the previous fiscal year for the purposes specified in sub. (1).

SECTION 1718x. 49.185 of the statutes is repealed.

SECTION 1723m. 49.197 (1m) of the statutes is amended to read:

49.197 **(1m)** FRAUD INVESTIGATION. From the appropriations under s. 20.445 (3) (dz), (kx), (L), (md), (n), and (nL), the department shall establish a program to investigate suspected fraudulent activity on the part of recipients of ~~medical assistance under subch. IV,~~ aid to families with dependent children under s. 49.19 ~~and the food stamp program under 7 USC 2011 to 2036 and~~, on the part of participants in the Wisconsin works program under ss. 49.141 to 49.161, and, if the department of health and family services contracts with the department under sub. (5), on the part of recipients of medical assistance under subch. IV and food stamp benefits under the food stamp program under 7 USC 2011 to 2036. The department's activities under this subsection may include, but are not limited to, comparisons of information provided to the department by an applicant and information provided by the applicant to other federal, state, and local agencies, development of an advisory welfare investigation prosecution standard, and provision of funds to county departments under ss. 46.215, 46.22, and 46.23 and to Wisconsin works agencies to encourage activities to detect fraud. The department shall cooperate with district attorneys regarding fraud prosecutions.

SECTION 1724g. 49.197 (3) of the statutes is amended to read:

49.197 **(3)** STATE ERROR REDUCTION ACTIVITIES. The department shall conduct activities to reduce payment errors in medical assistance under subch. IV, Wisconsin works under ss. 49.141 to 49.161, aid to families with dependent children under s. 49.19 and the food stamp program under 7 USC 2011 to 2029. ~~The department shall fund the activities under this section from the appropriation under s. 20.445 (3) (L).~~

SECTION 1724m. 49.197 (3) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

49.197 **(3)** STATE ERROR REDUCTION ACTIVITIES. The department shall conduct activities to reduce payment errors in ~~medical assistance under subch. IV,~~ Wisconsin works under ss. 49.141 to 49.161~~, aid to families with dependent children under s. 49.19 and the food stamp program under 7 USC 2011 to 2029~~ and, if the department of health and family services contracts with the department under sub. (5), the medical assistance program under subch. IV and the food stamp program under 7 USC 2011 to 2036.

SECTION 1725ag. 49.197 (4) of the statutes is amended to read:

49.197 **(4)** COUNTY AND TRIBAL ERROR REDUCTION. The department shall provide funds from the appropriations under s. 20.445 (3) (dz)~~,~~ and (L) ~~and (Lm)~~ and federal matching funds from the appropriations under s. 20.445 (3) ~~(md),~~ (n) and (nL) to counties and governing bodies of federally recognized American Indian tribes administering medical assistance under subch. IV~~, aid to families with dependent children under s. 49.19~~ or the food stamp program under 7 USC 2011 to ~~2029~~ 2036 to offset administrative costs of reducing payment errors in those programs.

SECTION 1725am. 49.197 (4) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

49.197 **(4)** COUNTY AND TRIBAL ERROR REDUCTION. ~~The~~ If the department of health and family services contracts with the department under sub. (5), the department shall provide funds from the ~~appropriations~~ appropriation under s. 20.445 (3) ~~(dz) and (L) and federal matching funds from the appropriations under s. 20.445 (3) (n) and (nL)~~ (kx) to counties and governing bodies of federally recognized American Indian tribes administering medical assistance under subch. IV or the food stamp program under 7 USC 2011 to 2036 to offset administrative costs of reducing payment errors in those programs.

SECTION 1725b. 49.197 (5) of the statutes is created to read:

49.197 **(5)** CONTRACTS FOR MEDICAL ASSISTANCE AND FOOD STAMPS. The department of health and family services may contract with the department to investigate suspected fraudulent activity on the part of recipients of medical assistance under subch. IV or recipients of food stamp benefits under the food stamp program under 7 USC 2011 to 2036 as provided in this section.

SECTION 1725c. 49.22 (6) of the statutes is amended to read:

49.22 **(6)** The department shall establish, pursuant to federal and state laws, rules and regulations, a uniform system of fees for services provided under this section to individuals not receiving aid under s. 46.261, 49.19 or 49.47; benefits under s. ~~49.124,~~ 49.148 ~~or~~, 49.155, or 49.79; foster care maintenance payments under 42 USC 670 to 679a; or kinship care payments under s. 48.57 (3m) or long–term kinship care payments under s. 48.57 (3n). The system of fees may take into account an individual's ability to pay. Any fee paid and collected under this subsection may be retained by the county providing the service except for the fee specified in 42 USC 653 (e) (2) for federal parent locator services.

SECTION 1726. 49.30 (2) of the statutes is amended to read:

49.30 **(2)** From the ~~appropriation~~ appropriations under s. 20.445 (3) (dz) and (md), the department shall reimburse a county or applicable tribal governing body or organization for any amount that the county or applicable tribal governing body or organization is required to pay under sub. (1). From the ~~appropriation~~ appropriations under s. 20.445 (3) (dz) and (md), the department shall reimburse a county or applicable tribal governing body or organization for cemetery expenses or for funeral and burial expenses for persons described under sub. (1) that the county or applicable tribal governing body or organization is not required to pay under subs. (1) and (1m) only if the department approves the reimbursement due to unusual circumstances.

SECTION 1727. 49.32 (2) (d) of the statutes is amended to read:

49.32 **(2)** (d) The department shall disburse from state or federal funds or both the entire amount and charge the county for its share under s. 49.33 (8) ~~and (9)~~.

SECTION 1728m. 49.32 (7) (b) of the statutes is amended to read:

49.32 **(7)** (b) The department shall conduct a program to periodically match the records of recipients of ~~medical assistance under s. 49.46, 49.468 or 49.47,~~ aid to families with dependent children under s. 49.19 ~~and the food stamp program under 7 USC 2011 to 2029~~ and, if the department of health and family services contracts with the department under s. 49.197 (5), recipients of medical assistance under subch. IV and food stamp benefits under the food stamp program under 7 USC 2011 to 2036 with the records of recipients under those programs in other states. If an agreement with the other states can be obtained, matches with records of states contiguous to this state shall be conducted at least annually.

SECTION 1729m. 49.32 (7) (c) of the statutes is amended to read:

49.32 **(7)** (c) The department shall conduct a program to periodically match the address records of recipients of ~~medical assistance under s. 49.46, 49.468 or 49.47,~~ aid to families with dependent children under s. 49.19 ~~and the food stamp program under 7 USC 2011 to 2029~~ and, if the department of health and family services contracts with the department under s. 49.197 (5), recipients of medical assistance under subch. IV and food stamp benefits under the food stamp program under 7 USC 2011 to 2036 to verify residency and to identify recipients receiving duplicate or fraudulent payments.

SECTION 1730b. 49.32 (7) (d) of the statutes is amended to read:

49.32 **(7)** (d) The department, with assistance from the department of corrections, shall conduct a program to periodically match the records of persons confined in state correctional facilities with the records of recipients of ~~medical assistance under s. 49.46, 49.468 or 49.47,~~ aid to families with dependent children under s. 49.19 ~~and the food stamp program under 7 USC 2011 to 2029~~ and, if the department of health and family services contracts with the department under s. 49.197 (5), recipients of medical assistance under subch. IV and food stamp benefits under the food stamp program under 7 USC 2011 to 2036 to identify recipients who may be ineligible for benefits.

SECTION 1730f. 49.32 (10) (a) (intro.) of the statutes is amended to read:

49.32 **(10)** (a) (intro.) Each county department under s. 46.215, 46.22, or 46.23 may release the current address of a recipient of food stamps or of aid under s. 49.19, and each Wisconsin works agency may release the current address of a participant in Wisconsin works under ss. 49.141 to 49.161 ~~or, if administering the food stamp program, of a food stamp recipient~~, to a law enforcement officer if the officer meets all of the following conditions:

SECTION 1731g. 49.33 (1) (b) of the statutes is amended to read:

49.33 **(1)** (b) "Income maintenance program" means ~~aid to families with dependent children under s. 49.19, Wisconsin works under ss. 49.141 to 49.161,~~ the medical assistance program under subch. IV of ch. 49, the badger care health care program under s. 49.665, the child care program under s. 49.155, or the food stamp program under 7 USC 2011 to ~~2029~~ 2036.

SECTION 1731gc. 49.33 (1) (b) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

49.33 **(1)** (b) "Income maintenance program" means the medical assistance program under subch. IV of ch. 49, the badger care health care program under s. 49.665, ~~the child care program under s. 49.155,~~ or the food stamp program under 7 USC 2011 to 2036.

SECTION 1731m. 49.33 (1) (c) of the statutes is repealed.

SECTION 1731t. 49.33 (1) (cr) of the statutes is created to read:

49.33 **(1)** (cr) "Tribal governing body" means an elected governing body of a federally recognized American Indian tribe.

SECTION 1732b. 49.33 (2) of the statutes is repealed and recreated to read:

49.33 **(2)** CONTRACTS. (a) Annually, the department and the department of health and family services shall, jointly, contract with county departments under ss. 46.215, 46.22, and 46.23, and may, jointly, contract with tribal governing bodies, to reimburse the county departments and tribal governing bodies for the reasonable cost of administering the medical assistance program under subch. IV and the badger care health care program under s. 49.665.

(b) Annually, the department shall contract with county departments under ss. 46.215, 46.22, and 46.23, and may, jointly, contract with tribal governing bodies, to reimburse the county departments and tribal governing bodies for the reasonable cost of administering income

maintenance programs, other than the medical assistance program under subch. IV and the badger care health care program under s. 49.665.

SECTION 1732c. 49.33 (2) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is repealed and recreated to read:

49.33 **(2)** CONTRACTS. Annually, the department of health and family services shall contract with county departments under ss. 46.215, 46.22, and 46.23, and may contract with tribal governing bodies, to reimburse the county departments and tribal governing bodies for the reasonable cost of administering income maintenance programs.

SECTION 1737. 49.33 (8) (a) of the statutes is amended to read:

49.33 **(8)** (a) ~~The~~ From the appropriation accounts under ss. 20.445 (3) (dz), (kx), (md), and (nL) and subject to par. (b), the department shall reimburse each county and tribal governing body that contracts with the department and the department of health and family services under sub. (2) (a) for reasonable costs of ~~income maintenance relating to the administration of the programs under this subchapter and subch. IV according to~~ administering the medical assistance program under subch. IV and the badger care health care program under s. 49.665 and that contracts with the department under sub. (2) (b) for the reasonable costs of administering income maintenance programs other than the medical assistance program under subch. IV and the badger care health care program under s. 49.665. The amount of each reimbursement paid under this paragraph shall be calculated using a formula based on workload within the limits of available state and federal funds under s. 20.445 (3) (dz), (kx), (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 or tribal governing body for fraud and error reduction under s. 49.197 (1m) and (4).

SECTION 1737c. 49.33 (8) (a) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

49.33 **(8)** (a) From the appropriation accounts under ~~ss. 20.445 (3) (dz), (kx), (md), and (nL)~~ s. 20.435 (4) (bn) and (nn) and subject to par. (b), the department of health and family services shall reimburse each county and tribal governing body that contracts with the department ~~and the department of health and family services~~ under sub. (2) ~~(a)~~ for reasonable costs of administering the ~~medical assistance program under subch. IV and the badger care health care program under s. 49.665 and that contracts with the department under sub. (2) (b) for the reasonable costs of administering~~ income maintenance programs ~~other than the medical assistance program under subch. IV and the badger care health care program under s. 49.665~~. The amount of each reimbursement paid under this paragraph shall be calculated using a formula based on workload within the limits of available state and federal funds under s. ~~20.445 (3) (dz), (kx), (md), and (nL)~~ 20.435 (4) (bn) and (nn) 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 or tribal governing body for fraud and error reduction under s. 49.197 (1m) and (4).

SECTION 1738. 49.33 (8) (b) of the statutes is amended to read:

49.33 **(8)** (b) The department may adjust the amounts determined under par. (a) for workload changes and computer network activities performed by ~~counties~~ a county or tribal governing body and may reduce the amount of any reimbursement if federal reimbursement is withheld due to audits, quality control samples, or program reviews.

SECTION 1739. 49.33 (9) of the statutes is repealed.

SECTION 1740. 49.33 (10) (a) of the statutes is amended to read:

49.33 **(10)** (a) ~~The~~ Each county treasurer and ~~each~~ director of a county department under s. 46.215, 46.22, or 46.23 and each tribal governing body shall certify monthly under oath to the department in such manner as the department prescribes the claim of the county for state reimbursement under ~~subs.~~ sub. (8) ~~and (9) and~~ (a). The department shall review each claim of reimbursement and, if the department approves ~~such~~ the claim ~~it~~, the department shall certify to the department of administration for reimbursement to the county for amounts due under ~~these subsections~~ sub. (8) (a) and payment claimed to be made to the counties monthly. The department may make advance payments prior to the beginning of each month equal to one−twelfth of the contracted amount.

SECTION 1740am. 49.33 (10) (a) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

49.33 **(10)** (a) Each county treasurer and director of a county department under s. 46.215, 46.22, or 46.23 and each tribal governing body shall certify monthly under oath to the department of health and family services in such manner as the department of health and family services prescribes the claim of the county for state reimbursement under sub. (8) (a). The department of health and family services shall review each claim of reimbursement and, if the department of health and family services approves the claim, the department of health and family services shall certify to the department of administration for reimbursement to the county for amounts due under sub. (8) (a) and payment claimed to be made to the counties monthly. The department of health and family services may make advance payments prior to the beginning of each month equal to one−twelfth of the contracted amount.

SECTION 1740bg. 49.33 (10) (b) of the statutes is amended to read:

49.33 **(10)** (b) To facilitate prompt reimbursement the certificate of the department may be based on the certified statements of the county officers or tribal governing body executives filed under par. (a). Funds recovered from audit adjustments from a prior fiscal year may be included in subsequent certifications only to pay counties owed funds as a result of any audit adjustment. By September 30 annually, the department shall submit a report to the appropriate standing committees under s. 13.172 (3) on funds recovered and paid out during the previous calendar year as a result of audit adjustments.

SECTION 1740bq. 49.33 (10) (b) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

49.33 **(10)** (b) To facilitate prompt reimbursement the certificate of the department of health and family services may be based on the certified statements of the county officers or tribal governing body executives filed under par. (a). Funds recovered from audit adjustments from a prior fiscal year may be included in subsequent certifications only to pay counties owed funds as a result of any audit adjustment. By September 30 annually, the department of health and family services shall submit a report to the appropriate standing committees under s. 13.172 (3) on funds recovered and paid out during the previous calendar year as a result of audit adjustments.

SECTION 1741. 49.36 (1) of the statutes is renumbered 49.36 (1) (intro.) and amended to read:

49.36 **(1)** (intro.) In this section~~, "custodial~~:

(a) "Custodial parent" means a parent who lives with his or her child for substantial periods of time.

SECTION 1742. 49.36 (1) (b) of the statutes is created to read:

49.36 **(1)** (b) "Tribal governing body" means an elected tribal governing body of a federally recognized American Indian tribe or band.

SECTION 1743. 49.36 (2) of the statutes is amended to read:

49.36 **(2)** The department may contract with any county, tribal governing body, 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 1744. 49.36 (4) of the statutes is amended to read:

49.36 **(4)** When a person completes 16 weeks of participation in a program under this section, the county, tribal governing body, or Wisconsin works agency operating the program shall inform the clerk of courts, by affidavit, of that completion.

SECTION 1745. 49.36 (5) of the statutes is amended to read:

49.36 **(5)** A person participating in work experience as part of the program under this section is considered an employee of the county, tribal governing body, or Wisconsin works agency administering the program under this section for purposes of worker's compensation benefits only.

SECTION 1746. 49.36 (6) of the statutes is amended to read:

49.36 **(6)** A county, tribal governing body, or Wisconsin works agency administering the program under this section shall reimburse a person for reasonable transportation costs incurred because of participation in a program under this section up to a maximum of $25 per month.

SECTION 1747. 49.36 (7) of the statutes is amended to read:

49.36 **(7)** The department shall pay a county, tribal governing body, or Wisconsin works agency not more than $400 for each person who participates in the program under this section in the region in which the county, tribal governing body, or Wisconsin works agency administers the program under this section. The county, tribal governing body, or Wisconsin works agency shall pay any additional costs of the program.

SECTION 1748. 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 ~~49.472~~ 49.473, except s. 49.472 (6), and under ss. 49.49 to 49.497, or any payment or reimbursement made for such services or items.

SECTION 1749. 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~~ shall, under a contract under s. 49.33 (2) (a), 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~~ a tribal governing body.

SECTION 1750. 49.45 (2) (a) 3m. of the statutes is created to read:

49.45 **(2)** (a) 3m. If the department does not contract with the department of workforce development under s. 49.197 (5), establish a program to investigate suspected fraudulent activity on the part of recipients of medical assistance and establish a program to reduce errors in the payments of medical assistance.

SECTION 1750d. 49.45 (2) (a) 10. of the statutes is renumbered 49.45 (2) (a) 10. a. and amended to read:

49.45 **(2)** (a) 10. a. After reasonable notice and opportunity for hearing, recover money improperly or erroneously paid~~,~~ or overpayments to a provider ~~either~~ by offsetting or adjusting amounts owed the provider under the program, crediting against a provider's future claims for reimbursement for other services or items furnished by the provider under the program, or ~~by~~ requiring the provider to make direct payment to the department or its fiscal intermediary.

SECTION 1750f. 49.45 (2) (a) 10. b. of the statutes is created to read:

49.45 **(2)** (a) 10. b. Establish a deadline for payment of a recovery imposed under this subdivision and, if a provider fails to pay all of the amount to be recovered by the deadline, require payment, by the provider, of interest on any delinquent amount at the rate of 1% per month or fraction of a month from the date of the overpayment.

SECTION 1750g. 49.45 (2) (a) 10. c. of the statutes is created to read:

49.45 **(2)** (a) 10. c. Promulgate rules to implement this subdivision.

SECTION 1750h. 49.45 (2) (a) 11. of the statutes is renumbered 49.45 (2) (a) 11. a. and amended to read:

49.45 **(2)** (a) 11. a. Establish criteria for ~~the~~ certification of ~~eligible~~ providers of ~~services under Title XIX of the social security act~~ medical assistance and, except as provided in par. (b) 6m. and s. 49.48, and subject to par. (b) 7. and 8., certify ~~such eligible~~ providers who meet the criteria.

SECTION 1750i. 49.45 (2) (a) 11. b. of the statutes is created to read:

49.45 **(2)** (a) 11. b. Promulgate rules to implement this subdivision.

SECTION 1750j. 49.45 (2) (a) 12. of the statutes is renumbered 49.45 (2) (a) 12. a. and amended to read:

49.45 **(2)** (a) 12. a. Decertify ~~or suspend under this subdivision~~ a provider from or restrict a provider's participation in the medical assistance program, if after giving reasonable notice and opportunity for hearing~~,~~ the department finds that the provider has violated a federal statute or regulation or a state ~~law~~ statute or administrative rule and ~~such violations are by law~~ the violation is by statute, regulation, or rule grounds for decertification or ~~suspension~~ restriction. The department shall suspend the provider pending the hearing under this subdivision if the department includes in its decertification notice findings that the provider's continued participation in the medical assistance program pending hearing is likely to lead to the irretrievable loss of public funds and is unnecessary to provide adequate access to services to medical assistance recipients. As soon as practicable after the hearing, the department shall issue a written decision. No payment may be made under the medical assistance program with respect to any service or item furnished by the provider subsequent to decertification or during the period of suspension.

SECTION 1750k. 49.45 (2) (a) 12. b. of the statutes is created to read:

49.45 **(2)** (a) 12. b. Promulgate rules to implement this subdivision.

SECTION 1750km. 49.45 (2) (a) 24. of the statutes is created to read:

49.45 **(2)** (a) 24. Promulgate rules that require that the written plan of care for persons receiving personal care services under medical assistance be reviewed by a registered nurse at least every 60 days. The rules shall provide that the written plan of care shall designate intervals for visits to the recipient's home by a registered nurse as part of the review of the plan of care. The designated intervals for visits shall be based on the individual recipient's needs, and each recipient shall be visited in his or her home by a registered nurse at least once in every 12−month period. The rules shall also provide that a visit to the recipient is also required if, in the course of the nurse's review of the plan of care, there is evidence that a change in the recipient's condition has occurred that may warrant a change in the plan of care.

SECTION 1750L. 49.45 (2) (b) 6m. of the statutes is created to read:

49.45 **(2)** (b) 6m. Limit the number of providers of particular services that may be certified under par. (a) 11. or the amount of resources, including employees and equipment, that a certified provider may use to provide particular services to medical assistance recipients, if the department finds that existing certified providers and resources provide services that are adequate in quality and amount to meet the need of medical assistance recipients for the particular services; and if the department finds that the potential for medical assistance fraud or abuse exists if additional providers are certified or additional resources are used by certified providers. The department shall promulgate rules to implement this subdivision.

SECTION 1750n. 49.45 (2) (b) 7. of the statutes is created to read:

49.45 **(2)** (b) 7. Require, as a condition of certification under par. (a) 11., all providers of a specific service that is among those enumerated under s. 49.46 (2) or 49.47 (6) (a), as specified in this subdivision, to file with the department a surety bond issued by a surety company licensed to do business in this state. Providers subject to this subdivision provide those services specified under s. 49.46 (2) or 49.47 (6) (a) for which providers have demonstrated significant potential to violate s. 49.49 (1) (a), (2) (a) or (b), (3), (3m) (a), (3p), (4) (a), or (4m) (a), to require recovery under par. (a) 10., or to need additional sanctions under par. (a) 13. The surety bond shall be payable to the department in an amount that the department determines is reasonable in view of amounts of former recoveries against providers of the specific service and the department's costs to pursue those recoveries. The

department shall promulgate rules to implement this subdivision that specify all of the following:

a. Services under medical assistance for which providers have demonstrated significant potential to violate s. 49.49 (1) (a), (2) (a) or (b), (3), (3m) (a), (3p), (4) (a), or (4m) (a), to require recovery under par. (a) 10., or to need additional sanctions under par. (a) 13.

b. The amount or amounts of the surety bonds.

c. Terms of the surety bond, including amounts, if any, without interest to be refunded to the provider upon withdrawal or decertification from the medical assistance program.

SECTION 1750p. 49.45 (2) (b) 8. of the statutes is created to read:

49.45 **(2)** (b) 8. Require a person who takes over the operation, as defined in sub. (21) (ag), of a provider, to first obtain certification under par. (a) 11. for the operation of the provider, regardless of whether the person is currently certified. The department may withhold the certification required under this subdivision until any outstanding repayment under sub. (21) is made. The department shall promulgate rules to implement this subdivision.

SECTION 1750r. 49.45 (2) (b) 9. of the statutes is created to read:

49.45 **(2)** (b) 9. After providing reasonable notice and opportunity for a hearing, charge an assessment to a provider that repeatedly has been subject to recoveries under par. (a) 10. a. because of the provider's failure to follow identical or similar billing procedures or to follow other identical or similar program requirements. The assessment shall be used to defray in part the costs of audits and investigations by the department under sub. (3) (g) and may not exceed $1,000 or 200% of the amount of any such repeated recovery made, whichever is greater. The provider shall pay the assessment to the department within 10 days after receipt of notice of the assessment or the final decision after administrative hearing, whichever is later. The department may recover any part of an assessment not timely paid by offsetting the assessment against any medical assistance payment owed to the provider and may refer any such unpaid assessments not collected in this manner to the attorney general, who may proceed with collection under this subdivision. Failure to timely pay in any manner an assessment charged under this subdivision, other than an assessment that is offset against any medical assistance payment owed to the provider, is grounds for decertification under subd. 12. A provider's payment of an assessment does not relieve the provider of any other legal liability incurred in connection with the recovery for which the assessment is charged, but is not evidence of violation of a statute or rule. The department shall credit all assessments received under this subdivision to the appropriation account under s. 20.435 (4) (iL). The department shall promulgate rules to implement this subdivision.

SECTION 1750t. 49.45 (3) (g) of the statutes is renumbered 49.45 (3) (g) 1. and amended to read:

49.45 **(3)** (g) 1. The secretary may ~~appoint~~ authorize personnel to audit or investigate and report to the department on any matter involving violations or complaints alleging violations of ~~laws~~ statutes, regulations, or rules applicable to ~~Title XIX of the federal social security act or~~ the medical assistance program and to perform such investigations or audits as are required to verify the actual provision of services or items available under the medical assistance program and the appropriateness and accuracy of claims for reimbursement submitted by providers participating in the program. Department employees ~~appointed~~ authorized by the secretary under this paragraph shall be issued, and shall possess at all times ~~during which~~ while they are performing their investigatory or audit functions under this section, identification, signed by the secretary ~~which,~~ that specifically designates the bearer as possessing the authorization to conduct medical assistance investigations or audits. ~~Pursuant to~~ Under the request of a designated person and upon presentation of ~~that~~ the person's authorization, providers and medical assistance recipients shall accord ~~such~~ the person access to any provider personnel, records, books, ~~recipient medical records,~~ or documents or other information needed. Under the written request of a designated person and upon presentation of the person's authorization, providers and recipients shall accord the person access to any needed patient health care records of a recipient. Authorized employees ~~shall have authority to~~ may hold hearings, administer oaths, take testimony, and perform all other duties necessary to bring ~~such~~ the matter before the department for final adjudication and determination.

SECTION 1750td. 49.45 (3) (g) 2. of the statutes is created to read:

49.45 **(3)** (g) 2. The department shall promulgate rules to implement this paragraph.

SECTION 1750v. 49.45 (3) (h) 1. of the statutes is repealed.

SECTION 1750vm. 49.45 (3) (h) 1n. of the statutes is created to read:

49.45 **(3)** (h) 1n. The department shall promulgate rules to implement this paragraph.

SECTION 1750x. 49.45 (3) (h) 2. of the statutes is repealed.

SECTION 1750z. 49.45 (3) (h) 3. of the statutes is renumbered 49.45 (3) (h) 1m. and amended to read:

49.45 **(3)** (h) 1m. The failure or refusal of a ~~person to purge himself or herself of contempt found under s. 885.12 and perform the act as required by law shall constitute~~ provider to accord department auditors or investigators access as required under par. (g) to any provider personnel, records, books, patient health care records of medical assistance recipients, or documents or other information requested constitutes grounds for decertification or suspension of ~~that person~~ the provider

from participation in the medical assistance program ~~and no~~. No payment may be made for services rendered by ~~that person subsequent to~~ the provider following decertification ~~or~~, during the period of suspension, or during any period of provider failure or refusal to accord access as required under par. (g).

SECTION 1765. 49.45 (5m) (am) of the statutes is amended to read:

49.45 **(5m)** (am) Notwithstanding sub. (3) (e), from the appropriations under s. 20.435 (4) (b) ~~and~~, (o), and (w), 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 1766. 49.45 (5r) of the statutes is repealed.

SECTION 1767. 49.45 (6b) of the statutes is 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 that involves a relocation from a center for the developmentally disabled, by ~~$184~~ $200 per day, beginning in fiscal year ~~1999−2000~~ 2001−02, and by ~~$190~~ $225 per day, beginning in fiscal year ~~2000−01~~ 2002−03.

SECTION 1768. 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 (4) (b), (pa) ~~or~~, (o), (w), or (wm) 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 1771. 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 (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., fm., j., k. ~~and~~, L., and Lm., 9. ~~and~~, 15., and 18., 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~~ moneys 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 1772. 49.45 (6t) (intro.) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is repealed and recreated to read:

49.45 **(6t)** COUNTY DEPARTMENT AND LOCAL HEALTH DEPARTMENT OPERATING DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 (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., fm., j., k., L., and Lm., 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 moneys 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 1773. 49.45 (6t) (a) of the statutes is amended to read:

49.45 **(6t)** (a) For the reduction of operating deficits incurred by the county departments or local health departments, estimate the availability of federal medicaid funds that may be matched to county, city, town, or village funds that are expended for costs in excess of reimbursement for services provided under s. 49.46 (2) (a) 4. d. and (b) 6. f., fm., j., k. ~~and~~, L., and Lm., 9. ~~and~~, 15., and 18., for case management services under s. 49.46 (2) (b) 12. and for mental health day treatment services for ~~minor~~ minors provided under the authorization under 42 USC 1396d (r) (5).

SECTION 1774. 49.45 (6t) (a) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is repealed and recreated to read:

49.45 **(6t)** (a) For the reduction of operating deficits incurred by the county departments or local health departments, estimate the availability of federal medicaid funds that may be matched to county, city, town, or village funds that are expended for costs in excess of reimbursement for services provided under s. 49.46 (2) (a) 4. d. and (b) 6. f., fm., j., k., L., and Lm., 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).

SECTION 1776. 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 (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~~ $40,100,000 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 (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 (4) (o)~~. 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 1776m. 49.45 (6u) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is renumbered 49.45 (6u) (am), and 49.45 (6u) (am) (intro.) and 2. (intro.) and b., 3., 4., 5. and 6., as renumbered, are amended to read:

Vetoed In Part

49.45 **(6u)** (am) (intro.) Notwithstanding sub. (6m), in state fiscal years in which less than $115,200,000 in federal financial participation relating to facilities is received under 42 CFR 433.51, from the ~~appropriation~~ appropriations under s. 20.435 (4) (o), (w), and (wm), for reduction of operating deficits, as defined under ~~criteria developed~~ the methodology used by the department in December, 2000, incurred by a facility 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 ~~$40,100,000~~ $37,100,000 in each fiscal year, as determined by the department. 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:

2. (intro.) Based on the amount estimated available under ~~par. (a)~~ subd. 1., develop a method to distribute this allocation to the individual facilities that have incurred operating deficits that shall include:

b. Agreement by the county in which is located the facility established under s. 49.70 (1) and agreement by the city, village, or town that owns and operates the facility that the applicable county, city, village, or town shall provide funds to match federal medical assistance matching funds under this ~~subsection~~ paragraph.

3. Distribute the allocation under the distribution method that is developed, unless a county has failed to comply with ~~par. (b) 2m~~ subd. 2. bm.

4. If the federal department of health and human services approves for state expenditure in a fiscal year amounts under s. 20.435 (4) (o) and (w) that result in a lesser allocation amount than that allocated under this ~~subsection~~ paragraph, allocate not more than the lesser amount so approved by the federal department of health and human services.

5. If the federal department of health and human services approves for state expenditure in a fiscal year amounts under s. 20.435 (4) (o) and (w) that result in a lesser allocation amount than that allocated under this ~~subsection~~ paragraph, submit a revision of the method developed under ~~par. (b)~~ subd. 2. for approval by the joint committee on finance in that state fiscal year.

6. If the federal department of health and human services disallows use of the allocation of matching federal medical assistance funds distributed under ~~par. (c)~~ subd. 3., apply the requirements under sub. (6m) (br).

SECTION 1777. 49.45 (6u) (ag) of the statutes is created to read:

49.45 **(6u)** (ag) In this subsection, "facility" has the meaning given in sub. (6m) (a) 3.

SECTION 1778. 49.45 (6u) (bm) of the statutes is created to read:

Vetoed In Part

49.45 **(6u)** (bm) In state fiscal years in which $115,200,000 or more in federal financial participation relating to facilities is received under 42 CFR 433.51, from the appropriations under s. 20.435 (4) (o) and (w), for reduction of operating deficits, as defined under criteria developed by the department, incurred by a facility 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 $77,100,000 in each fiscal year, as determined by the department under a methodology as specified in the state plan for services under 42 USC 1396.

Vetoed In Part

SECTION 1778d. 49.45 (6v) (b) of the statutes is amended to read:

49.45 **(6v)** (b) ~~The~~ Beginning on October 1, 2003, and annually thereafter, 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)~~ for the immediately prior 2 consecutive fiscal years.

SECTION 1778h. 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 ~~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 (4) (b) to the~~

Vetoed In Part

~~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~~ decreased during the most recently completed fiscal year from the utilization of beds by recipients of medical assistance in facilities in the next most recently completed fiscal year, the department shall multiply the difference between the number of days of care provided to the recipients in the facilities in each of those prior 2 consecutive fiscal years by the average daily costs of care in the facilities for the most recently completed fiscal year. The average daily costs of care shall be calculated by dividing the total of medical assistance expenditures for care in facilities for the most recently completed fiscal year by the total number of days of care provided in facilities in that fiscal year.

SECTION 1778p. 49.45 (6v) (d) of the statutes is created to read:

49.45 **(6v)** (d) If par. (c) applies and if the amount calculated under par. (c) is positive, the department's report under par. (b) shall include a proposal to transfer an amount equal to the portion of the amount calculated under par. (c) that is the state share of medical assistance expenditures from the appropriation account under s. 20.435 (4) (b) to the appropriation account under s. 20.435 (7) (bd) for the purpose of increasing funding for the long−term support community options program under s. 46.27. If the cochairpersons of the joint committee on finance do not notify the secretary within 14 working days after the date on which the department submits the proposal that the committee has scheduled a meeting for the purpose of reviewing the proposal, the secretary shall transfer the amount identified under the proposal. If, within 14 working days after the date on which the department submits the proposal, the cochairpersons of the joint committee on finance notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposal, the secretary may transfer moneys from the appropriation account under s. 20.435 (4) (b) to the appropriation account under s. 20.435 (7) (bd) only as approved by the committee.

SECTION 1778r. 49.45 (6v) (e) of the statutes is created to read:

49.45 **(6v)** (e) Of the amount required to be transferred by the secretary under par. (d), 40% shall be expended for services as specified under s. 46.27 (7) and 60% shall be expended for services as specified under s. 46.27 (11).

SECTION 1779. 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 (4) (b) ~~and~~, (o), and (w), 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 1780. 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 (4) (b) ~~and~~, (o), and (w), 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 1781. 49.45 (6y) (am) of the statutes is amended to read:

49.45 **(6y)** (am) Notwithstanding sub. (3) (e), from the appropriations under s. 20.435 (4) (b), (h) ~~and~~, (o), and (w), 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 1782. 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 (4) (b) ~~and~~, (o), and (w), 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 1783. 49.45 (8) (b) of the statutes is amended to read:

49.45 **(8)** (b) Reimbursement under s. 20.435 (4) (b) ~~and~~, (o), and (w) 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 1786g. 49.45 (21) (title) of the statutes is amended to read:

49.45 **(21)** (title) ~~TRANSFER OF BUSINESS, LIABILITY FOR~~ TAKING OVER PROVIDER'S OPERATION; REPAYMENTS REQUIRED.

SECTION 1786h. 49.45 (21) (a) of the statutes is renumbered 49.45 (21) (ar) and amended to read:

49.45 **(21)** (ar) ~~If any provider~~ Before a person may take over the operation of a provider that is liable for repayment of improper or erroneous payments or overpayments under ss. 49.43 to 49.497 ~~sells or otherwise transfers ownership of his or her business or all or substantially all of the assets of the business, the transferor and transferee are each liable for the repayment. Prior to final transfer, the transferee is responsible for contacting the department and ascertaining if the transferor~~, full repayment shall be made. Upon request, the department shall notify the provider or the person that intends to take over the operation of the provider as to whether the provider is liable ~~under this paragraph~~.

SECTION 1786i. 49.45 (21) (ag) of the statutes is created to read:

49.45 **(21)** (ag) In this subsection, "take over the operation" means obtain, with respect to an aspect of a provider's business for which the provider has filed claims for medical assistance reimbursement, any of the following:

1. Ownership of the provider's business or all or substantially all of the assets of the business.
2. Majority control over decisions.
3. The right to any profits or income.
4. The right to contact and offer services to patients, clients, or residents served by the provider.
5. An agreement that the provider will not compete with the person at all or with respect to a patient, client, resident, service, geographical area, or other part of the provider's business.
6. The right to perform services that are substantially similar to services performed by the provider at the same location as those performed by the provider.
7. The right to use any distinctive name or symbol by which the provider is known in connection with services to be provided by the person.

SECTION 1786j. 49.45 (21) (b) of the statutes is amended to read:

49.45 **(21)** (b) ~~If a transfer occurs~~ If, notwithstanding the prohibition under par. (ar), a person takes over the operation of a provider and the applicable amount under par. ~~(a)~~ (ar) has not been repaid, the department may, in addition to withholding certification as authorized under sub. (2) (b) 8., proceed against ~~either the transferor or the transferee~~ the provider or the person. Within 30 days after ~~receiving~~ the certified provider receives notice from the department, the ~~transferor or the transferee shall pay the~~ amount shall be repaid in full. ~~Upon failure to comply~~ If the amount is not repaid in full, the department may bring an action to compel payment~~. If a transferor fails to pay within 90 days after receiving notice from the department, the department~~, may proceed under sub. (2) (a) 12., or may do both.

SECTION 1786k. 49.45 (21) (e) of the statutes is created to read:

49.45 **(21)** (e) The department shall promulgate rules to implement this subsection.

SECTION 1787m. 49.45 (22) of the statutes is amended to read: **Vetoed In Part**

49.45 **(22)** (a) 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.

(b) 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 1787mg. 49.45 (22) (c) of the statutes is created to read:

49.45 **(22)** (c) If the department contracts with health maintenance organizations for the provision of medical assistance, each contract shall require a health maintenance organization to contract with at least the number of primary care providers, within a radius of 30 miles from the boundary of the area the health maintenance organization serves, that is sufficient to ensure that each medical assistance recipient who is eligible for medical assistance under s. 49.46 (1) (a) 1., 1g., 1m., 6., 9., 10., 11., 12., or 13. or 49.47 (4) (ag) 1. or 2. will be able to adequately access the health care services offered by the health maintenance organization. The department shall determine the number of primary care providers with whom each health maintenance organization is required to contract.

SECTION 1788. 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 (4) (b) ~~and~~, (o), and (w), 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 1789. 49.45 (30m) of the statutes is amended to read:

49.45 **(30m)** CERTAIN SERVICES FOR DEVELOPMENTALLY DISABLED. A county shall provide the portion of the services under s. 51.06 ~~(1)~~ (1m) (d) to individuals who are eligible for medical assistance that is not provided by the federal government.

Vetoed In Part

SECTION 1789b. 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), a charter school, as defined in s. 115.001 (1), the Wisconsin Center for the Blind and Visually Impaired, or the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing. It includes school−operated early childhood programs for developmentally delayed and disabled 4−year−old and 5−year−old children.

SECTION 1789c. 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) and (c). If the amendment to the state plan is approved, 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~~ Educational Services Program for the Deaf and Hard of Hearing claim reimbursement under pars. (b) and (c). Paragraphs (b) 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~~ Educational Services Program for the Deaf and Hard of Hearing.

SECTION 1789d. 49.45 (39) (b) of the statutes is amended to read:

49.45 **(39)** (b) *School medical services.* 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~~ Educational Services Program for the Deaf and Hard of Hearing 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~~ Educational Services Program for the Deaf and Hard of Hearing 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~~ Educational Services Program for the Deaf and Hard of Hearing 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~~ Educational Services Program for the Deaf and Hard of Hearing 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~~ Educational Services Program for the Deaf and Hard of Hearing, 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.

Vetoed In Part

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~~ Educational Services Program for the Deaf and Hard of Hearing for 90% of the federal share of allowable administrative costs, using time studies, beginning in fiscal year 1999−2000. A school district or a cooperative ~~education~~ educational service agency may submit, and the department of health and family services

Vetoed In Part

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.

SECTION 1790. 49.45 (40) of the statutes is amended to read:

49.45 **(40)** PERIODIC RECORD MATCHES. ~~The~~ If the department contracts with the department of workforce development under s. 49.197 (5), the department shall cooperate with the department of workforce development in matching records of medical assistance recipients under s. 49.32 (7).

SECTION 1791. 49.45 (46) (b) of the statutes is amended to read:

49.45 **(46)** (b) This subsection does not apply after ~~July 1~~ June 30, 2003.

SECTION 1791h. 49.45 (47) (c) of the statutes is amended to read:

49.45 **(47)** (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~~ $100. Fees collected under this paragraph shall be credited to the appropriation account under s. 20.435 (6) (jm).

Vetoed In Part

SECTION 1791i. 49.45 (47) (d) of the statutes is repealed.

SECTION 1792. 49.45 (48) of the statutes is created to read:

49.45 **(48)** PAYMENT OF MEDICARE PART B OUTPATIENT HOSPITAL SERVICES COINSURANCES. The department shall include in the state plan for medical assistance a methodology for payment of the medicare part B outpatient hospital services coinsurance amounts that are authorized under ss. 49.46 (2) (c) 2., 4., and 5m., 49.468 (1) (b), and 49.47 (6) (a) 6. b., d., and f.

SECTION 1797. 49.46 (1) (a) 1. of the statutes is amended to read:

49.46 **(1)** (a) 1. ~~Any person included in the~~ Notwithstanding s. 49.19 (20), any individual who, without regard to the individual's resources, would qualify for a grant of aid to families with dependent children ~~and any person who does~~ under s. 49.19.

1g. Notwithstanding s. 49.19 (20), any individual who, without regard to the individual's resources, would qualify for a grant of aid to families with dependent children but who would not receive ~~such~~ the aid solely because of the application of s. 49.19 (11) (a) 7.

Vetoed In Part

SECTION 1797g. 49.46 (1) (a) 1. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

49.46 **(1)** (a) 1. Notwithstanding s. 49.19 (20), any individual who, without regard to the individual's resources or income, would qualify for a grant of aid to families with dependent children under s. 49.19 and whose income does not exceed the income limit under par. (ar).

Vetoed In Part

SECTION 1797j. 49.46 (1) (a) 1g. of the statutes, as created by 2001 Wisconsin Act .... (this act), is amended to read:

49.46 **(1)** (a) 1g. Notwithstanding s. 49.19 (20), any individual who, without regard to the individual's resources or income, would qualify for a grant of aid to families with dependent children but ~~who~~ would not receive the aid solely because of the application of s. 49.19 (11) (a) 7. and whose income does not exceed the income limit under par. (ar).

SECTION 1798. 49.46 (1) (a) 1m. of the statutes is amended to read:

49.46 **(1)** (a) 1m. Any pregnant woman ~~who meets the resource and~~ whose income ~~limits~~ does not exceed the standard of need under s. 49.19 ~~(4) (bm) and (es)~~ (11) 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.

Vetoed In Part

SECTION 1798g. 49.46 (1) (a) 1m. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

49.46 **(1)** (a) 1m. Any pregnant woman whose income does not exceed the ~~standard of need under s. 49.19 (11)~~ income limit under par. (ar) 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.

Vetoed In Part

SECTION 1799f. 49.46 (1) (a) 5m. of the statutes is created to read:

49.46 **(1)** (a) 5m. Any individual who is at least 19 years of age but under 20 years of age and who, on his or her 18th birthday, was in foster care, or treatment foster care placement under ch. 48 or 938, as determined by the department.

SECTION 1800. 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.

Vetoed In Part

SECTION 1800m. 49.46 (1) (a) 6. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

49.46 **(1)** (a) 6. Any person not described in pars. (c) to (e) who, without regard to the individual's resources or income, would be considered, under federal law, to be receiving aid to families with dependent children for the purpose of determining eligibility for medical assistance and whose income does not exceed the income limit under par. (ar).

SECTION 1801. 49.46 (1) (a) 9. of the statutes is amended to read:

49.46 **(1)** (a) 9. Any pregnant woman not described under subd. 1., 1g., or 1m. whose family income does not

exceed 133% of the poverty line for a family the size of the woman's family.

SECTION 1802. 49.46 (1) (a) 10. of the statutes is amended to read:

49.46 **(1)** (a) 10. Any child not described under subd. 1. or 1g. who is under 6 years of age and whose family income does not exceed 133% of the poverty line for a family the size of the child's family.

SECTION 1803. 49.46 (1) (a) 11. of the statutes is amended to read:

49.46 **(1)** (a) 11. If a waiver under s. 49.665 is granted and in effect, any child not described under subd. 1. or 1g. who has attained the age of 6 but has not attained the age of 19 and whose family income does not exceed 100% of the poverty line for a family the size of the child's family. If a waiver under s. 49.665 is not granted or in effect, any child not described in subd. 1. or 1g. who was born after September 30,1983, who has attained the age of 6 but has not attained the age of 19 and whose family income does not exceed 100% of the poverty line for a family the size of the child's family.

SECTION 1804. 49.46 (1) (a) 12. of the statutes is amended to read:

49.46 **(1)** (a) 12. Any child not described under subd. 1. or 1g. who is under 19 years of age and ~~who meets the resource and~~ whose income ~~limits~~ does not exceed the standard of need under s. 49.19 ~~(4)~~ (11).

Vetoed In Part

SECTION 1804g. 49.46 (1) (a) 12. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

49.46 **(1)** (a) 12. Any child not described under subd. 1. or 1g. who is under 19 years of age and whose income does not exceed the ~~standard of need under s. 49.19 (11)~~ income limit under par. (ar).

SECTION 1804m. 49.46 (1) (ar) of the statutes is created to read:

49.46 **(1)** (ar) An individual is eligible to receive medical assistance under par. (a) 1., 1g., 1m., 6., and 12. if the individual's total income does not exceed the standard of need under s. 49.19 (11) (a) 1. a. increased by the same percentage as the percentage increase in the consumer price index, as defined in s. 49.455 (1) (b), between September 2001 and September of the year immediately before the year in which the individual's income is being determined.

SECTION 1805. 49.46 (1) (e) of the statutes is amended to read:

49.46 **(1)** (e) If an application under s. 49.47 (3) shows that the ~~person has~~ individual meets the income ~~and resources within the limitations of~~ limits under s. 49.19~~,~~ or meets the income and resource requirements under federal Title XVI or s. 49.77, or that the ~~person~~ individual is an essential person, an accommodated person, or a patient in a public medical institution, the ~~person~~ individual shall be granted the benefits enumerated under sub. (2) whether or not the ~~person~~ individual requests or receives a grant of any of such aids.

Vetoed In Part

SECTION 1805d. 49.46 (1) (e) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

49.46 **(1)** (e) If an application under s. 49.47 (3) shows that the individual meets the income limits under ~~s. 49.19~~ par. (ar) or meets the income and resource requirements under federal Title XVI or s. 49.77, or that the individual is an essential person, an accommodated person, or a patient in a public medical institution, the individual shall be granted the benefits enumerated under sub. (2) whether or not the individual requests or receives a grant of any of such aids.

SECTION 1806. 49.46 (2) (b) 18. of the statutes is amended 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~~ June 30, 2003.

SECTION 1807. 49.46 (2) (c) 2. of the statutes is amended to read:

49.46 **(2)** (c) 2. For an individual who is entitled to coverage under part A of medicare, entitled to coverage under part B of medicare, meets the eligibility criteria under sub. (1) and meets the limitation on income under subd. 6., medical assistance shall include payment of the deductible and coinsurance portions of medicare services under 42 USC 1395 to 1395zz which are not paid under 42 USC 1395 to 1395zz, including those medicare services that are not included in the approved state plan for services under 42 USC 1396; the monthly premiums payable under 42 USC 1395v; the monthly premiums, if applicable, under 42 USC 1395i−2 (d); and the late enrollment penalty, if applicable, for premiums under part A of medicare. Payment of coinsurance for a service under part B of medicare under 42 USC 1395j to 1395w, other than payment of coinsurance for outpatient hospital services, may not exceed the allowable charge for the service under medical assistance minus the medicare payment.

SECTION 1808. 49.46 (2) (c) 4. of the statutes is amended to read:

49.46 **(2)** (c) 4. For an individual who is entitled to coverage under part A of medicare, entitled to coverage under part B of medicare and meets the eligibility criteria for medical assistance under sub. (1), but does not meet the limitation on income under subd. 6., medical assistance shall include payment of the deductible and coinsurance portions of medicare services under 42 USC 1395 to 1395zz which are not paid under 42 USC 1395 to 1395zz, including those medicare services that are not included in the approved state plan for services under 42 USC 1396. Payment of coinsurance for a service under part B of medicare under 42 USC 1395j to 1395w, other

than payment of coinsurance for outpatient hospital services, may not exceed the allowable charge for the service under medical assistance minus the medicare payment.

SECTION 1809. 49.46 (2) (c) 5m. of the statutes is amended to read:

49.46 **(2)** (c) 5m. For an individual who is only entitled to coverage under part B of medicare and meets the eligibility criteria under sub. (1), but does not meet the limitation on income under subd. 6., medical assistance shall include payment of the deductible and coinsurance portions of medicare services under 42 USC 1395j to 1395w, including those medicare services that are not included in the approved state plan for services under 42 USC 1396. Payment of coinsurance for a service under part B of medicare, other than payment of coinsurance for outpatient hospital services, may not exceed the allowable charge for the service under medical assistance minus the medicare payment.

SECTION 1810. 49.468 (1) (b) of the statutes is amended to read:

49.468 **(1)** (b) For an elderly or disabled individual who is entitled to coverage under part A of medicare, entitled to coverage under part B of medicare and who does not meet the eligibility criteria for medical assistance under s. 49.46 (1), 49.465 or 49.47 (4) but meets the limitations on income and resources under par. (d), medical assistance shall pay the deductible and coinsurance portions of medicare services under 42 USC 1395 to 1395zz which are not paid under 42 USC 1395 to 1395zz, including those medicare services that are not included in the approved state plan for services under 42 USC 1396; the monthly premiums payable under 42 USC 1395v; the monthly premiums, if applicable, under 42 USC 1395i–2 (d); and the late enrollment penalty, if applicable, for premiums under part A of medicare. Payment of coinsurance for a service under part B of medicare under 42 USC 1395j to 1395w, other than payment of coinsurance for outpatient hospital services, may not exceed the allowable charge for the service under medical assistance minus the medicare payment.

SECTION 1811. 49.47 (4) (a) 1. of the statutes is amended to read:

49.47 **(4)** (a) 1. Under ~~18~~ 21 years of age ~~or, if the person~~ and resides in an intermediate care facility, skilled nursing facility, or inpatient psychiatric hospital~~, under 21 years of age~~.

SECTION 1812. 49.47 (4) (a) 2. of the statutes is renumbered 49.47 (4) (ag) 2.

SECTION 1813. 49.47 (4) (ag) (intro.) of the statutes is created to read:

49.47 **(4)** (ag) (intro.) Any individual whose income does not exceed the limits under par. (c) and who complies with par. (cm) is eligible for medical assistance under this section if the individual is one of the following:

SECTION 1814. 49.47 (4) (ag) 1. of the statutes is created to read:

49.47 **(4)** (ag) 1. Under the age of 18.

SECTION 1815. 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 1815g. 49.47 (4) (c) 1. of the statutes is renumbered 49.47 (4) (c) 1. (intro.) and amended to read: **Vetoed In Part**

49.47 **(4)** (c) 1. (intro.) Except as provided in par. (am) and as limited by subd. 3., eligibility exists if income does not exceed ~~133 1/3% of~~ the greater of the following:

a. An amount equal to the maximum aid to families with dependent children payment under s. 49.19 (11) (a) 1. a. for the applicant's family size ~~or~~ increased by the same percentage as the percentage increase in the consumer price index, as defined in s. 49.455 (1) (b), between September 2001 and September of the year immediately before the year in which the individual's income is being determined and multiplied by 133 1/3%.

b. An amount equal to the combined benefit amount available under supplemental security income under 42 USC 1381 to 1383c and state supplemental aid under s. 49.77 ~~whichever is higher. In this subdivision "income" includes earned or unearned income that would be included in determining eligibility for the individual or family under s. 49.19 or 49.77, or for the aged, blind or disabled under 42 USC 1381 to 1385. "Income" does not include earned or unearned income which would be excluded in determining eligibility for the individual or family under s. 49.19 or 49.77, or for the aged, blind or disabled individual under 42 USC 1381 to 1385~~.

SECTION 1815j. 49.47 (4) (c) 1m. of the statutes is created to read:

49.47 **(4)** (c) 1m. For purposes of determining whether an individual's income meets the income requirements under subd. 1., "income" includes all of the individual's earned or unearned income that would be included in determining eligibility for the individual or family under s. 49.19 or 49.77, or for the aged, blind, or disabled under 42 USC 1381 to 1385, and "income" does not include earned or unearned income that would be excluded in determining eligibility for the individual or family under s. 49.19 or 49.77, or for the aged, blind, or disabled individual under 42 USC 1381 to 1385.

SECTION 1816. 49.47 (6) (a) 6. b. of the statutes is amended to read:

49.47 **(6)** (a) 6. b. An individual who is entitled to coverage under part A of medicare, entitled to coverage under part B of medicare, meets the eligibility criteria under sub. (4) (a) and meets the income limitation, the deductible and coinsurance portions of medicare services under 42 USC 1395 to 1395zz which are not paid under 42 USC 1395 to 1395zz, including those medicare services that are not included in the approved state plan for services under 42 USC 1396; the monthly premiums payable under 42 USC 1395v; the monthly premiums, if applicable, under 42 USC 1395i−2 (d); and the late enrollment penalty, if applicable, for premiums under part A of medicare. Payment of coinsurance for a service under part B of medicare under 42 USC 1395j to 1395w, other than payment of coinsurance for outpatient hospital services, may not exceed the allowable charge for the service under medical assistance minus the medicare payment.

SECTION 1817. 49.47 (6) (a) 6. d. of the statutes is amended to read:

49.47 **(6)** (a) 6. d. An individual who is entitled to coverage under part A of medicare, entitled to coverage under part B of medicare and meets the eligibility criteria for medical assistance under sub. (4) (a) but does not meet the income limitation, the deductible and coinsurance portions of medicare services under 42 USC 1395 to 1395zz which are not paid under 42 USC 1395 to 1395zz, including those medicare services that are not included in the approved state plan for services under 42 USC 1396. Payment of coinsurance for a service under part B of medicare under 42 USC 1395j to 1395w, other than payment of coinsurance for outpatient hospital services, may not exceed the allowable charge for the service under medical assistance minus the medicare payment.

SECTION 1818. 49.47 (6) (a) 6. f. of the statutes is amended to read:

49.47 **(6)** (a) 6. f. For an individual who is only entitled to coverage under part B of medicare and meets the eligibility criteria under sub. (4), but does not meet the income limitation, medical assistance shall include payment of the deductible and coinsurance portions of medicare services under 42 USC 1395j to 1395w, including those medicare services that are not included in the approved state plan for services under 42 USC 1396. Payment of coinsurance for a service under part B of medicare, other than payment of coinsurance for outpatient hospital services, may not exceed the allowable charge for the service under medical assistance minus the medicare payment.

SECTION 1819. 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 1820. 49.472 (6) (a) of the statutes is amended to read:

49.472 **(6)** (a) Notwithstanding sub. (4) (a) 3., from the appropriation under s. 20.435 (4) (b) or (w), 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.

SECTION 1821. 49.472 (6) (b) of the statutes is amended to read:

49.472 **(6)** (b) If federal financial participation is available, from the appropriation under s. 20.435 (4) (b) or (w), 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).

SECTION 1822. 49.473 of the statutes is created to read:

49.473 Medical assistance; women diagnosed with breast or cervical cancer. (1) In this section:

(a) "County department" means a county department under s. 46.215, 46.22, or 46.23.

(b) "Qualified entity" has the meaning given in 42 USC 1396r−1b (b) (2).

(2) A woman is eligible for medical assistance as provided under sub. (5) if, after applying to the department or a county department, the department or a county department determines that she meets all of the following requirements:

(a) The woman is not eligible for medical assistance under ss. 49.46 (1) and (1m), 49.465, 49.468, 49.47, and 49.472, and is not eligible for health care coverage under s. 49.665.

(b) The woman is under 65 years of age.

(c) The woman is not eligible for health care coverage that qualifies as creditable coverage in 42 USC 300gg (c).

(d) The woman has been screened for breast or cervical cancer under a breast and cervical cancer early detection program that is authorized under a grant received under 42 USC 300k.

(e) The woman requires treatment for breast or cervical cancer.

(3) Prior to applying to the department or a county department for medical assistance, a woman is eligible for medical assistance as provided under sub. (5) beginning on the date on which a qualified entity determines, on the basis of preliminary information, that the women meets the requirements specified in sub. (2) and ending on one of the following dates:

(a) If the woman applies to the department or a county department for medical assistance within the time limit required under sub. (4), the day on which the depart-

ment or county department determines whether the woman meets the requirements under sub. (2).

(b) If the woman does not apply to the department or county department for medical assistance within the time limit required under sub. (4), the last day of the month following the month in which the qualified entity determines that the woman is eligible for medical assistance.

(4) A woman who a qualified entity determines under sub. (3) is eligible for medical assistance shall apply to the department or county department no later than the last day of the month following the month in which the qualified entity determines that the woman is eligible for medical assistance.

(5) The department shall audit and pay, from the appropriation accounts under s. 20.435 (4) (b) and (o), allowable charges to a provider who is certified under s. 49.45 (2) (a) 11. for medical assistance on behalf of a woman who meets the requirements under sub. (2) for all benefits and services specified under s. 49.46 (2).

(6) A qualified entity that determines under sub. (3) that a woman is eligible for medical assistance as provided under sub. (5) shall do all of the following:

(a) Notify the department of the determination no later than 5 days after the date on which the determination is made.

(b) Inform the woman at the of time the determination that she is required to apply to the department or a county department for medical assistance no later than the last day of the month following the month in which the qualified entity determines that the woman is eligible for medical assistance.

(7) The department shall provide qualified entities with application forms for medical assistance and information on how to assist women in completing the form.

SECTION 1835k. Subchapter V (title) of chapter 49 [precedes 49.66] of the statutes is amended to read:

CHAPTER 49

SUBCHAPTER V

OTHER ~~MEDICALLY RELATED SERVICES AND~~ SUPPORT AND MEDICAL PROGRAMS

SECTION 1836. 49.665 (4) (at) 1. a. of the statutes is amended 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), and (x) 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.

Vetoed In Part

SECTION 1836g. 49.665 (4) (at) 1. b. of the statutes is amended to read:

49.665 **(4)** (at) 1. 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~~ a plan for lowering the maximum income level ~~and the committee approves the plan~~. If, within 14 days after ~~submitting the plan~~ the date on which the plan is submitted 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 department shall implement the plan ~~is considered approved by the committee~~ as proposed. If within 14 days after the date on which the plan is submitted to the committee, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting to review the plan, the department may implement the plan only as approved by the committee.

Vetoed In Part

SECTION 1836r. 49.665 (4) (at) 1. c. of the statutes is created to read:

49.665 **(4)** (at) 1. c. Notwithstanding s. 20.001 (3) (b), if, after reviewing the plan submitted under subd. 1. b., the joint committee on finance determines that the amounts appropriated under s. 20.435 (4) (bc), (jz), (p), and (x) are insufficient to accommodate the projected enrollment levels, the committee may transfer appropriated moneys from the general purpose revenue appropriation account of any state agency, as defined in s. 20.001 (1), other than a sum sufficient appropriation account, to the appropriation account under s. 20.435 (4) (bc) to supplement the health care program under this section if the committee finds that the transfer will eliminate unnecessary duplication of functions, result in more efficient and effective methods for performing programs or more effectively carry out legislative intent, and that legislative intent will not be changed by the transfer.

SECTION 1837. 49.665 (4) (at) 2. of the statutes is amended to read:

49.665 **(4)** (at) 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), and (x) 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.

SECTION 1837p. 49.68 (3) (b) of the statutes is amended to read:

49.68 **(3)** (b) ~~The~~ From the appropriation accounts under ss. 20.435 (4) (e) and (je), the state shall pay the cost of medical treatment required as a direct result of chronic renal disease of certified patients from the date of certification, including the cost of administering recombinant human erythropoietin to appropriate patients, whether the treatment is rendered in an approved facility in the state or in a dialysis or transplantation center which is approved as such by a contiguous state, subject to the conditions specified under par. (d). Approved facilities may include a hospital in−center dialysis unit or a nonhospital dialysis center which is closely affiliated with a home dialysis program supervised by an approved facil-

ity. Aid shall also be provided for all reasonable expenses incurred by a potential living−related donor, including evaluation, hospitalization, surgical costs and postoperative follow−up to the extent that these costs are not reimbursable under the federal medicare program or other insurance. In addition, all expenses incurred in the procurement, transportation and preservation of cadaveric donor kidneys shall be covered to the extent that these costs are not otherwise reimbursable. All donor−related costs are chargeable to the recipient and reimbursable under this subsection.

SECTION 1837q. 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 accounts under s. 20.435 (4) (e) and (je).

SECTION 1837r. 49.685 (2) of the statutes is amended to read:

49.685 **(2)** ASSISTANCE PROGRAM. ~~The~~ From the appropriation accounts under s. 20.435 (4) (e) and (je), the department shall establish a program of financial assistance to persons suffering from hemophilia and other related congenital bleeding disorders. The program shall assist such persons to purchase the blood derivatives and supplies necessary for home care. The program shall be administered through the comprehensive hemophilia treatment centers.

SECTION 1837s. 49.687 (title) of the statutes is amended to read:

49.687 (title) **Disease aids; patient ~~financial and liability~~ requirements; rebate agreements.**

SECTION 1838. 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 (4) (e) and (je), the department shall revise the sliding scale for patient liability by January 1, 1994, and shall, every 3 years thereafter by January 1, review and, if necessary, revise the sliding scale.

SECTION 1838c. 49.687 (3) of the statutes is created to read:

49.687 **(3)** The department or an entity with which the department contracts shall provide to a drug manufacturer that sells drugs for prescribed use in this state documents designed for use by the manufacturer in entering into a rebate agreement with the department or entity that is modeled on the rebate agreement specified under 42 USC 1396r−8. The department or entity may enter into a rebate agreement under this subsection that shall include all of the following as requirements:

(a) That, as a condition of coverage for prescription drugs of a manufacturer under s. 49.68, 49.683, or 49.685, the manufacturer shall make rebate payments for each prescription drug of the manufacturer that is prescribed for and purchased by persons who meet eligibility criteria under s. 49.68, 49.683, or 49.685, to the state treasurer to be credited to the appropriation under s. 20.435 (4) (je), each calendar quarter or according to a schedule established by the department.

(b) That the amount of the rebate payment shall be determined by a method specified in 42 USC 1396r−8 (c), except that, if the average manufacturer price for a prescription drug exceeds the average manufacturer price of the drug as of December 31, 2000, or the first calendar quarter after the day on which the drug was first available, as adjusted for inflation, the rebate amount shall increase by the amount of the difference. **Vetoed In Part**

SECTION 1838gb. 49.688 of the statutes is created to read:

49.688 Prescription drug assistance for elderly persons. (1) In this section:

(a) "Generic name" has the meaning given in s. 450.12 (1) (b).

(b) "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).

(c) "Prescription drug" means a prescription drug, as defined in s. 450.01 (20), that is included in the drugs specified under s. 49.46 (2) (b) 6. h. and that is manufactured by a drug manufacturer that enters into a rebate agreement in force under sub. (6).

(d) "Prescription order" has the meaning given in s. 450.01 (21).

(e) "Program payment rate" means the rate of payment made for the identical drug specified under s. 49.46 (2) (b) 6. h., plus 5%, plus a dispensing fee that is equal to the dispensing fee permitted to be charged for prescription drugs for which coverage is provided under s. 49.46 (2) (b) 6. h.

(2) (a) A person to whom all of the following applies is eligible to purchase a prescription drug for the amounts specified in sub. (5) (a) 1. and 2.:

1. The person is a resident, as defined in s. 27.01 (10) (a), of this state.

2. The person is at least 65 years of age.

3. The person is not a recipient of medical assistance.

4. The person's annual household income, as determined by the department, does not exceed 240% of the federal poverty line for a family the size of the person's eligible family.

5. The person pays the program enrollment fee specified in sub. (3) (a).

(b) A person to whom par. (a) 1. to 3. and 5. applies, but whose annual household income, as determined by the department, exceeds 240% of the federal poverty line

for a family the size of the persons' eligible family, is eligible to purchase a prescription drug at the amounts specified in sub. (5) (a) 4. only during the remaining amount of any 12−month period in which the person has first paid the annual deductible specified in sub. (3) (b) 2. a. in purchasing prescription drugs at the retail price and has then paid the annual deductible specified in sub. (3) (b) 2. b.

(3) Program participants shall pay all of the following:

(a) For each 12−month benefit period, a program enrollment fee of $20.

(b) 1. For each 12−month benefit period, for a person specified in sub. (2) (a), a deductible for prescription drugs of $500, except that a person whose annual household income, as determined by the department, is 160% or less of the federal poverty line for a family the size of the person's eligible family pays no deductible.

2. For each 12−month benefit period, for a person specified in sub. (2) (b), a deductible for prescription drugs that equals all of the following:

a. The difference between the person's annual household income and 240% of the federal poverty line for a family the size of the person's eligible family.

b. Five hundred dollars.

(c) After payment of any applicable deductible under par. (b), all of the following:

1. A copayment of $5 for each prescription drug that bears only a generic name.

2. A copayment of $15 for each prescription drug that does not bear only a generic name.

(d) Notwithstanding s. 49.002, if a person who is eligible under this section has other available coverage for payment of a prescription drug, this section applies only to costs for prescription drugs for the persons that are not covered under the person's other available coverage.

(4) The department shall devise and distribute a form for application for the program under sub. (2), shall determine eligibility for each 12−month benefit period of applicants and shall issue to eligible persons a prescription drug card for use in purchasing prescription drugs, as specified in sub. (5). The department shall promulgate rules that specify the criteria to be used to determine household income under sub. (2) (a) 4. and (b) and (3) (b) 1.

(5) (a) Beginning on September 1, 2002, except as provided in sub. (7) (b), as a condition of participation by a pharmacy or pharmacist in the program under s. 49.45, 49.46, or 49.47, the pharmacy or pharmacist may not charge a person who presents a valid prescription order and a card indicating that he or she meets eligibility requirements under sub. (2) an amount for a prescription drug under the order that exceeds the following:

1. For a deductible, as specified in sub. (3) (b) 1. and 2. b., the program payment rate.

2. After any applicable deductible under subd. 1. is charged, the copayment, as applicable, that is specified in sub. (3) (c) 1. or 2. No dispensing fee may be charged to a person under this subdivision.

3. For a deductible, as specified in sub. (3) (b) 2. a., the retail price.

4. After the deductible under subd. 3. is charged, the copayment, as applicable, that is specified in sub. (3) (c) 1. or 2. No dispensing fee may be charged to a person under this subdivision.

(b) The department shall calculate and transmit to pharmacies and pharmacists that are certified providers of medical assistance amounts that may be used in calculating charges under par. (a). The department shall periodically update this information and transmit the updated amounts to pharmacies and pharmacists.

(6) The department, or an entity with which the department contracts, shall provide to a drug manufacturer that sells drugs for prescribed use in this state documents designed for use by the manufacturer in entering into a rebate agreement with the department or entity that is modeled on the rebate agreement specified under 42 USC 1396r−8. A rebate agreement under this subsection shall include all of the following as requirements:

(a) That, except as provided in sub. (7) (b), the manufacturer shall make rebate payments for each prescription drug of the manufacturer that is prescribed for and purchased by persons who meet criteria under sub. (2) (a) and persons who meet criteria under sub. (2) (b) and have paid the deductible under sub. (3) (b) 2. a., to the state treasurer to be credited to the appropriation account under s. 20.435 (4) (j), each calendar quarter or according to a schedule established by the department.

(b) That, except as provided in sub. (7) (b), the amount of the rebate payment shall be determined by a method specified in 42 USC 1396r−8 (c).

(7) (a) Except as provided in par. (b), from the appropriation accounts under s. 20.435 (4) (bv) and (j), beginning on September 1, 2002, the department shall, under a schedule that is identical to that used by the department for payment of pharmacy provider claims under medical assistance, provide to pharmacies and pharmacists payments for prescription drugs sold by the pharmacies or pharmacists to persons eligible under sub. (2) who have paid the deductible specified under sub. (3) (b) 1. or 2. or who, under sub. (3) (b) 1., are not required to pay a deductible. The payment for each prescription drug under this paragraph shall be at the program payment rate, minus any copayment paid by the person under sub. (5) (a) 2. or 4., and plus, if applicable, incentive payments that are similar to those provided under s. 49.45 (8v). The department shall devise and distribute a claim form for use by pharmacies and pharmacists under this paragraph and may limit payment under this paragraph to those prescription drugs for which payment claims are submitted by pharmacists or pharmacies directly to the department. The department may apply to the program under this section 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) During any period in which funding under s. 20.435 (4) (bv) is completely expended for the payments specified in par. (a), the requirements of par. (a) and subs. (3) (c), (5), and (6) (a) and (b) do not apply to drugs purchased during that period, but the department shall continue to accept applications and determine eligibility under sub. (4) and shall indicate to applicants that the eligibility of program participants to purchase prescription drugs as specified in sub. (3), under the requirements of sub. (5), is conditioned on the availability of funding under s. 20.435 (4) (bv).

(8) The department shall, under methods promulgated by the department by rule, monitor compliance by pharmacies and pharmacists that are certified providers of medical assistance with the requirements of sub. (5) and shall annually report to the legislature under s. 13.172 (2) concerning the compliance. The report shall include information on any pharmacies or pharmacists that discontinue participation as certified providers of medical assistance and the reasons given for the discontinuance.

(9) (a) The department shall promulgate rules relating to prohibitions on fraud that are substantially similar to applicable provisions under s. 49.49 (1) (a).

(b) A person who is convicted of violating a rule promulgated by the department under par. (a) in connection with that person's furnishing of prescription drugs under this section may be fined not more than $25,000, or imprisoned for not more than 7 years and 6 months, or both.

(c) A person other than a person specified in par. (b) who is convicted of violating a rule promulgated by the department under par. (a) may be fined not more than $10,000, or imprisoned for not more than one year, or both.

(10) If federal law is amended to provide coverage for prescription drugs for outpatient care as a benefit under medicare or to provide similar coverage under another program, the department shall submit to appropriate standing committees of the legislature under s. 13.172 (3) a report that contains an analysis of the differences between such a federal program and the program under this section and that provides recommendations concerning alignment, if any, of the differences.

(11) The department shall request from the federal secretary of health and human services a waiver, under 42 USC 1315 (a), of federal medicaid laws necessary to permit the department of health and family services to conduct a project, under all of the requirements of this section, to expand eligibility for medical assistance, for purposes of receipt of prescription drugs as a benefit, to include individuals who are eligible under sub. (2). The department may implement a waiver requested under this subsection only if the conditions of the waiver are consistent with the requirements of this section. The department shall implement the program under this section regardless of whether a waiver, as specified in this subsection, is received.

(12) Except as provided in subs. (8) to (11) and except for the department's rule−making requirements and authority, the department may enter into a contract with an entity to perform the duties and exercise the powers of the department under this section.

SECTION 1838sb. 49.79 (2) (b) of the statutes is created to read:

49.79 **(2)** (b) An individual who fails to comply with the work requirements of the employment and training program under s. 49.13 (2) (a) is ineligible to participate in the food stamp program as specified under s. 49.13 (3).

SECTION 1838t. 49.79 (9) of the statutes is created to read:

49.79 **(9)** FRAUD INVESTIGATIONS AND ERROR REDUCTION ACTIVITIES. If the department does not contract with the department of workforce development under s. 49.197 (5), the department shall establish and administer a program to investigate fraudulent activity on the part of recipients of food stamps and to reduce errors in the payments of benefits under the food stamp program.

SECTION 1838td. 49.79 (10) of the statutes is created to read:

49.79 **(10)** CONTRACT FOR EMPLOYMENT AND TRAINING PROGRAM. The department shall contract with the department of workforce development to administer the employment and training program under s. 49.13.

SECTION 1838u. 49.85 (1) of the statutes is amended to read:

49.85 **(1)** ~~COUNTY DEPARTMENT~~ DEPARTMENT NOTIFICATION REQUIREMENT. If a county department under s. 46.215, 46.22, or 46.23~~,~~ or a governing body of a federally recognized American Indian tribe or band ~~or a Wisconsin works agency~~ determines that the department of health and family services may recover an amount under s. 49.497 or that the department of workforce development may recover an amount under s. 49.125, 49.161, or 49.195 (3), the county department or governing body shall notify the affected department of the determination. If a Wisconsin works agency determines that the department of workforce development may recover an amount under s. 49.161 or 49.195 (3), the Wisconsin works agency shall notify the department of workforce development of the determination.

SECTION 1838v. 49.85 (1) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

49.85 **(1)** DEPARTMENT NOTIFICATION REQUIREMENT. If a county department under s. 46.215, 46.22, or 46.23 or a governing body of a federally recognized American Indian tribe or band determines that the department of health and family services may recover an amount under s. 49.497 or that the department of workforce development may recover an amount under s. ~~49.125,~~ 49.161, ~~or~~

49.195 (3), or 49.793, the county department or governing body shall notify the affected department of the determination. If a Wisconsin works agency determines that the department of workforce development may recover an amount under s. 49.161 or 49.195 (3), the Wisconsin works agency shall notify the department of workforce development of the determination.

SECTION 1838w. 49.85 (2) (a) of the statutes is amended to read:

49.85 **(2)** (a) At least annually, the department of health and family services shall certify to the department of revenue the amounts that, based on the notifications received under sub. (1) and on other information received by the department of health and family services, the department of health and family services has determined that it may recover under s. 49.45 (2) (a) 10. or 49.497, except that the department of health and family services may not certify an amount under this subsection unless it has met the notice requirements under sub. (3) and unless its determination has either not been appealed or is no longer under appeal.

SECTION 1839m. 49.85 (2) (b) of the statutes is amended to read:

49.85 **(2)** (b) At least annually, the department of workforce development shall certify to the department of revenue the amounts that, based on the notifications received under sub. (1) and on other information received by the department of workforce development, the department of workforce development has determined that it may recover under ss. ~~49.125,~~ 49.161 ~~and~~, 49.195 (3), and 49.793, except that the department of workforce development may not certify an amount under this subsection unless it has met the notice requirements under sub. (3) and unless its determination has either not been appealed or is no longer under appeal.

SECTION 1840e. 49.85 (3) (a) 1. of the statutes is amended to read:

49.85 **(3)** (a) 1. Inform the person that the department of health and family services intends to certify to the department of revenue an amount that the department of health and family services has determined to be due under s. 49.45 (2) (a) 10. or 49.497, for setoff from any state tax refund that may be due the person.

SECTION 1840g. 49.85 (3) (b) 1. of the statutes is amended to read:

49.85 **(3)** (b) 1. Inform the person that the department of workforce development intends to certify to the department of revenue an amount that the department of workforce development has determined to be due under s. ~~49.125,~~ 49.161 ~~or~~, 49.195 (3), or 49.793, for setoff from any state tax refund that may be due the person.

SECTION 1841. 49.853 (2) of the statutes is amended to read:

49.853 **(2)** FINANCIAL RECORD MATCHING PROGRAM AND AGREEMENTS. The department shall operate a financial record matching program under this section. The department shall promulgate rules specifying procedures under which the department shall enter into agreements with financial institutions doing business in this state to operate the financial record matching program under this section. The agreement shall require the financial institution to participate in the financial record matching program under this section by electing either the financial institution matching option under sub. (3) or the state matching option under sub. (4). The ~~rules promulgated under this section shall provide for reimbursement of financial institutions in an amount not to exceed their actual costs of participation~~ department shall reimburse a financial institution up to $125 per quarter for participating in the financial record matching program under this section.

SECTION 1842. 49.855 (1) of the statutes is amended to read:

49.855 **(1)** If a person obligated to ~~provide~~ pay child support, family support ~~or~~, maintenance, or the receiving and disbursing fee under s. 767.29 (1) (d) is delinquent in making ~~court-ordered~~ any of those payments, or owes an outstanding amount that has been ordered by the court for past support, medical expenses, or birth expenses, upon application under s. 59.53 (5) the department of workforce development shall certify the delinquent payment or outstanding amount to the department of revenue and, at least annually, shall provide to the department of revenue any certifications of delinquencies or outstanding amounts that it receives from another state because the obligor resides in this state.

SECTION 1843. 49.855 (3) of the statutes is amended to read:

49.855 **(3)** Receipt of a certification by the department of revenue shall constitute a lien, equal to the amount certified, on any state tax refunds or credits owed to the obligor. The lien shall be foreclosed by the department of revenue as a setoff under s. 71.93 (3), (6), and (7). When the department of revenue determines that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the obligor that the state intends to reduce any state tax refund or credit due the obligor by the amount the obligor is delinquent under the support ~~or~~, maintenance, or receiving and disbursing fee order or obligation, by the outstanding amount for past support, medical expenses, or birth expenses under the court order, or by the amount due under s. 46.10 (4) or 301.12 (4). The notice shall provide that within 20 days the obligor may request a hearing before the circuit court rendering the order under which the obligation arose. Within 10 days after receiving a request for hearing under this subsection, the court shall set the matter for hearing. Pending further order by the court or family court commissioner, the department of workforce development or its designee, whichever is appropriate, is prohibited from disbursing the obligor's state tax refund or credit. The family court commissioner may conduct the hearing. The sole

issues at that hearing shall be whether the obligor owes the amount certified and, if not and it is a support or maintenance order, whether the money withheld from a tax refund or credit shall be paid to the obligor or held for future support or maintenance. ~~An obligor may, within 20 days of receiving notice that the amount certified shall be withheld from his or her federal tax refund or credit, request a hearing under this subsection.~~

SECTION 1844b. 49.855 (4) of the statutes is renumbered 49.855 (4) (a) and amended to read:

49.855 **(4)** (a) The department of revenue shall send ~~that~~ the portion of any state ~~or federal~~ tax refunds or credits withheld for delinquent child or family support or maintenance or past support, medical expenses, or birth expenses to the department of workforce development or its designee for ~~distribution to the obligee~~ deposit in the support collections trust fund under s. 25.68 and shall send the portion of any state tax refunds or credits withheld for delinquent receiving and disbursing fees to the department of workforce development or its designee for deposit in the appropriation account under s. 20.445 (3) (ja). The department of workforce development shall make a settlement at least annually with the department of revenue. The settlement shall state the amounts certified, the amounts deducted from tax refunds and credits, and the administrative costs incurred by the department of revenue.

SECTION 1844c. 49.855 (4) (b) of the statutes is created to read:

49.855 **(4)** (b) The department of administration shall send the portion of any federal tax refunds or credits received from the internal revenue service that was withheld for delinquent child or family support or maintenance or past support, medical expenses, or birth expenses to the department of workforce development or its designee for deposit in the support collections trust fund under s. 25.68 and shall send the portion of any federal tax refunds or credits received from the internal revenue service that was withheld for delinquent receiving and disbursing fees to the department of workforce development or its designee for deposit in the appropriation account under s. 20.445 (3) (ja).

SECTION 1845. 49.855 (4m) (b) of the statutes is amended to read:

49.855 **(4m)** (b) The department of revenue may provide a certification that it receives under sub. (1), (2m), or (2p) to the department of administration. Upon receipt of the certification, the department of administration shall determine whether the obligor is a vendor or is receiving any other payments from this state, except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s. 45.351 (1), this chapter, or ch. 46, 108, or 301. If the department of administration determines that the obligor is a vendor or is receiving payments from this state, except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s. 45.351 (1), this chapter, or ch. 46, 108, or 301, it shall begin to withhold the amount certified from those payments and shall notify the obligor that the state intends to reduce any payments due the obligor by the amount the obligor is delinquent under the support ~~or~~, maintenance, or receiving and disbursing fee order or obligation, by the outstanding amount for past support, medical expenses, or birth expenses under the court order, or by the amount due under s. 46.10 (4) or 301.12 (4). The notice shall provide that within 20 days after receipt of the notice the obligor may request a hearing before the circuit court rendering the order under which the obligation arose. An obligor may, within 20 days after receiving notice, request a hearing under this paragraph. Within 10 days after receiving a request for hearing under this paragraph, the court shall set the matter for hearing. The family court commissioner may conduct the hearing. Pending further order by the court or family court commissioner, the department of workforce development or its designee, whichever is appropriate, may not disburse the payments withheld from the obligor. The sole issues at the hearing are whether the obligor owes the amount certified and, if not and it is a support or maintenance order, whether the money withheld shall be paid to the obligor or held for future support or maintenance.

Vetoed In Part

SECTION 1846. 49.855 (4m) (c) of the statutes is amended to read:

49.855 **(4m)** (c) Except as provided by order of the court after hearing under par. (b), the department of administration shall continue withholding until the amount certified is recovered in full. The department of administration shall transfer the amounts withheld under this paragraph to the department of workforce development or its designee, the department of health and family services, or the department of corrections, whichever is appropriate. The department of workforce development or its designee shall ~~distribute~~ deposit amounts withheld for delinquent child or family support ~~or~~, maintenance, or receiving and disbursing fees or past support, medical expenses, or birth expenses ~~to the obligee~~ in the appropriation account under s. 20.445 (3) (kp).

SECTION 1877g. 50.01 (1) (b) of the statutes is amended to read:

Vetoed In Part

50.01 **(1)** (b) A place where 3 or 4 adults who are not related to the operator reside and receive care, treatment or services that are above the level of room and board and that may include up to 7 hours per week of nursing care per resident. "Adult family home" does not include a place that is specified in sub. (1g) (a) to (d), (f) or (g) or a respite facility, as defined in s. 50.85 (1) (d).

SECTION 1877h. 50.01 (1g) (h) of the statutes is created to read:

50.01 **(1g)** (h) A respite facility, as defined in s. 50.85 (1) (d).

SECTION 1877i. 50.01 (3) (f) of the statutes is created to read:

50.01 **(3)** (f) A respite facility, as defined in s. 50.85 (1) (d).

SECTION 1877p. 50.03 (13) (a) of the statutes is amended to read:

50.03 **(13)** (a) *New license.* Whenever ownership of a facility is transferred from the person or persons named in the license to any other person or persons, the transferee must obtain a new license. The license may be a probationary license. Penalties under sub. (1) shall apply to violations of this subsection. The transferee shall notify the department of the transfer, file an application under sub. (3) (b), and apply for a new license at least 30 days prior to final transfer. Retention of any interest required to be disclosed under sub. (3) (b) after transfer by any person who held such an interest prior to transfer may constitute grounds for denial of a license where violations of this subchapter for which notice had been given to the transferor are outstanding and uncorrected, if the department determines that effective control over operation of the facility has not been transferred. If the transferor was a provider under s. 49.43 (10), the transferee and transferor shall comply with s. 49.45 (21).

SECTION 1878. 50.033 (2s) (intro.) of the statutes is amended to read:

50.033 **(2s)** REQUIRED REFERRAL. (intro.) 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 developmental disability or a physical disability and whose disability or condition is expected to last at least 90 days, unless any of the following applies:

SECTION 1886. 50.034 (5n) (intro.) of the statutes is amended to read:

50.034 **(5n)** REQUIRED REFERRAL. (intro.) 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 developmental disability or a physical disability and whose disability or condition is expected to last at least 90 days, unless any of the following applies:

SECTION 1894. 50.035 (4n) (intro.) of the statutes is amended to read:

50.035 **(4n)** REQUIRED REFERRAL. (intro.) 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 developmental disability or a physical disability and whose disability or condition is expected to last at least 90 days, unless any of the following applies:

Vetoed In Part

SECTION 1894r. 50.065 (1) (c) (intro.) of the statutes is amended to read:

Vetoed In Part

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, a supportive home care service agency, a temporary employment agency that provides caregivers to another entity, a respite facility, and the board on aging and long−term care. "Entity" does not include any of the following:

SECTION 1897g. 50.50 (3) (a) 7. of the statutes is created to read:

50.50 **(3)** (a) 7. A respite facility.

SECTION 1900b. Subchapter IV (title) of chapter 50 [precedes 50.85] of the statutes is amended to read:

CHAPTER 50

SUBCHAPTER IV

RESPITE FACILITIES AND HOSPICES

SECTION 1900c. 50.85 of the statutes is created to read:

50.85 Respite facilities for persons with like or similar disabilities. (1) DEFINITIONS. In this section:

(a) "Disability" has the meaning given in rules promulgated under sub. (8) (e).

(b) "Like or similar disabilities" has the meaning given in rules promulgated under sub. (8) (f).

(c) "Respite care" means care provided to a person with a disability in order to provide temporary relief to the primary caregiver.

(d) "Respite facility" means a facility in which overnight respite care is provided to up to 10 persons with like or similar disabilities who are at least 2 years of age and in which day respite care may be provided to up to 10 additional persons with like or similar disabilities who are at least 2 years of age.

(2) DEPARTMENTAL POWERS AND DUTIES. The department shall provide uniform, statewide licensure, inspection, and regulation of respite facilities as specified in this section.

(3) LICENSURE REQUIREMENTS. (a) No person may conduct, maintain, operate, or otherwise participate in conducting, maintaining, or operating a respite facility unless the respite facility is licensed by the department.

(b) The department shall issue a license if the department finds that the applicant is fit and qualified and that the respite facility meets the requirements of this section and the rules promulgated under this section.

(c) The department or the department's designated representative shall inspect or investigate a respite facility prior to issuance of a license for the respite facility and may inspect or investigate a respite facility as the department deems necessary, including a review of patient health care records of any individuals served by the respite facility, to determine if any person is in violation of this section.

(d) The past record of violations of applicable federal laws or regulations or of state statutes or rules of this or any other state, in the operation of any health−related organization, by an operator, managing employee, or

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direct or indirect owner of a respite facility or of an interest of a respite facility is relevant to the issue of the fitness of an applicant for a license. The department or the department's designated representative shall inspect and investigate as necessary to determine the conditions existing in each case under this paragraph and shall prepare and maintain a written report concerning the investigation and inspection.

(4) USE OF NAME OR ADVERTISING PROHIBITED. No entity that is not a respite facility licensed under this section or an applicant for a license under this section may designate itself as a "respite facility" or use the word "respite facility" to represent or tend to represent the entity as a respite facility or services provided by the entity as services provided by a respite facility.

(5) LICENSING PROCEDURE. (a) The application for a license shall:

1. Be in writing on a form provided by the department.

2. Contain such information as the department requires.

3. Include licensing fee payment, as specified in sub. (6).

(b) 1. A respite facility license is valid until suspended or revoked.

2. Each license shall be issued only for the applicant named in the application and may not be transferred or assigned.

3. Any license granted under special limitations prescribed by the department shall state the limitations.

(6) LICENSURE FEE. The annual fee for a licensed respite facility is $18 per bed, based on the number of licensed beds of the respite facility.

(7) SUSPENSION AND REVOCATION. (a) The department, after notice to the applicant or licensee, may suspend or revoke a license in any case in which the department finds that there has been a substantial failure to comply with the requirements of this section or the rules promulgated under this section. No state or federal funds passing through the state treasury may be paid to a respite facility that does not have a valid license issued under this section.

(b) Notice under this subsection shall include a clear and concise statement of the violations on which the revocation is based, the statute or rule violated and notice of the opportunity for an evidentiary hearing under par. (c).

(c) If a respite facility desires to contest the revocation of a license, the respite facility shall, within 10 days after receipt of notice under par. (b), notify the department in writing of its request for a hearing under s. 227.44.

(d) 1. Subject to s. 227.51 (3), revocation shall become effective on the date set by the department in the notice of revocation, or upon final action after a hearing under ch. 227, or after court action if a stay is granted under ch. 227, whichever is later.

3. The department may extend the effective date of license revocation in any case in order to permit orderly removal and relocation of individuals served by the respite facility.

(8) RULE–MAKING AUTHORITY. The department shall promulgate all of the following rules:

(a) Standards for the care, treatment, health, safety, rights, and welfare of persons with like or similar disabilities who receive respite care care from a respite facility and the maintenance, general hygiene and operation of a respite facility, which will permit the use of advancing knowledge to promote safe and adequate care and treatment for these individuals. These standards shall permit persons with like or similar disabilities who receive day care from a respite facility to share dining facilities and day trips with persons with with like or similar disabilities who receive overnight care from a respite facility. The standards shall also allow provision of fire safety training by a local fire inspector or a fire department.

(b) Inspection or investigation procedures that the department or the department's designated representative may use to assure the provision of care and treatment that is commensurate with the standards established under par. (a).

(c) Criteria for determining that the applicant for licensure is fit and qualified.

(d) A procedure for waiver of and variance from standards under par. (a) or criteria under par. (c). The department may limit the duration of the waiver or variance.

(e) A definition of "disability" for the purposes of this section.

(f) A definition of "like or similar disabilities" for the purposes of this section.

(9) RIGHT OF INJUNCTION. The department may, upon the advice of the attorney general, who shall represent the department in all proceedings under this section, institute an action in the name of the state in the circuit court for Dane County for injunctive relief or other process against any licensee, owner, operator, administrator or representative of any owner of a respite facility for the violation of any of the provisions of this section or rules promulgated under this section if the violation affects the health, safety, or welfare of persons with like or similar disabilities.

(10) FORFEITURES. (a) Any person who violates this subchapter or rules promulgated under this subchapter may be required to forfeit not more than $100 for the first violation and may be required to forfeit not more than $200 for the 2nd or any subsequent violation within a year. The period shall be measured using the dates of

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issuance of citations of the violations. Each day of violation constitutes a separate violation.

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(b) In determining whether a forfeiture is to be imposed and in fixing the amount of the forfeiture to be imposed, if any, for a violation, the following factors shall be considered:

1. The gravity of the violation, including the probability that death or serious physical or psychological harm to a person receiving respite care from a respite facility will result or has resulted; the severity of the actual or potential harm; and the extent to which the provisions of the applicable statutes or rules were violated.

2. Good faith exercised by the licensee. Indications of good faith include, but are not limited to, awareness of the applicable statutes and regulation and reasonable diligence in complying with such requirements, prior accomplishments manifesting the licensee's desire to comply with the requirements, efforts to correct and any other mitigating factors in favor of the licensee.

3. Any previous violations committed by the licensee.

4. The financial benefit to the respite facility of committing or continuing the violation.

(c) 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 or for failure to correct the violation, the department shall send a notice of assessment to the respite 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. (d).

(d) A respite facility may contest an assessment of forfeiture, by sending, within 10 days after receipt of notice under par. (c), a written request for hearing under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1). The administrator of the division may designate a hearing examiner to preside over the case and recommend a decision to the administrator under s. 227.46. The decision of the administrator of the division shall be the final administrative decision. The division shall commence the hearing within 30 days after receipt of the request for hearing and shall issue a final decision within 15 days after the close of the hearing. Proceedings before the division are governed by ch. 227. In any petition for judicial review of a decision by the division, the party, other than the petitioner, who was in the proceeding before the division shall be the named respondent.

(e) 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. (d), 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 under the same terms and conditions as found in s. 50.03 (11). The department shall remit all forfeitures paid to the state treasurer for deposit in the school fund.

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(f) 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 1900d. 50.90 (intro.) of the statutes is amended to read:

50.90 Definitions. (intro.) In this ~~subchapter~~ section to s. 50.981:

SECTION 1900e. 50.91 of the statutes is amended to read:

50.91 Departmental powers and duties. The department shall provide uniform, statewide licensing, inspection and regulation of hospices as specified in ~~this subchapter~~ ss. 50.90 to 50.981.

SECTION 1900f. 50.92 (2) of the statutes is amended to read:

50.92 **(2)** The department shall issue a license if the department finds that the applicant is fit and qualified and that the hospice meets the requirements of ~~this subchapter~~ ss. 50.90 to 50.981 and the rules promulgated under ~~this subchapter~~ ss. 50.90 to 50.981.

SECTION 1900g. 50.92 (3) of the statutes is amended to read:

50.92 **(3)** The department or the department's designated representative shall inspect or investigate a hospice prior to issuance of a license for the hospice except as provided in sub. (4) and may inspect or investigate a hospice as the department deems necessary, including conducting home visits or a review of health care records of any individuals with terminal illness served by the hospice, to determine if any person is in violation of ~~this subchapter~~ ss. 50.90 to 50.981.

SECTION 1900h. 50.925 of the statutes is amended to read:

50.925 Use of name or advertising prohibited. No entity that is not a hospice licensed under ~~this subchapter~~ ss. 50.90 to 50.981 or an applicant for a license or a provisional license under ~~this subchapter~~ ss. 50.90 to 50.981 may designate itself as a "hospice" or use the word "hospice" to represent or tend to represent the entity as a hospice or services provided by the entity as services provided by a hospice.

SECTION 1900i. 50.93 (3) of the statutes is amended to read:

50.93 **(3)** PROVISIONAL LICENSE. If the applicant has not been previously licensed under ~~this subchapter~~ s. 50.92 or if the hospice is not in operation at the time that application is made, the department may issue a provisional license. Unless sooner suspended or revoked under sub. (4), a provisional license shall be valid for 24 months from the date of issuance. Within 30 days prior

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to the termination of a provisional license, the department shall fully and completely inspect the hospice and, if the hospice meets the applicable requirements for licensure, shall issue a regular license under sub. (2). If the department finds that the hospice does not meet the requirements for licensure, the department may not issue a regular license under sub. (2).

SECTION 1900j. 50.93 (4) (a) of the statutes is amended to read:

50.93 **(4)** (a) The department, after notice to the applicant or licensee, may suspend or revoke a license in any case in which the department finds that there has been a substantial failure to comply with the requirements of ~~this subchapter~~ ss. 50.90 to 50.981 or the rules promulgated under ~~this subchapter~~ ss. 50.90 to 50.981. No state or federal funds passing through the state treasury may be paid to a hospice not having a valid license issued under this section.

SECTION 1900k. 50.97 of the statutes is amended to read:

50.97 Right of injunction. The department may, upon the advice of the attorney general, who shall represent the department in all proceedings under this section, institute an action in the name of the state in the circuit court for Dane County for injunctive relief or other process against any licensee, owner, operator, administrator or representative of any owner of a hospice for the violation of any of the provisions of ~~this subchapter~~ ss. 50.90 to 50.981 or rules promulgated under ~~this subchapter~~ ss. 50.90 to 50.981 if the violation affects the health, safety or welfare of individuals with terminal illness.

SECTION 1900L. 50.98 (1) of the statutes is amended to read:

50.98 **(1)** Any person who violates ~~this subchapter~~ ss. 50.90 to 50.981 or rules promulgated under ~~this subchapter~~ ss. 50.90 to 50.981 may be required to forfeit not more than $100 for the first violation and may be required to forfeit not more than $200 for the 2nd or any later violation within a year. The period shall be measured using the dates of issuance of citations of the violations. Each day of violation constitutes a separate violation.

SECTION 1900m. 50.981 of the statutes is amended to read:

50.981 Fees permitted for a workshop or seminar. If the department develops and provides a workshop or seminar relating to the provision of services by hospices under ~~this subchapter~~ ss. 50.90 to 50.981, the department may establish a fee for each workshop or seminar and impose the fee on registrants for the workshop or seminar. A fee so established and imposed shall be in an amount sufficient to reimburse the department for the costs directly associated with developing and providing the workshop or seminar.

SECTION 1955b. 51.02 (1) (e) of the statutes is repealed.

SECTION 1961. 51.06 (1) (intro.) of the statutes is renumbered 51.06 (1) and amended to read:

51.06 **(1)** PURPOSE. The purpose of the northern center for developmentally disabled, central center for developmentally disabled and southern center for developmentally disabled is to provide services needed by developmentally disabled citizens of this state ~~which~~ that are otherwise unavailable to them, and to return ~~such~~ those persons to the community when their needs can be met at the local level. ~~Services to be provided by the department at such centers shall include:~~

SECTION 1962. 51.06 (1) (a) to (d) of the statutes are renumbered 51.06 (1m) (a) to (d), and 51.06 (1m) (d), as renumbered, is amended to read:

51.06 **(1m)** (d) Services for up to ~~36~~ 50 individuals with developmental disability who are also diagnosed as mentally ill or who exhibit extremely aggressive and challenging behaviors.

SECTION 1963. 51.06 (1m) (intro.) of the statutes is created to read:

51.06 **(1m)** SERVICES. (intro.) Services to be provided by the department at centers for the developmentally disabled shall include:

SECTION 1964. 51.06 (1r) of the statutes is created to read:

51.06 **(1r)** ALTERNATIVE SERVICES. (a) In addition to services provided under sub. (1m), the department may, when the department determines that community services need to be supplemented, authorize a center for the developmentally disabled to offer short−term residential services, dental and mental health services, therapy services, psychiatric and psychological services, general medical services, pharmacy services, and orthotics.

(b) Services under this subsection may be provided only under contract between the department and a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437, 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 subsection to the person who is to receive the services or to his or her family. The department may not impose a charge for services under this subsection upon the person receiving the services or upon his or her family. Any revenues received under this subsection shall be credited to the appropriation account under s. 20.435 (2) (g).

(c) 1. Services under this subsection are governed by 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, for the application of which the services shall be considered to be provided by a private entity, by

rules promulgated under those statutes, and by the terms of the contract between the department, except that, in the event of a conflict between the contractual terms and the statutes or rules, 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.

2. Sections 46.03 (18), 46.10, 51.15 (2), 51.20 (13) (c) 1., and 51.42 (3) (as) and zoning or other ordinances or regulations of the county, city, town, or village in which the services are provided or the facility is located do not apply to the services under this subsection.

3. The department may not be required, by court order or otherwise, to offer services under this subsection.

(d) A residential facility operated by a center for the developmentally disabled that is authorized by the department under this subsection may not be considered to be a hospital, as defined in s. 50.33 (2), an inpatient facility, a state treatment facility, or a treatment facility.

SECTION 1966cb. 51.13 (1) (a) of the statutes is amended to read:

51.13 **(1)** (a) Except as provided in par. (c) and s. 51.45 (2m), the application for voluntary admission of a minor who is ~~under~~ 14 years of age or older to an approved inpatient treatment facility for the primary purpose of treatment for alcoholism or drug abuse and the application for voluntary admission of a minor who is under 14 years of age to an approved inpatient treatment facility for the primary purpose of treatment for mental illness, developmental disability, alcoholism, or drug abuse shall be executed by a parent who has legal custody of the minor or the minor's guardian. Any statement or conduct by a minor ~~under the age of 14~~ who is the subject of an application for voluntary admission under this paragraph indicating that the minor does not agree to admission to the facility shall be noted on the face of the application and shall be noted in the petition required by sub. (4).

SECTION 1966cc. 51.13 (1) (b) of the statutes is amended to read:

51.13 **(1)** (b) The application for voluntary admission of a minor who is 14 years of age or ~~over~~ older to an approved inpatient treatment facility for the primary purpose of treatment for mental illness or developmental disability shall be executed by the minor and a parent who has legal custody of the minor or the minor's guardian, except as provided in par. (c) 1.

SECTION 1966cd. 51.13 (1) (c) of the statutes is renumbered 51.13 (1) (c) 1. and amended to read:

51.13 **(1)** (c) 1. If a minor 14 years of age or older wishes to be admitted to an approved inpatient treatment facility but a parent with legal custody or the guardian refuses to execute the application for admission or cannot be found, or if there is no parent with legal custody, the minor or a person acting on the minor's behalf may petition the court assigned to exercise jurisdiction under chs. 48 and 938 in the county of residence of the parent or guardian for approval of the admission. A copy of the petition and a notice of hearing shall be served upon the parent or guardian at his or her last−known address. If, after a hearing, the court determines that the ~~parent or guardian's~~ consent ~~is~~ of the parent or guardian is being unreasonably withheld ~~or~~, that the parent or guardian cannot be found, or that there is no parent with legal custody, and that the admission is proper under the standards prescribed in sub. (4) (d), ~~it~~ the court shall approve the minor's admission without the ~~parent or guardian's~~ consent of the parent or guardian.

3. The court may, at the minor's request, temporarily approve the admission pending hearing on the petition. If a hearing is held under ~~this subsection~~ subd. 1. or 2., no review or hearing under sub. (4) is required.

SECTION 1966ce. 51.13 (1) (c) 2. of the statutes is created to read:

51.13 **(1)** (c) 2. If a minor under 14 years of age wishes to be admitted to an approved inpatient treatment facility but a parent with legal custody or the guardian cannot be found, or if there is no parent with legal custody, the minor or a person acting on the minor's behalf may petition the court assigned to exercise jurisdiction under chs. 48 and 938 in the county of residence of the parent or guardian for approval of the admission. A copy of the petition and a notice of hearing shall be served upon the parent or guardian at his or her last−known address. If, after a hearing, the court determines that the parent or guardian cannot be found or that there is no parent with legal custody, and that the admission is proper under the standards prescribed in sub. (4) (d), the court shall approve the minor's admission without the consent of the parent or guardian.

SECTION 1966cf. 51.13 (1) (d) of the statutes is amended to read:

51.13 **(1)** (d) A minor against whom a petition or statement has been filed under s. 51.15, 51.20, or 51.45 (12) or (13) may be admitted under this section. The court may permit the minor to become a voluntary patient ~~pursuant to~~ under this section upon approval by the court of an application executed ~~pursuant to~~ under par. (a), (b), or (c)~~, and the judge~~. The court shall then dismiss the proceedings under s. 51.15, 51.20, or 51.45 (12) or (13). If a hearing is held under this subsection, no hearing under sub. (4) is required.

SECTION 1966cg. 51.13 (1) (e) of the statutes is amended to read:

51.13 **(1)** (e) A minor may be admitted immediately upon the approval of the application executed under par. (a) or (b) by the treatment director of the facility or his or her designee or, in the case of a center for the developmentally disabled, the director of the center or his or her designee, and the director of the appropriate county department under s. 51.42 or 51.437 if ~~such~~ the county

department is to be responsible for the cost of the minor's therapy and treatment. Approval shall be based upon an informed professional opinion that the minor is in need of psychiatric services or services for developmental disability, alcoholism, or drug abuse, that the treatment facility offers inpatient therapy or treatment ~~which~~ that is appropriate for the minor's needs, and that inpatient care in the facility is the least restrictive therapy or treatment consistent with the minor's needs. In the case of a minor who is being admitted for the primary purpose of treatment for alcoholism or drug abuse, approval shall also be based on the results of an alcohol or other drug abuse assessment that conforms to the criteria specified in s. 938.547 (4).

SECTION 1966ch. 51.13 (2) (a) of the statutes is amended to read:

51.13 **(2)** (a) A minor may be admitted to an inpatient treatment facility without complying with the requirements of this section if the admission does not involve the department or a county department under s. 51.42 or 51.437, or a contract between a treatment facility and the department or ~~between a treatment facility and~~ a county department. The application for voluntary admission of a minor who is 14 years of age or older to an inpatient treatment facility for the primary purpose of treatment for alcoholism or drug abuse and the application for voluntary admission of a minor who is under 14 years of age to an inpatient treatment facility for the primary purpose of treatment for mental illness, developmental disability, alcoholism, or drug abuse shall be executed by a parent who has legal custody of the minor or by the minor's guardian. The application for voluntary admission of a minor who is 14 years of age or ~~over~~ older to an inpatient treatment facility for the primary purpose of treatment for mental illness or developmental disability shall be executed by the minor and a parent who has legal custody of the minor or the minor's guardian.

SECTION 1966ci. 51.13 (2) (b) of the statutes is amended to read:

51.13 **(2)** (b) Notwithstanding par. (a), any minor who is 14 years of age or older and who is admitted to an inpatient treatment facility for the primary purpose of treatment of mental illness~~,~~ or developmental disability~~, alcoholism or drug abuse~~ has the right to be discharged within 48 hours ~~of~~ after his or her request, as provided in sub. (7) (b). At the time of admission, any minor who is 14 years of age or older and who is admitted to an inpatient treatment facility for the primary purpose of treatment for mental illness or developmental disability, and the minor's parent or guardian, shall be informed of this right orally and in writing by the director of the hospital or such person's designee. This paragraph does not apply to individuals who receive services in hospital emergency rooms.

SECTION 1966ck. 51.13 (2) (d) of the statutes is amended to read:

51.13 **(2)** (d) Writing materials for use in requesting a discharge shall be made available at all times to all minors who are 14 years of age or older and who are admitted under this subsection for the primary purpose of treatment for mental illness or developmental disability. The staff of the facility shall assist such minors in preparing or submitting requests for discharge.

SECTION 1966cm. 51.13 (3) (b) of the statutes is amended to read:

51.13 **(3)** (b) A minor 14 years of age or older who has been admitted to an inpatient treatment facility for the primary purpose of treatment for mental illness or developmental disability, a minor who is voluntarily admitted under sub. (1) (c) 1. or 2., and ~~his or her~~ the minor's parent or guardian shall also be informed by the director or his or her designee, both orally and in writing, in easily understandable language, of the minor's right to request discharge and to be discharged within 48 hours of the request if no petition or statement is filed for emergency detention, emergency commitment, involuntary commitment, or protective placement, and the minor's right to consent to or refuse treatment as provided in s. 51.61 (6).

SECTION 1966cn. 51.13 (3) (c) of the statutes is amended to read:

51.13 **(3)** (c) A minor 14 years of age or older who has been admitted to an inpatient facility for the primary purpose of treatment for alcoholism or drug abuse, a minor under 14 years of age who has been admitted to an inpatient treatment facility for the primary purpose of treatment for mental illness, developmental disability, alcoholism, or drug abuse, and ~~his or her~~ the minor's parent or guardian shall also be informed by the director or his or her designee, both orally and in writing, in easily understandable language, of the right of the parent or guardian to request the minor's discharge as provided in sub. (7) (b) and of the minor's right to a hearing to determine continued appropriateness of the admission as provided in sub. (7) (c).

SECTION 1966cp. 51.13 (4) (a) (intro.) of the statutes is amended to read:

51.13 **(4)** (a) (intro.) Within 3 days ~~of~~ after the admission of a minor under sub. (1), or within 3 days ~~of~~ after application for admission of the minor, whichever occurs first, the treatment director of the facility to which the minor is admitted or, in the case of a center for the developmentally disabled, the director of the center, shall file a verified petition for review of the admission in the court assigned to exercise jurisdiction under chs. 48 and 938 in the county in which the facility is located. A copy of the application for admission and of any relevant professional evaluations shall be attached to the petition. The petition shall contain all of the following:

SECTION 1966cr. 51.13 (4) (c) of the statutes is amended to read:

51.13 **(4)** (c) A copy of the petition shall be provided by the petitioner to the minor and his or her parents or guardian within 5 days ~~of~~ after admission.

SECTION 1966ct. 51.13 (4) (d) of the statutes is amended to read:

51.13 **(4)** (d) Within 5 days ~~of~~ after the filing of the petition, the court assigned to exercise jurisdiction under chs. 48 and 938 shall determine, based on the allegations of the petition and accompanying documents, ~~whether the admission is voluntary on the part of the minor if the minor is 14 years of age or older and~~ whether there is a prima facie showing that the minor is in need of psychiatric services, or services for developmental disability, alcoholism, or drug abuse, that the treatment facility offers inpatient therapy or treatment ~~which~~ that is appropriate to the minor's needs~~,~~ and that inpatient care in the treatment facility is the least restrictive therapy or treatment consistent with the needs of the minor, and, if the minor is 14 years of age or older and has been admitted to the treatment facility for the primary purpose of treatment for mental illness or developmental disability, whether the admission is voluntary on the part of the minor. If such a showing is made, the court shall permit voluntary admission. If the court is unable to make ~~such~~ those determinations based on the petition and accompanying documents, ~~it shall~~ the court may dismiss the petition as provided in par. (h); ~~or~~ order additional information to be produced as ~~it deems~~ necessary for the court to make ~~such review, and make such~~ those determinations within 14 days ~~of~~ after admission or application for admission, whichever is sooner; or ~~it may~~ hold a hearing within 14 days ~~of~~ after admission or application for admission, whichever is sooner. If a notation of the minor's unwillingness appears on the face of the petition, or if a hearing has been requested by the minor~~,~~ or by the minor's counsel, parent, or guardian, the court shall hold a hearing to review the admission within 14 days ~~of~~ after admission or application for admission, whichever is sooner, and shall appoint counsel to represent the minor if the minor is unrepresented. If the court ~~deems~~ considers it necessary, ~~it~~ the court shall also appoint a guardian ad litem to represent the minor.

SECTION 1966cv. 51.13 (4) (g) (intro.) of the statutes is amended to read:

51.13 **(4)** (g) (intro.) If the court finds that the minor is in need of psychiatric services or services for developmental disability, alcoholism, or drug abuse in an inpatient facility, ~~and~~ that the inpatient facility to which the minor is admitted offers therapy or treatment that is appropriate for the minor's needs and that is the least restrictive therapy or treatment consistent with the minor's needs, and, in the case of a minor aged 14 or older who is being admitted for the primary purpose of treatment for mental illness or developmental disability, that the application is voluntary on the part of the minor, the court shall permit voluntary admission. If the court finds that the therapy or treatment in the inpatient facility to which the minor is admitted is not appropriate or is not the least restrictive therapy or treatment consistent with the minor's needs, the court may order placement in or transfer to another more appropriate or less restrictive inpatient facility, except that the court may not permit or order placement in or transfer to the northern or southern centers for the developmentally disabled of a minor unless the department gives approval for the placement or transfer, and if the order of the court is approved by all of the following if applicable:

SECTION 1966cvv. 51.13 (4) (g) 1. of the statutes is amended to read:

51.13 **(4)** (g) 1. The minor if he or she is aged 14 or older and is being admitted for the primary purpose of treatment for mental illness or developmental disability.

SECTION 1966cw. 51.13 (6) (a) of the statutes is amended to read:

51.13 **(6)** (a) A minor may be admitted to an inpatient treatment facility without review of the application under sub. (4) for diagnosis and evaluation or for dental, medical, or psychiatric services for a period not to exceed 12 days. The application for short−term admission of a minor shall be executed by the minor's parent or guardian, and ~~by the minor if he or she~~, if the minor is 14 years of age or older and is being admitted for the primary purpose of diagnosis, evaluation, or services for mental illness or developmental disability, by the minor. A minor may not be readmitted to an inpatient treatment facility for psychiatric services under this paragraph within 120 days of a previous admission under this paragraph.

SECTION 1966cx. 51.13 (7) (a) of the statutes is amended to read:

51.13 **(7)** (a) If a minor is admitted to an inpatient treatment facility while under 14 years of age, and if upon reaching age 14 is in need of further inpatient care and treatment primarily for mental illness or developmental disability, the director of the facility shall request the minor and the minor's parent or guardian to execute an application for voluntary admission. Such an application may be executed within 30 days prior to a minor's 14th birthday. If the application is executed, a petition for review shall be filed in the manner prescribed in sub. (4), unless such a review has been held within the last 120 days. If the application is not executed by the time of the minor's 14th birthday, the minor shall be discharged unless a petition or statement is filed for emergency detention, emergency commitment, involuntary commitment, or protective placement by the end of the next day in which the court transacts business.

SECTION 1966cy. 51.13 (7) (b) of the statutes is amended to read:

51.13 **(7)** (b) Any minor 14 years of age or ~~over~~ older who is voluntarily admitted under this section for the pri-

mary purpose of treatment for mental illness or developmental disability, and any minor who is voluntarily admitted under sub. (1) (c) 1. or 2., may request discharge in writing. In the case of a minor 14 years of age or older who is voluntarily admitted under this section for the primary purpose of treatment for alcoholism or drug abuse or a minor under 14 years of age who is voluntarily admitted under this section for the primary purpose of treatment for mental illness, developmental disability, alcoholism, or drug abuse, the parent or guardian of the minor may make the request. Upon receipt of any form of written request for discharge from a minor, the director of the facility in which the minor is admitted shall immediately notify the minor's parent or guardian. The minor shall be discharged within 48 hours after submission of the request, exclusive of Saturdays, Sundays, and legal holidays, unless a petition or statement is filed for emergency detention, emergency commitment, involuntary commitment, or protective placement.

SECTION 1966cz. 51.13 (7) (c) of the statutes is amended to read:

51.13 **(7)** (c) Any minor 14 years of age or older who is voluntarily admitted under this section for the primary purpose of treatment for alcoholism or drug abuse, and who is not discharged under par. (b), and any minor under 14 years of age who is voluntarily admitted under this section for the primary purpose of treatment for mental illness, developmental disability, alcoholism, or drug abuse, and who is not discharged under par. (b), may submit a written request to the court for a hearing to determine the continued appropriateness of the admission. If the director or staff of the inpatient treatment facility to which a minor ~~under the age of 14~~ described in this paragraph is admitted observes conduct by the minor ~~which~~ that demonstrates an unwillingness to remain at the facility, including but not limited to a written expression of opinion or unauthorized absence, the director shall file a written request with the court to determine the continued appropriateness of the admission. A request ~~which~~ that is made personally by a minor under this paragraph shall be signed by the minor but need not be written or composed by ~~him or her~~ the minor. A request for a hearing under this paragraph ~~which~~ that is received by staff or the director of the facility in which the child is admitted shall be filed with the court by the director. The court shall order a hearing upon request if no hearing concerning the minor's admission has been held within 120 days ~~of~~ after receipt of the request. The court shall appoint counsel and, if the court ~~deems~~ considers it necessary, a guardian ad litem to represent the minor and if a hearing is held shall hold the hearing within 14 days ~~of~~ after the request, unless the parties agree to a longer period. After the hearing, the court shall make disposition of the matter in the manner provided in sub. (4).

SECTION 1966d. 51.15 (1) (a) (intro.) of the statutes is amended to read:

51.15 **(1)** (a) (intro.) A law enforcement officer or other person authorized to take a child into custody under ch. 48 or to take a juvenile into custody under ch. 938 may take an individual into custody if the officer or person has cause to believe that ~~such~~ the individual is mentally ill ~~or, except as provided in subd. 5.~~, is drug dependent, or is developmentally disabled, and that the individual evidences any of the following:

SECTION 1966e. 51.15 (1) (a) 5. of the statutes is repealed.

SECTION 1966f. 51.15 (1) (c) of the statutes is repealed.

SECTION 1966g. 51.15 (4) (a) of the statutes is amended to read:

51.15 **(4)** (a) In counties having a population of 500,000 or more, the law enforcement officer or other person authorized to take a child into custody under ch. 48 or to take a juvenile into custody under ch. 938 shall sign a statement of emergency detention which shall provide detailed specific information concerning the recent overt act, attempt, or threat to act or omission on which the belief under sub. (1) is based and the names of the persons observing or reporting the recent overt act, attempt, or threat to act or omission. The law enforcement officer or other person is not required to designate in the statement whether the subject individual is mentally ill, developmentally disabled, or drug dependent, but shall allege that he or she has cause to believe that the individual evidences one or more of these conditions ~~if sub. (1) (a) 1., 2., 3. or 4. is believed or mental illness, if sub. (1) (a) 5. is believed~~. The law enforcement officer or other person shall deliver, or cause to be delivered, the statement to the detention facility upon the delivery of the individual to it.

SECTION 1966h. 51.15 (5) of the statutes is amended to read:

51.15 **(5)** DETENTION PROCEDURE; OTHER COUNTIES. In counties having a population of less than 500,000, the law enforcement officer or other person authorized to take a child into custody under ch. 48 or to take a juvenile into custody under ch. 938 shall sign a statement of emergency detention ~~which~~ that shall provide detailed specific information concerning the recent overt act, attempt, or threat to act or omission on which the belief under sub. (1) is based and the names of persons observing or reporting the recent overt act, attempt, or threat to act or omission. The law enforcement officer or other person is not required to designate in the statement whether the subject individual is mentally ill, developmentally disabled, or drug dependent, but shall allege that he or she has cause to believe that the individual evidences one or more of these conditions ~~if sub. (1) (a) 1., 2., 3. or 4. is believed or mental illness, if sub. (1) (a) 5. is believed~~. The statement of emergency detention shall be filed by the officer or other person with the detention facility at the time of admission, and with the court immediately thereafter. The filing of the statement has the same effect as a peti-

tion for commitment under s. 51.20. When, upon the advice of the treatment staff, the director of a facility specified in sub. (2) determines that the grounds for detention no longer exist, he or she shall discharge the individual detained under this section. Unless a hearing is held under s. 51.20 (7) or 55.06 (11) (b), the subject individual may not be detained by the law enforcement officer or other person and the facility for more than a total of 72 hours, exclusive of Saturdays, Sundays, and legal holidays.

SECTION 1966i. 51.20 (1) (a) 2. e. of the statutes is amended to read:

51.20 **(1)** (a) 2. e. For an individual, other than an individual who is alleged to be drug dependent or developmentally disabled, after the advantages and disadvantages of and alternatives to accepting a particular medication or treatment have been explained to him or her and because of mental illness, evidences either incapability of expressing an understanding of the advantages and disadvantages of accepting medication or treatment and the alternatives, or substantial incapability of applying an understanding of the advantages, disadvantages, and alternatives to his or her mental illness in order to make an informed choice as to whether to accept or refuse medication or treatment; and evidences a substantial probability, as demonstrated by both the individual's treatment history and his or her recent acts or omissions, that the individual needs care or treatment to prevent further disability or deterioration and a substantial probability that he or she will, if left untreated, lack services necessary for his or her health or safety and suffer severe mental, emotional, or physical harm that will result in the loss of the individual's ability to function independently in the community or the loss of cognitive or volitional control over his or her thoughts or actions. The probability of suffering severe mental, emotional, or physical harm is not substantial under this subd. 2. e. if reasonable provision for the individual's care or treatment is available in the community and there is a reasonable probability that the individual will avail himself or herself of these services or if the individual is appropriate for protective placement under s. 55.06. Food, shelter, or other care that is provided to an individual who is substantially incapable of obtaining food, shelter, or other care for himself or herself by any person other than a treatment facility does not constitute reasonable provision for the individual's care or treatment in the community under this subd. 2. e. The individual's status as a minor does not automatically establish a substantial probability of suffering severe mental, emotional, or physical harm under this subd. 2. e. ~~This subd. 2. e. does not apply after November 30, 2001.~~

SECTION 1966j. 51.20 (1) (ad) 1. of the statutes is amended to read:

51.20 **(1)** (ad) 1. If a petition under par. (a) is based on par. (a) 2. e., the petition shall be reviewed and approved by the attorney general or by his or her designee prior to ~~or within 12 hours after~~ the time that it is filed. If the attorney general or his or her designee disapproves or fails to act with respect to the petition, the petition may not be filed. ~~If the attorney general or his or her designee disapproves or fails to act with respect to a petition under this subdivision within 12 hours after the time that it is filed, the individual, if detained under the petition, shall be released and the petition is void.~~

SECTION 1966k. 51.20 (1) (ad) 3. of the statutes is repealed.

SECTION 1966L. 51.20 (10) (cm) 1. of the statutes is renumbered 51.20 (10) (cm) and amended to read:

51.20 **(10)** (cm) Prior to or at the final hearing, for individuals for whom a petition is filed under sub. (1) (a) 2. e., the county department under s. 51.42 or 51.437 shall furnish to the court and the subject individual an initial recommended written treatment plan that contains the goals of treatment, the type of treatment to be provided, and the expected providers. The treatment plan shall address the individual's needs for inpatient care, residential services, community support services, medication and its monitoring, case management, and other services to enable the person to live in the community upon release from an inpatient facility. The treatment plan shall contain information concerning the availability of the needed services and community treatment providers' acceptance of the individual into their programs. The treatment plan is only a recommendation and is not subject to approval or disapproval by the court. Failure to furnish a treatment plan under this ~~subdivision~~ paragraph does not constitute grounds for dismissal of the petition unless the failure is made in bad faith.

SECTION 1966m. 51.20 (10) (cm) 2. of the statutes is repealed.

SECTION 1966n. 51.20 (13) (g) 2d. c. of the statutes is repealed.

SECTION 1966r. 51.22 (2) of the statutes is amended to read:

51.22 **(2)** ~~Voluntary~~ Except as provided in s. 51.13 (2), voluntary admissions under ss. 51.10, 51.13, and 51.45 (10) shall be through the county department under s. 51.42 or 51.437 serving the person's county of residence, or through the department if the person to be admitted is a nonresident of this state. Admissions through a county department under s. 51.42 or 51.437 shall be made in accordance with s. 51.42 (3) (as) 1. or 51.437 (4rm) (a). Admissions through the department shall be made in accordance with sub. (3).

SECTION 1966t. 51.30 (3) (b) of the statutes is amended to read:

51.30 **(3)** (b) An individual's attorney or guardian ad litem and the corporation counsel shall have access to the files and records of the court proceedings under this chapter without the individual's consent and without modification of the records in order to prepare for invol-

untary commitment or recommitment proceedings, reexaminations, appeals, or other actions relating to detention, admission, or commitment under this chapter or ch. 971 or 975.

SECTION 1966v. 51.30 (4) (b) 11. of the statutes is amended to read:

51.30 **(4)** (b) 11. To the subject individual's counsel or guardian ad litem and the corporation counsel, without modification, at any time in order to prepare for involuntary commitment or recommitment proceedings, reexaminations, appeals, or other actions relating to detention, admission, commitment, or patients' rights under this chapter or ch. 48, 971, or 975.

SECTION 1966x. 51.30 (4) (b) 14. of the statutes is repealed.

SECTION 1967f. 51.35 (3) (a) of the statutes is amended to read:

51.35 **(3)** (a) A licensed psychologist of a secured correctional facility ~~or~~, a secured child caring institution, or a secured group home, 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 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 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~~ or older who is in need of services for developmental disability or who is in need of psychiatric services, the minor and the minor's parent or guardian shall consent unless the minor is admitted under s. 51.13 (1) (c)~~; and in~~ 1. In the case of a minor age 14 or older who is in need of services for alcoholism or drug dependency or a minor under the age of 14 who is in need of services for developmental disability, alcoholism, or drug dependency or in need of psychiatric services, only the minor's parent or guardian need consent unless the minor is admitted under s. 51.13 (1) (c). 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 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 1967g. 51.35 (3) (b) of the statutes is amended to read:

51.35 **(3)** (b) The court assigned to exercise jurisdiction under chs. 48 and 938 shall determine, based on the allegations of the petition and accompanying documents, ~~whether the transfer is voluntary on the part of the minor if he or she is aged 14 or over, and~~ whether the transfer of the minor to an inpatient facility is appropriate and consistent with the needs of the minor~~. In the event that~~ and, if the minor is 14 years of age or older and is being transferred for the purpose of receiving services for developmental disability or psychiatric services, whether the transfer is voluntary on the part of the minor. If the court is unable to make ~~such~~ those determinations based on the petition and accompanying documents, ~~it shall~~ the court may order additional information to be produced as ~~it deems~~ necessary to make ~~such review, and make such~~ those determinations within 14 days ~~of~~ after admission, or ~~it~~ the court may hold a hearing within 14 days ~~of~~ after admission. If a notation of the minor's unwillingness appears on the face of the petition, or ~~that~~ if a hearing has been requested by the minor~~,~~ or by the minor's counsel, guardian ad litem, parent, or guardian, the court shall hold a hearing and appoint counsel or a guardian ad litem for the minor as provided in s. 51.13 (4) (d). At the conclusion of the hearing, the court shall approve or disapprove the request for transfer. If the minor is under the continuing jurisdiction of the court of another county, the court may order the case transferred together with all appropriate records to that court.

SECTION 1967h. 51.35 (3) (c) of the statutes is amended to read:

51.35 **(3)** (c) A licensed psychologist of a secured correctional facility ~~or~~, a secured child caring institution, or a secured group home, 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. 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 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, 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 1967i. 51.35 (3) (c) of the statutes, as affected by 1999 Wisconsin Act 9, section 1558d, and 2001 Wisconsin Act .... (this act), is repealed and recreated to read:

51.35 (3) (c) A licensed psychologist of a secured correctional facility, a secured child caring institution, or a secured group home, 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 1967j. 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) for the purpose of receiving services for developmental disability or psychiatric services may request in writing a return to the secured correctional facility, secured child caring institution, or secured group home. In the case of a minor 14 years of age or older who is transferred to a treatment facility under par. (a) for the purpose of receiving services for alcoholism or drug dependency or a minor under 14 years of age, who is transferred to a treatment facility under par. (a) for the purpose of receiving services for developmental disability, alcoholism, or drug dependency, or psychiatric services, the parent or guardian may make the request. Upon receipt of a request for return from a minor 14 years of age or ~~over~~ older, the director shall immediately notify the minor's parent or guardian. The minor shall be returned to the secured correctional facility, 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 1967n. 51.375 (2) of the statutes is renumbered 51.375 (2) (a).

SECTION 1967p. 51.375 (2) (b) of the statutes is created to read:

51.375 **(2)** (b) The department may administer a lie detector test to a sex offender as part of the sex offender's programming, care, or treatment. A patient may refuse to submit to a lie detector test under this paragraph. This refusal does not constitute a general refusal to participate in treatment. A person administering a lie detector test under this paragraph may not ask the subject of the test any question that can reasonably be anticipated to elicit information as to whether the subject committed an offense for which the subject has not been convicted, found not guilty by reason of mental disease or defect, or adjudicated delinquent. The results of a lie detector test under this paragraph may be used only in the care, treatment, or assessment of the subject or in programming for the subject. The results of a test may be disclosed only to persons employed at the facility at which the subject is placed who need to know the results for purposes related to care, treatment, or assessment of the patient, the committing court, the patient's attorney, or the attorney representing the state in a proceeding under ch. 980. **Vetoed In Part**

SECTION 1968d. 51.42 (3) (ar) 4m. of the statutes is amended to read: **Vetoed In Part**

51.42 **(3)** (ar) 4m. If state, federal, and county funding for alcohol and other drug abuse treatment services provided under subd. 4. are insufficient to meet the needs of all eligible individuals, ensure that first priority for services is given to pregnant women who suffer from alcoholism or alcohol abuse or are drug dependent and that second priority be given to individuals who are 20 years of age and were eligible for the medical assistance program under s. 49.46 (1) (a) 5m. but became ineligible for the program solely because they attained the age of 20.

SECTION 1968dh. 51.42 (3) (ar) 4p. of the statutes is created to read:

51.42 **(3)** (ar) 4p. If state, federal, and county funding for mental health services provided under subd. 4. are insufficient to meet the needs of all eligible individuals, ensure that first priority for services is given to individuals who are 20 years of age and were eligible for the medical assistance program under s. 49.46 (1) (a) 5m. but became ineligible for the program solely because they attained the age of 20.

SECTION 1970. 51.42 (3) (as) 1. of the statutes is amended to read:

51.42 **(3)** (as) 1. A county department of community programs shall authorize all care of any patient in a state, local or private facility under a contractual agreement between the county department of community programs and the facility, unless the county department of community programs governs the facility. The need for inpatient care shall be determined by the program director or designee in consultation with and upon the recommendation of a licensed physician trained in psychiatry and employed by the county department of community programs or its contract agency. In cases of emergency, a facility under contract with any county department of

community programs shall charge the county department of community programs having jurisdiction in the county where the patient is found. The county department of community programs shall reimburse the facility for the actual cost of all authorized care and services less applicable collections under s. 46.036, unless the department of health and family services determines that a charge is administratively infeasible, or unless the department of health and family services, after individual review, determines that the charge is not attributable to the cost of basic care and services. ~~A~~ Except as provided in subd. 1m., a county department of community programs may not reimburse any state institution or receive credit for collections for care received therein by nonresidents of this state, interstate compact clients, transfers under s. 51.35 (3), and transfers from Wisconsin state prisons under s. 51.37 (5) (a), commitments under s. 975.01, 1977 stats., or s. 975.02, 1977 stats., or s. 971.14, 971.17 or 975.06 or admissions under s. 975.17, 1977 stats., or children placed in the guardianship of the department of health and family services under s. 48.427 or 48.43 or under the supervision of the department of corrections under s. 938.183 or 938.355. The exclusionary provisions of s. 46.03 (18) do not apply to direct and indirect costs which are attributable to care and treatment of the client.

SECTION 1971. 51.42 (3) (as) 1m. of the statutes is created to read:

51.42 **(3)** (as) 1m. A county department of community programs shall reimburse a mental health institute at the institute's daily rate for custody of any person who is ordered by a court located in that county to be examined at the mental health institute under s. 971.14 (2) for all days that the person remains in custody at the mental health institute, beginning 48 hours, not including Saturdays, Sundays, and legal holidays, after the sheriff and county department receive notice under s. 971.14 (2) (d) that the examination has been completed.

SECTION 1971L. 51.421 (3) (e) of the statutes is created to read:

Vetoed In Part

51.421 **(3)** (e) Distribute, from the appropriation under s. 20.435 (7) (bL), $1,000,000 in each fiscal year for community support program services.

SECTION 1971p. 51.423 (1) of the statutes is amended to read:

51.423 **(1)** The department shall fund, within the limits of the department's allocation for mental health services under s. 20.435 (3) (o) and (7) (b)~~, (kw)~~ and (o) and subject to this section, services for mental illness, developmental disability, alcoholism, and drug abuse to meet standards of service quality and accessibility. The department's primary responsibility is to guarantee that county departments established under either s. 51.42 or 51.437 receive a reasonably uniform minimum level of funding and its secondary responsibility is to fund programs which meet exceptional community needs or provide specialized or innovative services. Moneys appropriated under s. 20.435 (7) (b) and earmarked by the department for mental health services under s. 20.435 (7) (o) shall be allocated by the department to county departments under s. 51.42 or 51.437 in the manner set forth in this section.

SECTION 1971r. 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 1972. 51.437 (4rm) (c) 2m. of the statutes is amended to read:

51.437 **(4rm)** (c) 2m. Bill the county department of developmental disabilities services for services provided under s. 51.06 ~~(1)~~ (1m) (d) to individuals who are eligible for medical assistance that are not provided by the federal government, using the procedure established under subd. 1.

SECTION 1973. 51.437 (14) (i) of the statutes is repealed.

SECTION 1974m. 51.437 (14p) of the statutes is repealed.

SECTION 1981b. 51.437 (14r) (a) 2. (intro.) of the statutes is amended to read:

51.437 **(14r)** (a) 2. (intro.) Perform the following responsibilities related to the state plan, for the delivery of services, that is required under 42 USC 6022, including the construction of facilities:

SECTION 1982r. 51.44 (3) (c) of the statutes is created to read:

51.44 **(3)** (c) No county may contribute less funding for early intervention services under this section than the

county contributed for early intervention services in 1999, except that, for a county that demonstrated extraordinary effort in 1999, the department may waive this requirement and establish with the county a lesser required contribution.

SECTION 1993f. 51.47 (title) of the statutes is amended to read:

51.47 (title) **Alcohol and other drug abuse treatment for minors without parental consent.**

SECTION 1993g. 51.47 (1) of the statutes is amended to read:

51.47 **(1)** Except as provided in subs. (2) and (3), any physician or health care facility licensed, approved, or certified by the state for the provision of health services may render preventive, diagnostic, assessment, evaluation, or treatment services for the abuse of alcohol or other drugs to a minor 12 years of age or over without obtaining the consent of or notifying the minor's parent or guardian and may render those services to a minor under 12 years of age without obtaining the consent of or notifying the minor's parent or guardian, but only if a parent with legal custody or guardian of the minor under 12 years of age cannot be found or there is no parent with legal custody of the minor under 12 years of age. An assessment under this subsection shall conform to the criteria specified in s. 938.547 (4). Unless consent of the minor's parent or guardian is required under sub. (2), the physician or health care facility shall obtain the minor's consent prior to billing a 3rd party for services under this section. If the minor does not consent, the minor shall be solely responsible for paying for the services, which the department shall bill to the minor under s. 46.03 (18) (b).

SECTION 1993h. 51.48 of the statutes is amended to read:

51.48 Alcohol and other drug testing ~~of minors~~, assessment, and treatment of minor without minor's consent. 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 or to have the minor assessed by an approved treatment facility for the minor's abuse of alcohol or other drugs according to the criteria specified in s. 938.547 (4). If, based on the assessment, the approved treatment facility determines that the minor is in need of treatment for the abuse of alcohol or other drugs, the approved treatment facility shall recommend a plan of treatment that is appropriate for the minor's needs and that provides for the least restrictive form of treatment consistent with the minor's needs. That treatment may consist of outpatient treatment, day treatment, or, if the minor is admitted in accordance with s. 51.13, inpatient treatment. The parent or guardian of the minor may consent to the treatment recommended under this section. Consent of the minor ~~is not required~~ for testing, assessment, or treatment under this section is not required.

SECTION 1993j. 51.61 (1) (c) of the statutes is renumbered 51.61 (1) (cm) 1. and amended to read:

51.61 **(1)** (cm) 1. ~~Have~~ Patients have an unrestricted right to send sealed mail and receive sealed mail to or from legal counsel, the courts, ~~governmental~~ government officials, private physicians, and licensed psychologists, and have reasonable access to letter writing materials including postage stamps. A patient shall also have a right to send sealed mail and receive sealed mail to or from other persons, subject to physical examination in the patient's presence if there is reason to believe that such communication contains contraband materials or objects ~~which~~ that threaten the security of patients, prisoners, or staff. Such reasons shall be written in the individual's treatment record. The officers and staff of a facility may not read any mail covered by this ~~paragraph~~ subdivision.

SECTION 1993L. 51.61 (1) (cm) (intro.) of the statutes is created to read:

51.61 **(1)** (cm) Have the rights specified under subd. 1. to send and receive sealed mail, subject to the limitations specified under subd. 2.

SECTION 1993n. 51.61 (1) (cm) 2. of the statutes is created to read:

51.61 **(1)** (cm) 2. The rights of a patient detained or committed under ch. 980 to send and receive sealed mail are subject to the following limitations:

a. If the mail appears to be from legal counsel, a court, a government official, or a private physician or licensed psychologist, an officer or staff member of the facility at which the patient is placed may delay delivery of the mail to the patient for a reasonable period of time to verify whether the person named as the sender actually sent the mail; may open the mail in the presence of the patient and inspect it for contraband; or may, if the officer or staff member cannot determine whether the mail contains contraband, return the mail to the sender along with notice of the facility mail policy.

Vetoed In Part

Vetoed In Part

b. If the mail appears to be from a person other than a person specified in subd. 2. a., the director of the facility or his or her designee may, in accordance with the standards and the procedure under sub. (2) for denying a right for cause, authorize a member of the facility treatment staff to read the mail, if the director or his or her designee has reason to believe that the mail could pose a threat to security at the facility or seriously interfere with the treatment, rights, or safety of others.

Vetoed In Part

SECTION 1993p. 51.61 (1) (g) 3m. of the statutes is amended to read:

51.61 **(1)** (g) 3m. Following a final commitment order for a subject individual who is determined to meet the commitment standard under s. 51.20 (1) (a) 2. e., the court shall issue an order permitting medication or treatment to be administered to the individual regardless of

his or her consent. ~~This subdivision does not apply after November 30, 2001.~~

SECTION 1993r. 51.61 (1) (i) 1. of the statutes is amended to read:

51.61 **(1)** (i) 1. Except as provided in subd. 2., have a right to be free from physical restraint and isolation except for emergency situations or when isolation or restraint is a part of a treatment program. Isolation or restraint may be used only when less restrictive measures are ineffective or not feasible and shall be used for the shortest time possible. When a patient is placed in isolation or restraint, his or her status shall be reviewed once every 30 minutes. Each facility shall have a written policy covering the use of restraint or isolation ~~which~~ that ensures that the dignity of the individual is protected, that the safety of the individual is ensured, and that there is regular, frequent monitoring by trained staff to care for bodily needs as may be required. Isolation or restraint may be used for emergency situations only when it is likely that the patient may physically harm himself or herself or others. The treatment director shall specifically designate physicians who are authorized to order isolation or restraint, and shall specifically designate licensed psychologists who are authorized to order isolation. ~~In the instance where~~ If the treatment director is not a physician, the medical director shall make the designation. In the case of a center for the developmentally disabled, use shall be authorized by the director of the center. The authorization for emergency use of isolation or restraint shall be in writing, except that isolation or restraint may be authorized in emergencies for not more than one hour, after which time an appropriate order in writing shall be obtained from the physician or licensed psychologist designated by the director, in the case of isolation, or the physician so designated in the case of restraint. Emergency isolation or restraint may not be continued for more than 24 hours without a new written order. Isolation may be used as part of a treatment program if it is part of a written treatment plan, and the rights specified in this subsection are provided to the patient. The use of isolation as a part of a treatment plan shall be explained to the patient and to his or her guardian, if any, by the person who ~~undertakes such~~ provides the treatment. ~~Such~~ A treatment plan that incorporates isolation shall be evaluated at least once every 2 weeks. Patients who have a recent history of physical aggression may be restrained during transport to or from the facility. Persons who are committed or transferred under s. 51.35 (3) or 51.37 or under ch. 971 or 975, or who are detained or committed under ch. 980, and who, while under this status, are transferred to a hospital, as defined in s. 50.33 (2), for medical care may be isolated for security reasons within locked facilities in the hospital. Patients who are committed or transferred under s. 51.35 (3) or 51.37 or under ch. 971 or 975, or who are detained or committed under ch. 980, may be restrained for security reasons during transport to or from the facility.

SECTION 1993t. 51.61 (1) (i) 2. of the statutes is amended to read:

51.61 **(1)** (i) 2. Patients in the maximum security facility at the Mendota Mental Health Institute may be locked in their rooms during the night shift and for a period of no longer than one hour and 30 minutes during each change of shift by staff to permit staff review of patient needs. Patients detained or committed under ch. 980 and placed in a facility specified under s. 980.065 may be locked in their rooms during the night shift, if they reside in a maximum or medium security unit in which each room is equipped with a toilet and sink, or if they reside in a unit in which each room is not equipped with a toilet and sink and the number of patients outside their rooms equals or exceeds the number of toilets in the unit, except that patients who do not have toilets in their rooms must be given an opportunity to use a toilet at least once every hour, or more frequently if medically indicated. Patients in the maximum security facility at the Mendota Mental Health Institute, or patients detained or committed under ch. 980 and placed in a facility specified under s. 980.065, may also be locked in their rooms on a unit−wide or facility−wide basis as an emergency measure as needed for security purposes to deal with an escape or attempted escape, the discovery of a dangerous weapon in the unit or facility or the receipt of reliable information that a dangerous weapon is in the unit or facility, or to prevent or control a riot or the taking of a hostage. A unit−wide or facility−wide emergency isolation order may only be authorized by the director of the unit or ~~maximum security~~ facility where the order is applicable or his or her designee ~~and shall~~. A unit−wide or facility−wide emergency isolation order affecting the Mendota Mental Health Institute must be approved within one hour after it is authorized by the director of the Mendota ~~mental health facility~~ Mental Health Institute or the director's designee. An emergency order for unit−wide or facility−wide isolation may only be in effect for the period of time needed to preserve order while dealing with the situation and may not be used as a substitute for adequate staffing. During a period of unit−wide or facility−wide isolation, the status of each patient shall be reviewed every 30 minutes to ensure the safety and comfort of the patient, and each patient who is locked in a room without a toilet shall be given an opportunity to use a toilet at least once every hour, or more frequently if medically indicated. Each unit in the maximum security facility at the Mendota Mental Health Institute and each unit in a facility specified under s. 980.065 shall have a written policy covering the use of isolation ~~which~~ that ensures that the dignity of the individual is protected, that the safety of the individual is secured, and that there is regular, frequent monitoring by trained staff to care for

bodily needs as may be required. ~~Each policy~~ The isolation policies shall be reviewed and approved by the director of the Mendota Mental Health Institute or the director's designee, or by the director of the facility specified under s. 980.065 or his or her designee, whichever is applicable.

SECTION 1993u. 51.61 (1) (o) of the statutes is amended to read:

51.61 **(1)** (o) Except as otherwise provided, have a right not to be filmed or taped, unless the patient signs an informed and voluntary consent ~~which~~ that specifically authorizes a named individual or group to film or tape the patient for a particular purpose or project during a specified time period. The patient may specify in such consent periods during which, or situations in which, the patient may not be filmed or taped. If a patient is legally incompetent, such consent shall be granted on behalf of the patient by the patient's guardian. A patient in Goodland Hall at the Mendota Mental Health Institute, or a patient detained or committed under ch. 980 and placed in a facility specified under s. 980.065, may be filmed or taped for security purposes without the patient's consent, except that such a patient may not be filmed in patient bedrooms or bathrooms for any purpose without the patient's consent.

SECTION 1993w. 51.61 (6) of the statutes is amended to read:

51.61 **(6)** Subject to the rights of patients provided under this chapter, the department, county departments under s. 51.42 or 51.437, and any agency providing services under an agreement with the department or those county departments have the right to use customary and usual treatment techniques and procedures in a reasonable and appropriate manner in the treatment of patients who are receiving services under the mental health system, for the purpose of ameliorating the conditions for which the patients were admitted to the system. The written, informed consent of any patient shall first be obtained, unless the person has been found not competent to refuse medication and treatment under s. 51.61 (1) (g) or the person is a minor 14 years or older who is receiving services for alcoholism or drug abuse or a minor under 14 years of age who is receiving services for mental illness, developmental disability, alcoholism, or drug abuse. In the case of a minor, the written, informed consent of the parent or guardian is required~~. Except~~, except as provided under an order issued under s. 51.13 (1) (c) or 51.14 (3) (h) or (4) (g)~~, if~~. If the minor is 14 years of age or older and is receiving services for mental illness or developmental disability, the written, informed consent of the minor and the minor's parent or guardian is required. A refusal of either a minor 14 years of age or older or the minor's parent or guardian to provide written, informed consent for admission to an approved inpatient treatment facility is reviewable under s. 51.13 (1) (c) 1. and a refusal of either a minor 14 years of age or older or the minor's parent or guardian to provide written, informed consent for outpatient mental health treatment is reviewable under s. 51.14.

SECTION 1993z. 59.01 of the statutes is amended to read: **Vetoed In Part**

59.01 Body corporate; status. Each county in this state is a body corporate, authorized to sue and be sued, to acquire and hold, lease or rent real and personal estate for public uses or purposes, including lands acquired under ch. 75, to sell, lease and convey the same, including the authority to enter into leases or contracts with the state for a period of years for the uses and purposes specified in ~~s.~~ ss. 23.09 (2) (d) and 28.02 (2), to make such contracts and to do such other acts as are necessary and proper to the exercise of the powers and privileges granted and the performance of the legal duties charged upon it.

SECTION 1994m. 59.08 (9) of the statutes is amended to read:

59.08 **(9)** The ballot shall have on the back or reverse side the endorsements provided by law for ballots for general elections and shall be marked~~, punched or labeled~~ by the elector and counted and canvassed as other ballots cast on questions in the county are counted and canvassed. The election shall be conducted by the same officers and in the same manner as are other elections in the county. The results of the election shall be certified to the judges of the circuit courts for the counties.

SECTION 1996. 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. 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~~ protection 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 s. 349.04 for the truck driver education assessment, 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.

Vetoed In Part

SECTION 1996f. 59.25 (3) (j) of the statutes is renumbered 59.25 (3) (j) 1. and amended to read:

59.25 **(3)** (j) 1. Retain 10% for fees in receiving and paying into the state treasury all money received by the treasurer for the state for fines and penalties, except ~~that 50% of the state forfeitures, fines and penalties under chs. 341 to 347, 349 and 351 shall be retained as fees~~ as provided in subd. 2., and retain the other fees for receiving and paying money into the state treasury that are prescribed by law.

SECTION 1996h. 59.25 (3) (j) 2. of the statutes is created to read:

59.25 **(3)** (j) 2. Retain 50% as fees for receiving and paying into the state treasury all money received by the treasurer for the state for state forfeitures, fines, and penalties under chs. 341 to 347, 349, and 351, unless, during that state fiscal year, the treasurer has already retained under this subdivision an amount equal to the amount that the treasurer retained under s. 59.25 (3) (j), 1999 stats., as fees from state forfeitures, fines, and penalties under chs. 341 to 347, 349, and 351 in the 2000−01 state fiscal year.

SECTION 1996j. 59.25 (3) (jm) of the statutes is created to read:

59.25 **(3)** (jm) Forward to the state treasurer all money received by the treasurer for the state for state forfeitures, fines, and penalties under chs. 341 to 347, 349, and 351 if, during that state fiscal year, the treasurer has already retained under par. (j) 2. an amount equal to the amount that the treasurer retained under s. 59.25 (3) (j), 1999 stats., as fees from state forfeitures, fines, and penalties under chs. 341 to 347, 349, and 351 in the 2000−01 state fiscal year. The state treasurer shall deposit 50% of the amounts received under this paragraph in the general fund and shall credit them to the appropriation account under s. 20.475 (1) (g).

Vetoed In Part

SECTION 1996m. 59.34 (1) (a) of the statutes is amended to read:

59.34 **(1)** (a) Participate in inquest proceedings when required by law, except that in any county with a population of 500,000 or more and all counties ~~which~~ that have instituted the medical examiner system this duty and the powers incident thereto shall be vested exclusively in the office of the medical examiner. Except as provided under s. 59.38 (5), the board shall appoint the medical examiner. The office may be occupied on a full−time or part−time basis, and the officeholder shall be paid compensation as the board by ordinance provides. The duties performed by the county coroner and not vested in the medical examiner shall be performed by the clerk. The medical examiner may appoint such assistants as the board authorizes. Whenever requested by the court, attorney general, or district attorney, the medical examiner shall testify to facts and conclusions disclosed by autopsies performed by him or her, at his or her direction or in his or her presence; shall make physical examinations and tests incident to any matter of a criminal nature up for consideration before either the court, attorney general, or district attorney upon request; shall testify as an expert for either the court or the state in all matters where the examinations or tests have been made; and shall perform such other duties of a pathological or medicolegal nature as may be required.

Vetoed In Part

SECTION 1997. 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. 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~~ protection 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 s. 349.04 for the truck driver education assessment, 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 1999m. 59.43 (2) (ag) 1. of the statutes is amended to read:

59.43 **(2)** (ag) 1. ~~After June 30, 1991, and subject~~ Subject to s. 59.72 (5), for recording any instrument entitled to be recorded in the office of the register of deeds, ~~$10~~ $11 for the first page and $2 for each additional page, except that no fee may be collected for recording a change of address that is exempt from a filing fee under s. 185.83 (1) (b).

Vetoed In Part

SECTION 1999n. 59.43 (2) (ag) 1. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

59.43 **(2)** (ag) 1. ~~Subject to s. 59.72 (5), for~~ For recording any instrument entitled to be recorded in the office of the register of deeds, $11 for the first page and $2 for each additional page, except that no fee may be collected for recording a change of address that is exempt from a filing fee under s. 185.83 (1) (b).

SECTION 2000. 59.43 (2) (b) of the statutes is amended to read:

59.43 **(2)** (b) For copies of any records or papers, $2 for the first page plus $1 for each additional page, plus ~~25 cents~~ $1 for the certificate of the register of deeds, except that the department of revenue is exempt from the fees under this paragraph.

SECTION 2001m. 59.43 (2) (e) of the statutes is amended to read:

59.43 **(2)** (e) ~~After June 30, 1991, and subject~~ Subject to s. 59.72 (5), for filing any instrument which is entitled to be filed in the office of register of deeds and for which no other specific fee is specified, ~~$10~~ $11 for the first page and $2 for each additional page.

Vetoed In Part

SECTION 2001n. 59.43 (2) (e) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

59.43 **(2)** (e) ~~Subject to s. 59.72 (5), for~~ For filing any instrument which is entitled to be filed in the office of register of deeds and for which no other specific fee is specified, $11 for the first page and $2 for each additional page.

Vetoed In Part

SECTION 2001nm. 59.52 (6) (a) of the statutes is amended to read:

59.52 **(6)** (a) *How acquired; purposes.* Take and hold land acquired under ch. 75 and acquire, lease or rent property, real and personal, for public uses or purposes of any nature, including without limitation acquisitions for county buildings, airports, parks, recreation, highways, dam sites in parks, parkways and playgrounds, flowages, sewage and waste disposal for county institutions, lime pits for operation under s. 59.70 (24), equipment for clearing and draining land and controlling weeds for operation under s. 59.70 (18), ambulances, acquisition and transfer of real property to the state for new collegiate institutions or research facilities, and for transfer to the state for state parks, for state forests and for the other uses and purposes specified in s. 23.09 (2) (d).

Vetoed In Part

SECTION 2001q. 59.52 (11) (c) of the statutes is amended to read:

59.52 **(11)** (c) *Employee insurance.* Provide for individual or group hospital, surgical and life insurance for county officers and employees and for payment of premiums for such officers and employees. ~~In addition, a~~ A county with at least 100 employees may elect to provide health care benefits on a self−insured basis to its officers and employees~~, and any 2 or more counties which together have at least 100 employees may jointly provide health care benefits on a self−insured basis to officers and employees of the counties~~. A county and one or more cities, villages, towns, or other counties, that together have at least 100 employees, may jointly provide health care benefits to their officers and employees on a self−insured basis. Counties which elect to provide health care benefits on a self−insured basis to their officers and employees shall be subject to the requirements set forth under s. 120.13 (2) (c) to (e) and (g).

Vetoed In Part

SECTION 2001r. 59.52 (29) (c) of the statutes is created to read:

59.52 **(29)** (c) If a county enacts an ordinance or adopts a resolution that authorizes preferences or set−asides to minority businesses in the awarding of a public work contract under par. (a), the ordinance or resolution shall require that the minority business be certified by the department of commerce under s. 560.036 (2).

SECTION 2002j. 59.54 (27) of the statutes is created to read:

59.54 **(27)** RELIGIOUS ORGANIZATIONS; CONTRACT POWERS. (a) *Definition.* In this subsection, "board" includes any department, as defined in s. 59.60 (2) (a).

(b) *General purpose and authority.* The purpose of this subsection is to allow the board to contract with, or award grants to, religious organizations, under any program administered by the county dealing with delinquency and crime prevention or the rehabilitation of offenders, on the same basis as any other nongovernmental provider, without impairing the religious character of such organizations and without diminishing the religious freedom of beneficiaries of assistance funded under such program.

(c) *Nondiscrimination against religious organizations.* If the board is authorized to contract with a nongovernmental entity, or is authorized to award grants to a nongovernmental entity, religious organizations are eli-

gible, on the same basis as any other private organization, to be contractors and grantees under any program administered by the board so long as the programs are implemented consistently with the first amendment to the U.S. Constitution and article I, section 18, of the Wisconsin constitution. Except as provided in par. (L), the board may not discriminate against an organization that is or applies to be a contractor or grantee on the basis that the organization does or does not have a religious character or because of the specific religious nature of the organization.

(d) *Religious character and freedom.* 1. The board shall allow a religious organization with which the board contracts or to which the board awards a grant to retain its independence from government, including the organization's control over the definition, development, practice, and expression of its religious beliefs.

2. The board may not require a religious organization to alter its form of internal governance or to remove religious art, icons, scripture, or other symbols to be eligible for a contract or grant.

(e) *Rights of beneficiaries of assistance.* 1. If the board contracts with, or awards grants to, a religious organization for the provision of crime prevention or offender rehabilitation assistance under a program administered by the board, an individual who is eligible for this assistance shall be informed in writing that assistance of equal value and accessibility is available from a nonreligious provider upon request.

2. The board shall provide an individual who is otherwise eligible for assistance from an organization described under subd. 1. with assistance of equal value from a nonreligious provider if the individual objects to the religious character of the organization described under subd. 1. and requests assistance from a nonreligious provider. The board shall provide such assistance within a reasonable period of time after the date of the objection and shall ensure that it is accessible to the individual.

(g) *Nondiscrimination against beneficiaries.* A religious organization may not discriminate against an individual in regard to rendering assistance that is funded under any program administered by the board on the basis of religion, a religious belief or nonbelief, or a refusal to actively participate in a religious practice.

(h) *Fiscal accountability.* 1. Except as provided in subd. 2., any religious organization that contracts with or receives a grant from the board is subject to the same laws and rules as other contractors and grantees regarding accounting, in accord with generally accepted auditing principles, for the use of the funds provided under such programs.

2. If the religious organization segregates funds provided under programs administered by the board into separate accounts, only the financial assistance provided with those funds shall be subject to audit.

(i) *Compliance.* Any party that seeks to enforce its rights under this subsection may bring a civil action for injunctive relief against the entity that allegedly commits the violation.

(j) *Limitations on use of funds for certain purposes.* No funds provided directly to religious organizations by the board may be expended for sectarian worship, instruction, or proselytization.

(k) *Certification of compliance.* Every religious organization that contracts with or receives a grant from the county board to provide delinquency and crime prevention or offender rehabilitation services to eligible recipients shall certify in writing that it has complied with the requirements of pars. (g) and (j) and submit to the board a copy of this certification and a written description of the policies the organization has adopted to ensure that it has complied with the requirements under pars. (g) and (j).

(L) *Preemption.* Nothing in this subsection may be construed to preempt any other statute that prohibits or restricts the expenditure of federal or state funds by or the granting of federal or state funds to religious organizations.

SECTION 2002m. 59.57 (1) (b) of the statutes is amended to read: **Vetoed In Part**

59.57 **(1)** (b) If a county with a population of 500,000 or more appropriates money under par. (a) to fund nonprofit agencies, the county shall have a goal of expending 20% of the money appropriated for this purpose to fund a nonprofit agency that is ~~actively managed by minority group members, as defined in s. 560.036 (1) (f),~~ a minority business certified by the department of commerce under s. 560.036 (2) and that principally serves minority group members.

SECTION 2002r. 59.60 (1) of the statutes is amended to read:

59.60 **(1)** APPLICATION. The provisions of this section shall apply to all counties with a population of 500,000 or more. ~~Any~~ Except as provided in sub. (13), any county with a county executive or county administrator may elect to be subject to the provisions of this section.

SECTION 2002s. 59.60 (5) (g) of the statutes is amended to read:

59.60 **(5)** (g) A complete summary of all the budget estimates and a statement of the property tax levy required if funds were appropriated on the basis of these estimates. In determining the property tax levy required, the director shall deduct from the total estimated expenditures the estimated amount of revenue from sources other than the property tax levy and shall deduct the amount of any surplus at the close of the preceding fiscal year not yet appropriated. The board, by two−thirds vote, may adopt a resolution before the adoption of the tax levy authorizing the use of the surplus fund in whole or in part as a sinking fund for the redemption or repurchase of bonds or to provide funds for emergency needs under

sub. (9), but for no other purposes, except as provided in sub. (13).

SECTION 2002t. 59.60 (13) of the statutes is created to read:

59.60 **(13)** TAX STABILIZATION FUND. (a) Notwithstanding sub. (1), only a county with a population of at least 500,000 may create a tax stabilization fund under this subsection.

(b) The board of a county described in par. (a) may enact an ordinance creating a tax stabilization fund in the county. If such fund is created under this paragraph, the following amounts, if positive, shall be deposited into the tax stabilization fund:

1. The amount determined by subtracting the estimated nonproperty tax revenues collected by the county in the prior year from the corresponding actual receipts for the prior year, as determined by the comptroller not later than April 15 of each year.

2. The amount determined by subtracting total adjusted operating budget appropriations for the prior year from total expenditures, commitments, and reserves for the prior year, as determined by the comptroller not later than April 15 of each year.

3. Any general surplus balance as of December 31 of the prior year, as determined by the comptroller not later than April 15 of each year.

4. Any amounts included in the county's property tax levy that are designated for deposit in the fund.

(c) Subject to par. (d), the board may withdraw amounts from the tax stabilization fund, by a three−quarters vote of the members−elect, or by a majority vote of the members−elect if the county's total levy rate, as defined in s. 59.605 (1) (g), is projected by the board to increase by more than 3% in the current fiscal year and the withdrawn funds would prevent an increase of more than 3%.

(d) The tax stabilization fund may not be used to offset any of the following:

1. Any deficit that occurs between the board's total estimated nonproperty tax revenue, and the total actual nonproperty tax revenue.

2. Any deficit that occurs between total appropriations and total expenditures.

(e) If the uncommitted balance in the tax stabilization fund exceeds 5% of the current year's budget that is under the board's control, as of June 1 of the current year, any amount that exceeds that 5% shall be used to reduce the county's next property tax levy.

SECTION 2002u. 59.69 (4e) of the statutes is renumbered 59.69 (4e) (intro.) and amended to read:

59.69 **(4e)** (intro.) MIGRANT LABOR CAMPS. The board may not enact an ordinance or adopt a resolution that interferes with any of the following:

(a) Any repair or expansion of migrant labor camps, as defined in s. 103.90 (3)~~, that are in existence on May 12, 1992, if the repair or expansion is required by an administrative rule that is promulgated by the department of workforce development under ss. 103.90 to 103.97~~. An ordinance or resolution of the county ~~that is in effect on May 12, 1992, and~~ that is in effect on the effective date of this paragraph .... [revisor inserts date], and that interferes with any construction, repair, or expansion of ~~existing~~ migrant labor camps ~~that is required by such an administrative rule~~ is void.

SECTION 2002w. 59.69 (4e) (b) of the statutes is created to read:

59.69 **(4e)** (b) The construction of new migrant labor camps, as defined in s. 103.90 (3), that are built on or after the effective date of this paragraph .... [revisor inserts date], on property that is adjacent to a food processing plant, as defined in s. 100.03 (1) (q), or on property owned by a producer of vegetables, as defined in s. 100.03 (1) (zs), if the camp is located on or contiguous to property on which vegetables are produced or adjacent to land on which the producer resides.

SECTION 2003c. 59.72 (3) (intro.) of the statutes is amended to read:

59.72 **(3)** LAND INFORMATION OFFICE. The board may establish a county land information office or may direct that the functions and duties of the office be performed by an existing department, board, commission, agency, institution, authority, or office. ~~The~~ If the board establishes a county land information office, the office shall:

SECTION 2003e. 59.72 (5) (a) of the statutes is amended to read:

59.72 **(5)** (a) Before the 16th day of each month a register of deeds shall submit to the land information board ~~$6~~ $7 from the fee for recording the first page of each instrument that is recorded under s. 59.43 (2) (ag) 1. and (e), less any amount retained by the county under par. (b).

SECTION 2003g. 59.72 (5) (b) (intro.) of the statutes is amended to read:

59.72 **(5)** (b) (intro.) A county may retain ~~$4~~ $5 of the ~~$6~~ $7 submitted under par. (a) from the fee for recording the first page of each instrument that is recorded under s. 59.43 (2) (ag) 1. and (e) if all of the following conditions are met:

SECTION 2003m. 59.72 (5) (b) 3. of the statutes is amended to read:

59.72 **(5)** (b) 3. The county uses ~~the fees~~ $4 of each $5 fee retained under this paragraph to develop, implement, and maintain the countywide plan for land records modernization, and $1 of each $5 fee retained under this paragraph to develop and maintain a computerized indexing of the county's land information records relating to housing, including the housing element of the county's land use plan under s. 66.1001 (2) (b), in a manner that would allow for greater public access via the Internet.

SECTION 2003mn. 59.74 (2) (g) of the statutes is amended to read: **Vetoed In Part**

Vetoed In Part

59.74 **(2)** (g) Every land surveyor and every officer of the department of natural resources, every officer of the department of forestry and the district attorney shall enforce this subsection.

SECTION 2003pc. 60.10 (1) (g) of the statutes is created to read:

60.10 **(1)** (g) *Hourly wage of certain employees.* Establish the hourly wage to be paid under s. 60.37 (4) to a town employee who is also an elected town officer, unless the authority has been delegated to the town board under sub. (2) (L).

SECTION 2003pd. 60.10 (2) (g) of the statutes is amended to read:

60.10 **(2)** (g) *Disposal of property.* Authorize the town board to dispose of town real property, ~~real or personal,~~ other than property donated to and required to be held by the town for a special purpose.

SECTION 2003pe. 60.10 (2) (L) of the statutes is created to read:

60.10 **(2)** (L) *Hourly wage of certain employees.* Authorize the town board to establish the hourly wage to be paid under s. 60.37 (4) to a town employee who is also an elected town officer, other than a town board supervisor.

SECTION 2003r. 60.23 (25) of the statutes is amended to read:

60.23 **(25)** SELF-INSURED HEALTH PLANS. Provide health care benefits to its officers and employees on a self-insured basis ~~if the self-insured plan complies with ss. 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) and (11) to (14) and 632.896~~, subject to s. 66.0137 (4).

SECTION 2003sc. 60.323 of the statutes is amended to read:

60.323 Compensation when acting in more than one official capacity. Except for offices combined under s. 60.305, no town may compensate a town officer for acting in more than one ~~official capacity or~~ office of the town at the same time.

SECTION 2003sd. 60.34 (1) (a) of the statutes is amended to read:

60.34 **(1)** (a) ~~Receive~~ Except as provided in s. 66.0608, receive and take charge of all money belonging to the town, or which is required by law to be paid into the town treasury, and disburse the money under s. 66.0607.

SECTION 2003se. 60.37 (1) of the statutes is amended to read:

60.37 **(1)** GENERAL. The town board may employ on a temporary or permanent basis persons necessary to carry out the functions of town government including, subject to sub. (4), any elected officer of the town. The board may establish the qualifications and terms of employment, which may include the residency of the employee. The board may delegate the authority to hire town employees to any town official or employee.

SECTION 2003sg. 60.37 (4) of the statutes is created to read:

60.37 **(4)** ELECTED OFFICERS SERVING AS EMPLOYEES. (a) An elected town officer who also serves as a town employee may be paid an hourly wage for serving as a town employee, not exceeding a total of $5,000 each year. Amounts that are paid under this paragraph may be paid in addition to any amount that an individual receives under s. 60.32 or as a volunteer fire fighter, emergency medical technician, or first responder under s. 66.0501 (4). The $5,000 maximum in this paragraph includes amounts paid to a town board supervisor who is acting as superintendent of highways under s. 81.01 (1).

(b) 1. Except as provided in subd. 2., the town meeting shall establish the hourly wage to be paid an elected town officer for serving as a town employee.

2. If authorized by the town meeting under s. 60.10 (2) (L), the town board may establish the hourly wage to be paid an elected town officer, other than a town board supervisor, for serving as a town employee.

Vetoed In Part

SECTION 2003t. 60.47 (7) of the statutes is created to read:

60.47 **(7)** MINORITY CONTRACTING. If a town board enacts an ordinance or adopts a resolution that authorizes preferences or set-asides to minority businesses in the awarding of a public work contract under subs. (2) and (3), the ordinance or resolution shall require that the minority business be certified by the department of commerce under s. 560.036 (2).

SECTION 2003tm. 60.77 (6) (a) of the statutes is amended to read:

60.77 **(6)** (a) Let contracts for any work or purchase that involves an expenditure of ~~$5,000~~ $15,000 or more to the lowest responsible bidder in the manner prescribed by the commission. Section 66.0901 applies to contracts let under this paragraph.

SECTION 2003u. 61.26 (2) of the statutes is amended to read:

61.26 **(2)** ~~Receive~~ Except as provided in s. 66.0608, receive all moneys belonging or accruing to the village or directed by law to be paid to the treasurer.

SECTION 2003ve. 61.26 (3) of the statutes is amended to read:

61.26 **(3)** ~~Deposit~~ Except as provided in s. 66.0608, deposit upon receipt the funds of the village in the name of the village in the public depository designated by the board. Failure to comply with this subsection shall be prima facie grounds for removal from office. When the money is deposited, the treasurer and bonders are not liable for the losses defined by s. 34.01 (2), and the interest shall be paid into the village treasury.

Vetoed In Part

SECTION 2003vp. 61.55 of the statutes is renumbered 61.55 (1) and amended to read:

61.55 **(1)** All contracts for public construction, in any ~~such~~ village, exceeding $15,000, shall be let by the village board to the lowest responsible bidder in

Vetoed In Part

accordance with s. 66.0901 insofar as ~~said~~ that section ~~may be~~ is applicable. If the estimated cost of any public construction exceeds $5,000, but is not greater than $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.

(2) 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 2003vq. 61.55 (3) of the statutes is created to read:

61.55 **(3)** If a village board enacts an ordinance or adopts a resolution that authorizes preferences or set−asides to minority businesses in the awarding of a public work contract under sub. (1), the ordinance or resolution shall require that the minority business be certified by the department of commerce under s. 560.036 (2).

SECTION 2003we. 62.09 (9) (a) of the statutes is amended to read:

62.09 **(9)** (a) ~~The~~ Except as provided in s. 66.0608, the treasurer shall collect all city, school, county, and state taxes, receive all moneys belonging to the city or which by law are directed to be paid to the treasurer, and pay over the money in the treasurer's hands according to law.

SECTION 2003wg. 62.09 (9) (e) of the statutes is amended to read:

62.09 **(9)** (e) ~~The~~ Except as provided in s. 66.0608, the treasurer shall deposit immediately upon receipt thereof the funds of the city in the name of the city in the public depository designated by the council. Such deposit may be in either a demand deposit or in a time deposit, maturing in not more than one year. Failure to comply with the provisions hereof shall be prima facie grounds for removal from office. When the money is so deposited, the treasurer and the treasurer's bonders shall not be liable for such losses as are defined by s. 34.01 (2). The interest arising therefrom shall be paid into the city treasury.

Vetoed In Part

SECTION 2003wm. 62.15 (1) of the statutes is renumbered 62.15 (1) (a) and amended to read:

62.15 **(1)** CONTRACTS; HOW LET; EXCEPTION FOR DONATED MATERIALS AND LABOR. (a) All public construction, the estimated cost of which exceeds $15,000, shall be let by contract to the lowest responsible bidder~~; all~~. 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 $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.

Vetoed In Part

(b) 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 2003wq. 62.15 (1) (c) of the statutes is created to read:

62.15 **(1)** (c) If a council enacts an ordinance or adopts a resolution that authorizes preferences or set−asides to minority businesses in the awarding of a public work contract under par. (a), the ordinance or resolution shall require that the minority business be certified by the department of commerce under s. 560.036 (2).

SECTION 2004. 62.50 (23m) of the statutes is repealed.

SECTION 2004g. 64.12 (4) of the statutes is amended to read:

64.12 **(4)** At the end of each fiscal year the council shall cause a full and complete examination of all the books and accounts of the city to be made by competent certified public accountants licensed or certified under ch. 442 who shall report in full to the council. The summaries of such audits shall be presented and furnished to all newspapers and libraries of the city and to such other persons as shall apply therefor.

SECTION 2004j. 64.34 (2) of the statutes is amended to read:

64.34 **(2)** At the end of each year the council shall cause a full and complete examination of all of the books and accounts of the city to be made by competent certified public accountants licensed or certified under ch. 442, who shall report in full thereon to the council. Copies of such reports shall be furnished by the council to all newspapers of the city and to all persons who shall apply therefor.

SECTION 2005. 66.0113 (1) (b) 7. c. of the statutes is amended to read:

66.0113 **(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. 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~~ protection 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 2006. 66.0113 (1) (b) 7. d. of the statutes is amended to read:

66.0113 **(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. 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~~ protection assessment imposed by s. 100.261, and any applicable domestic abuse assessment imposed by s. 973.055 (1).

SECTION 2007. 66.0113 (1) (c) of the statutes is amended to read:

66.0113 **(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. 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~~ protection 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 2008. 66.0113 (3) (a) of the statutes is amended to read:

66.0113 **(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, but the cash deposit may be retained for application against any forfeiture, restitution, penalty assessment, jail assessment, crime laboratories and drug law enforcement assessment, consumer ~~information~~ protection assessment, or domestic abuse assessment that may be imposed.

SECTION 2009. 66.0113 (3) (b) of the statutes is amended to read:

66.0113 **(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. 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~~ protection 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 2010. 66.0113 (3) (c) of the statutes is amended to read:

66.0113 **(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. 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~~ protection assessment imposed by s. 100.261, and any applicable domestic abuse assessment imposed by s. 973.055 (1) not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly or reject the plea. If the court finds the violation meets the conditions in s. 800.093 (1), the court may summon the alleged violator into court to determine if restitution shall be ordered under s. 800.093. If the court accepts the plea of no contest, the defendant may move within 10 days after the date set for the appearance to withdraw the plea of no contest, open the judgment, and enter a plea of not guilty if the defendant shows to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise, or excusable neglect. If the plea of no contest is accepted and not subsequently changed to a plea of not guilty, no costs or fees may be taxed against the violator, but a penalty assessment, a jail assessment, a crime laboratories and drug law enforcement assessment and, if applicable, a consumer ~~information~~ protection 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~~ protection 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. 66.0114 (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~~ protection assessment, and any applicable domestic abuse assessment.

SECTION 2011. 66.0113 (3) (d) of the statutes is amended to read:

66.0113 **(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~~ protection 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. 66.0114 (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~~ protection 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~~ protection 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 2012. 66.0114 (1) (b) of the statutes is amended to read:

66.0114 **(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, may designate the manner in which the stipulation is to be made and may 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, pays the required penalty and pays the penalty assessment imposed by s. 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~~ protection 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).

SECTION 2013. 66.0114 (1) (bm) of the statutes is amended to read:

66.0114 **(1)** (bm) 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 the official. If timely remittance is not made, 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 date on which it was due. In the case of the penalty assessment imposed by s. 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), the truck driver education assessment imposed by s. 349.04, any applicable consumer ~~information~~ protection 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 amount 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. 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 qualifies.

SECTION 2014. 66.0114 (3) (b) of the statutes is amended to read:

66.0114 **(3)** (b) All forfeitures and penalties recovered for the violation of an ordinance or bylaw of a 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 provided in par. (c)~~,~~ and sub. (1) (bm) ~~and s. 757.05~~. The judge shall report and pay into the treasury, quarterly, or at more frequent intervals if required, all moneys collected belonging to the city, village, town, town sanitary district, or public inland lake protection and rehabilitation district. The report shall be certified and filed in the office of the treasurer. The judge is entitled to duplicate receipts, 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 2014m. 66.0137 (1) of the statutes is amended to read:

66.0137 **(1)** DEFINITION. In this section, "local governmental unit" means a city, village, town, county, school district (as enumerated in s. 67.01 (5)), sewerage district, drainage district and, without limitation because of enumeration, any other political subdivision of the state ~~should be s. 345.05 (1) (c)~~.

SECTION 2014n. 66.0137 (4m) of the statutes is created to read:

66.0137 **(4m)** JOINT SELF−INSURED PLANS. (a) In this subsection, "political subdivision" means a city, village, town, or county.

(b) A political subdivision and one or more other political subdivisions, that together have at least 100 employees, may jointly provide health care benefits to their officers and employees on a self insured basis.

(c) Any plan under par. (b) shall comply with the provisions listed in sub. (4).

SECTION 2015. 66.0203 (8) (b) of the statutes is amended to read:

66.0203 **(8)** (b) On the basis of the hearing the circuit court shall find if the standards under s. 66.0205 are met. If the court finds that the standards are not met, the court shall dismiss the petition. If the court finds that the standards are met the court shall refer the petition to the department ~~and~~. Upon payment of any fee imposed under s. 16.53 (14), the department shall determine whether the standards under s. 66.0207 are met.

SECTION 2016. 66.0203 (9) (a) of the statutes is amended to read:

66.0203 **(9)** (a) Upon receipt of the petition from the circuit court and payment of any fee imposed under s. 16.53 (14), the department shall make any necessary investigation to apply the standards under s. 66.0207.

SECTION 2017. 66.0203 (9) (b) of the statutes is amended to read:

66.0203 **(9)** (b) Within 20 days after the receipt by the department of the petition from the circuit court and payment of any fee imposed under s. 16.53 (14), whichever is later, any party in interest may request a hearing. Upon receipt of the request, the department shall schedule a hearing at a place in or convenient to the territory sought to be incorporated.

SECTION 2018. 66.0203 (9) (d) of the statutes is amended to read:

66.0203 **(9)** (d) Unless the court sets a different time limit, the department shall prepare its findings and determination, citing the supporting evidence, within 90 days after receipt of the referral from the court and payment of any fee imposed under s. 16.53 (14), whichever is later. The findings and determination shall be forwarded by the department to the circuit court. Copies of the findings and determination shall be sent by certified or registered mail to the designated representative of the petitioners, and to all town and municipal clerks entitled to receive mailed notice of the petition under sub. (4).

SECTION 2019. 66.0217 (6) (a) of the statutes is amended to read:

66.0217 **(6)** (a) *Annexations within populous counties.* No annexation proceeding within a county having a population of 50,000 or more is valid unless the person publishing a notice of annexation under sub. (4) mails a copy of the notice to the clerk of each municipality affected and the department, together with any fee imposed under s. 16.53 (14), within 5 days of the publication. The department ~~may~~ shall within 20 days after receipt of the notice mail to the clerk of the town within which the territory lies and to the clerk of the proposed annexing village or city a notice that states whether in its opinion the annexation is in the public interest or is against the public interest and that advises the clerks of the reasons the annexation is in or against the public interest as defined in par. (c). The annexing municipality shall review the advice before final action is taken.

SECTION 2019g. 66.0217 (9) (b) of the statutes is amended to read: **Vetoed In Part**

66.0217 **(9)** (b) Within 10 days of receipt of the ordinance, certificate and plat, the secretary of state shall forward 2 copies of the ordinance, certificate and plat to the department of transportation, one copy to the department of administration, one copy to the department of revenue, one copy to the department of public instruction, one copy to the department, one copy to the department of natural resources, one copy to the department of forestry, one copy to the department of agriculture, trade and consumer protection and 2 copies to the clerk of the municipality from which the territory was annexed.

SECTION 2019m. 66.0221 of the statutes is renumbered 66.0221 (1) and amended to read:

66.0221 **(1)** Upon its own motion, a city or village, by a two−thirds vote of the entire membership of its governing body, may enact an ordinance annexing territory which comprises a portion of a town or towns and which was completely surrounded by territory of the city or village on December 2, 1973. The ordinance shall include all surrounded town areas except those that are exempt by mutual agreement of all of the governing bodies involved. The annexation ordinance shall contain a legal description of the territory and the name of the town or towns from which the territory is detached. Upon enactment of the ordinance, the city or village clerk immediately shall file 6 certified copies of the ordinance in the office of the secretary of state, together with 6 copies of a scale map. The secretary of state shall forward 2 copies of the ordinance and scale map to the department of transportation, one copy to the department of natural resources, one copy to the department of revenue and one copy to the department of administration. This ~~section~~

subsection does not apply if the town island was created only by the annexation of a railroad right−of−way or drainage ditch. This ~~section~~ subsection does not apply to land owned by a town government which has existing town government buildings located on the land. No town island may be annexed under this ~~section~~ subsection if the island consists of over 65 acres or contains over 100 residents. Section 66.0217 (11) applies to annexations under this ~~section. After~~ subsection. Except as provided in sub. (2), after December 2, 1973, no city or village may, by annexation, create a town area which is completely surrounded by the city or village.

Vetoed In Part

SECTION 2019mn. 66.0221 (1) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

66.0221 **(1)** Upon its own motion, a city or village by a two−thirds vote of the entire membership of its governing body may enact an ordinance annexing territory which comprises a portion of a town or towns and which was completely surrounded by territory of the city or village on December 2, 1973. The ordinance shall include all surrounded town areas except those that are exempt by mutual agreement of all of the governing bodies involved. The annexation ordinance shall contain a legal description of the territory and the name of the town or towns from which the territory is detached. Upon enactment of the ordinance, the city or village clerk immediately shall file 6 certified copies of the ordinance in the office of the secretary of state, together with 6 copies of a scale map. The secretary of state shall forward 2 copies of the ordinance and scale map to the department of transportation, one copy to the department of natural resources, one copy to the department of forestry, one copy to the department of revenue and one copy to the department of administration. This subsection does not apply if the town island was created only by the annexation of a railroad right−of−way or drainage ditch. This subsection does not apply to land owned by a town government which has existing town government buildings located on the land. No town island may be annexed under this subsection if the island consists of over 65 acres or contains over 100 residents. Section 66.0217 (11) applies to annexations under this subsection. Except as provided in sub. (2), after December 2, 1973, no city or village may, by annexation, create a town area which is completely surrounded by the city or village.

SECTION 2019n. 66.0221 (2) of the statutes is created to read:

Vetoed In Part

66.0221 **(2)** A city or village may, by annexation, create a town area that is completely surrounded by the city or village if one of the following applies:

Vetoed In Part

(a) An intergovernmental cooperation agreement under s. 66.0301, to which the town and the annexing city or village are parties, applies to the territory that is annexed.

Vetoed In Part

(b) A cooperative plan for boundary change under s. 66.0307, to which the town and the annexing city or village are parties, applies to the territory that is annexed.

Vetoed In Part

SECTION 2020m. 66.0223 of the statutes is amended to read:

66.0223 Annexation of territory owned by a city or village. In addition to other methods provided by law and subject to ss. 59.692 (7) and 66.0307 (7), territory owned by and lying near but not necessarily contiguous to a village or city may be annexed to a village or city by ordinance enacted by the board of trustees of the village or the common council of the city, provided that in the case of noncontiguous territory the use of the territory by the city or village is not contrary to any town or county zoning regulation. The ordinance shall contain the exact description of the territory annexed and the names of the towns from which detached, and attaches the territory to the village or city upon the filing of 7 certified copies of the ordinance in the office of the secretary of state, together with 7 copies of a plat showing the boundaries of the territory attached. Two copies of the ordinance and plat shall be forwarded by the secretary of state to the department of transportation, one copy to the department of administration, one copy to the department of natural resources, one copy to the department of forestry, one copy to the department of revenue and one copy to the department of public instruction. Within 10 days of filing the certified copies, a copy of the ordinance and plat shall be mailed or delivered to the clerk of the county in which the annexed territory is located. Section 66.0217 (11) applies to annexations under this section.

SECTION 2021g. 66.0235 (5) of the statutes is amended to read:

66.0235 **(5)** APPORTIONMENT BOARD. The boards or councils of the local governmental units, or committees selected for that purpose, acting together, constitute an apportionment board. When a local governmental unit is dissolved because all of its territory is transferred the board or council of the local governmental unit existing at the time of dissolution shall, for the purpose of this section, continue to exist as the governing body of the local governmental unit until there has been an apportionment of assets by agreement of the interested local governmental units or by an order of the circuit court. After an agreement for apportionment of assets has been entered into between the interested local governmental units, or an order of the circuit court becomes final, a copy of the apportionment agreement, or of the order, certified to by the clerks of the interested local governmental units, shall be filed with the department of revenue, the department of natural resources, the department of forestry, the department of transportation, the state superintendent of public instruction, the department of administration, and with any other department or agency of the state from which the town may be entitled by law to receive funds or

Vetoed In Part

certifications or orders relating to the distribution or disbursement of funds, with the county treasurer, with the treasurer of any local governmental unit, or with any other entity from which payment would have become due if the dissolved local governmental unit had continued in existence. Subject to ss. 79.006 and 86.303 (4), payments from the shared revenue account made pursuant to ch. 79, payments of forest crop taxes under s. 77.05, of transportation aids under s. 20.395, of state aids for school purposes under ch. 121, payments for managed forest land under subch. VI of ch. 77 and all payments due from a department or agency of the state, from a county, from a local governmental unit, or from any other entity from which payments would have become due if the dissolved local governmental unit had continued in existence, shall be paid to the interested local governmental unit as provided by the agreement for apportionment of assets or by any order of apportionment by the circuit court and the payments have the same force and effect as if made to the dissolved local governmental unit.

SECTION 2021n. 66.0301 (1) (a) of the statutes is amended to read:

66.0301 **(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, local professional football stadium district created under subch. IV of ch. 229, a local cultural arts district created under subch. V 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, or city–county health department.

Vetoed In Part

SECTION 2021p. 66.0307 (4) (a) 1. of the statutes is amended to read:

66.0307 **(4)** (a) 1. The department, the department of natural resources, the department of forestry, the department of agriculture, trade and consumer protection and the department of transportation.

SECTION 2022s. 66.0316 of the statutes is created to read:

66.0316 Renew Wisconsin performance review. (1) DEFINITIONS. In this section:

(a) "Analysis" means a performance analysis of the cost and benefit of a political subdivision providing a governmental service compared to a private person providing the same service.

(b) "Chief executive officer" has the meaning given in s. 66.1106 (1) (a).

(c) "Department" means the department of revenue.

(d) "Extension" has the meaning given in s. 36.05 (7).

(e) "Governmental service" means a service related to any of the following:

1. Law enforcement.
2. Fire protection.
3. Emergency services.
4. Public health.
5. Solid waste collection and disposal.
6. Recycling.
7. Public transportation.
8. Public housing.
9. Animal control.
10. Libraries.
11. Recreation and culture.
12. Human services.
13. Youth services.

(f) "Political subdivision" means any city, village, town, or county with a population greater than 2,500.

(2) PILOT PROGRAM. The department shall establish a pilot program to study governmental services delivered by and to political subdivisions. The department shall solicit political subdivisions to participate in the program. Based on the department's solicitation, the department shall select 5 political subdivisions to form councils as provided under sub. (3) and shall include in that selection at least one county and at least one city, village, or town.

(3) CREATION OF COUNCIL. (a) No later than January 1, 2002, each political subdivision selected under sub. (2) shall create a council consisting of 5 members, as follows:

1. The chief executive officer of the political subdivision, or his or her designee.

2. A member who is an employee of the political subdivision.

3. A member with cost accounting experience who is a resident of the political subdivision and who is not a political subdivision officer or employee.

4. Two members, not including the member under subd. 3., who are residents of the political subdivision and who are not political subdivision officers or employees.

(b) The political subdivision's chief executive officer shall appoint the council members under par. (a) 2. to 4. The chief executive officer shall appoint 2 members to initial terms of 2 years and the remaining 2 members to initial terms of 4 years. The chief executive officer shall appoint the respective successors of the members under par. (a) 2. to 4. to terms of 4 years. All members under par. (a) 2. to 4. shall serve until their successors are appointed and qualified.

(c) The council shall organize annually at its first meeting to elect a chairperson. Four members of the council shall constitute a quorum.

(4) DUTIES OF COUNCIL. The council shall conduct an analysis of governmental services provided by the political subdivision with which the council is affiliated. In conducting such an analysis, the council shall do all of the following:

(a) Establish specific benchmarks for performance, including goals related to intergovernmental cooperation to provide governmental services.

(b) Conduct research and establish new methods to promote efficiency in the delivery of governmental services.

(c) Identify and recommend collaborative agreements to be developed with other political subdivisions to deliver governmental services.

(5) DATA COLLECTION AND ANALYSIS. (a) A council may conduct an analysis of a governmental service provided by the political subdivision with which the council is affiliated on its own or after receiving any of the following:

1. A written suggestion regarding delegating a governmental service to a private person.

2. A written complaint that a governmental service provided by the political subdivision is competing with the same or a similar service provided by a private person.

3. A written suggestion by a political subdivision employee or political subdivision employee labor organization to review a governmental service delegated to a private person.

(b) After receiving a suggestion or complaint under par. (a), the council shall meet to decide whether an analysis of the governmental service indicated in the suggestion or complaint is necessary. The council may hold hearings, conduct inquiries, and gather data to make its decision. If the council decides to analyze a governmental service under this paragraph, the council shall do all of the following:

1. Determine the costs of providing the governmental service, including the cost of personnel and capital assets used in providing the service.

2. Determine how often and to what extent the governmental service is provided and the quality of the governmental service provided.

3. Make a cost−benefit determination based on the findings under subds. 1. and 2.

4. Determine whether a private person can provide the governmental service at a cost savings to the political subdivision providing the service and at a quality at least equal to the quality of the service provided by the political subdivision.

5. If the council decides that a governmental service is not suitable for delegating to a private person, determine whether the governmental service should be retained in its present form, modified, or eliminated.

(c) After completing an analysis under par. (b), the council shall make a recommendation to the political subdivision providing the governmental service analyzed under par. (b) and publish the council's recommendation. The recommendation shall specify the recommendation's impact on the political subdivision and the political subdivision's employees.

(6) TRAINING AND ASSISTANCE. The board of regents of the University of Wisconsin System shall direct the extension to assist councils created under this section in performing their duties under subs. (4) and (5). The board of regents shall ensure that council members are trained in how to do all of the following:

(a) Conduct an analysis of a governmental service.

(b) Determine ways to improve the efficiency of delivering a governmental service.

(c) Establish, quantify, and monitor performance standards.

(d) Prepare the reports required under sub. (7) (a) and (b).

(7) REPORTS. (a) On or before June 30, 2002, each council shall submit a report to the department describing the council's activities.

(b) On or before June 30, 2003, each council shall submit a final report to the department describing the council's activities and recommendations and the extent to which its recommendations have been adopted by the political subdivision with which the council is affiliated. A report submitted under this paragraph shall provide a detailed explanation of all analyses conducted under subs. (4) and (5).

(c) On or before July 31, 2003, the department shall submit a report concerning the activities and recommendations described in the reports submitted under pars. (a) and (b) to the legislature under s. 13.172 (2) and to the governor. The department's report shall describe ways to implement such recommendations statewide.

SECTION 2022t. 66.0317 of the statutes is created to read:

66.0317 Cooperation region. (1) DEFINITIONS. In this section:

(a) "Cooperation region" means a federal standard metropolitan statistical area. For purposes of this section, if only a part of a county is located in a federal standard metropolitan statistical area the entire county is considered to be located in the federal standard metropolitan statistical area.

(b) "Governmental service" has the meaning given in s. 66.0316 (1) (e).

(c) "Metropolitan service delivery" means any governmental service provided to a city that is provided by the city or by another city or by a town, village, or county and provided on a multijurisdictional basis.

(d) "Municipality" means any city, village, or town.

(2) AREA COOPERATION COMPACTS. (a) 1. Except as provided in subd. 3., beginning in 2003 and ending in 2005, a municipality shall enter into an area cooperation compact with at least 2 municipalities or counties located

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in the same cooperation region as the municipality, or with any combination of at least 2 such entities, to perform at least 2 governmental services.

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2. Except as provided in subd. 3., beginning in 2006 and in each subsequent year, a municipality shall enter into an area cooperation compact with at least 4 municipalities or counties located in the same cooperation region as the municipality, or with any combination of at least 4 such entities, to perform at least 5 governmental services.

3. A municipality that is not adjacent to at least 2 other municipalities located in the same cooperation region as the municipality may enter into a cooperation compact with any adjacent municipality or with the county in which the municipality is located to perform the number of governmental services as specified under subd. 1. or 2.

(b) An area cooperation compact shall provide a plan for any municipalities or counties that enter into the compact to collaborate to provide governmental services. The compact shall provide benchmarks to measure the plan's progress and provide outcome−based performance measures to evaluate the plan's success. Municipalities and counties that enter into the compact shall structure the compact in a way that results in significant tax savings to taxpayers within those municipalities and counties.

(c) 1. Annually, beginning in 2002, a municipality shall certify to the department of revenue by May 1, in a manner prescribed by the department that the municipality complied with pars. (a) and (b).

2. Annually, beginning in 2002, a municipality shall submit to the department of revenue on or before June 30, in a manner prescribed by the department, a report that indicates whether the municipality has entered into any agreements with any other municipality or any county located in the same cooperation region as the municipality related to the following:

a. Establishment of performance standards for delivery of governmental services by municipalities or counties within a federal standard metropolitan statistical area or county.

b. Collaborative service delivery.

c. Reduction or elimination of overlapping service delivery.

d. Municipal revenue sharing under s. 66.0305.

e. Smart growth planning under s. 16.965.

f. Metropolitan service delivery.

g. Financial incentives for shared regional planning services.

h. Boundary issues.

i. Other intergovernmental issues.

(d) The department of revenue may grant a municipality additional time to submit any report under par. (c), if the municipality shows good cause for granting the additional time.

(e) Annually, beginning in 2004, the legislative audit bureau shall prepare a report on the performance of area cooperation compacts and shall submit copies of the 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.

Vetoed In Part

SECTION 2022tb. 66.0407 (5) of the statutes is amended to read:

66.0407 **(5)** This section does not apply to Canada thistle or annual noxious weeds that are located on land that the department of natural resources or the department of forestry owns, occupies, or controls and that is maintained in whole or in part as habitat for wild birds by ~~the~~ either department ~~of natural resources~~.

SECTION 2022td. 66.0501 (4) of the statutes is amended to read:

66.0501 **(4)** COMPATIBLE OFFICES AND POSITIONS. A volunteer fire fighter, emergency medical technician, or first responder in a city, village, or town whose annual compensation from one or more of those positions, including fringe benefits, does not exceed ~~$2,500~~ the amount specified in s. 946.13 (2) (a) may also hold an ~~elected~~ elective office in that city, village, or town. It is compatible with his or her office for an elected town officer to receive wages under s. 60.37 (4) for work that he or she performs for the town.

SECTION 2022tf. 66.0607 (1) of the statutes is amended to read:

66.0607 **(1)** Except as otherwise provided in subs. (2) to (5) and in s. 66.0608, in a county, city, village, town, or school district, all disbursements from the treasury shall be made by the treasurer upon the written order of the county, city, village, town, or school clerk after proper vouchers have been filed in the office of the clerk. If the statutes provide for payment by the treasurer without an order of the clerk, the clerk shall draw and deliver to the treasurer an order for the payment before or at the time that the payment is required to be made by the treasurer. This section applies to all special and general provisions of the statutes relative to the disbursement of money from the county, city, village, town, or school district treasury except s. 67.10 (2).

SECTION 2022th. 66.0608 of the statutes is created to read:

66.0608 Separate accounts for municipal fire, emergency medical technician, and first responder volunteer funds. (1) DEFINITIONS. In this section:

(a) "Emergency medical technician" has the meaning given in s. 146.50 (1) (e).

(b) "Emergency medical technician volunteer funds" means funds of a municipality that are raised by employees of the municipality's emergency medical technician department, by volunteers, or by donation to the emergency medical technician department, for the benefit of

the municipality's emergency medical technician department.

(c) "Fire volunteer funds" means funds of a municipality that are raised by employees of the municipality's fire department, by volunteers, or by donation to the fire department, for the benefit of the municipality's fire department.

(d) "First responder" has the meaning given in s. 146.53 (1) (d).

(e) "First responder volunteer funds" means funds of a municipality that are raised by employees of the municipality's first responder department, by volunteers, or by donation to the first responder department, for the benefit of the municipality's first responder department.

(f) "Municipality" means any city, village, or town.

(g) "Public depository" has the meaning given in s. 34.01 (5).

(h) "Volunteer funds" means emergency medical technician volunteer funds, fire volunteer funds, or first responder volunteer funds.

(2) GENERAL AUTHORITY. Subject to subs. (3) and (4), the governing body of a municipality may enact an ordinance that does all of the following:

(a) Authorizes a particular official or employee of the municipality's fire department, emergency medical technician department, or first responder department to deposit volunteer funds of the department for which the individual serves as an official or employee, in an account in the name of the fire department, emergency medical technician department, or first responder department, in a public depository.

(b) Gives the municipality's fire department, emergency medical technician department, or first responder department, through the official or employee described under par. (a), exclusive control over the expenditure of volunteer funds of the department for which the individual serves as an official or employee in an account described under par. (a).

(3) LIMITATIONS, REQUIREMENTS. An ordinance enacted under sub. (2) may include any of the following limitations or requirements:

(a) A limit on the type and amount of funds that may be deposited into the account described under sub. (2) (a).

(b) A limit on the amount of withdrawals from the account described under sub. (2) (a) that may be made, and a limit on the purposes for which such withdrawals may be made.

(c) Reporting and audit requirements that relate to the account described under sub. (2) (a).

(4) OWNERSHIP OF FUNDS. Notwithstanding an ordinance enacted under sub. (2), volunteer funds shall remain the property of the municipality until the funds are disbursed.

SECTION 2022tj. 66.0609 (3) of the statutes is amended to read:

66.0609 **(3)** The ordinance under sub. (1) shall require that the governing body of the city or village obtain an annual detailed audit of its financial transactions and accounts by a certified public accountant licensed or certified under ch. 442 and designated by the governing body.

SECTION 2022tL. 66.0627 (title) of the statutes is amended to read: **Vetoed In Part**

66.0627 (title) **Special charges for ~~current~~ services.**

SECTION 2022w. 66.0627 (2) of the statutes is amended to read:

66.0627 **(2)** Except as provided in sub. (5), the governing body of a city, village or town may impose a special charge against real property for ~~current~~ services that are available, regardless of whether the services are actually rendered, by allocating all or part of the cost of the service to the property that is served or that is eligible to be served. The authority under this section is in addition to any other method provided by law.

SECTION 2022x. 66.0627 (3) (a) of the statutes is amended to read:

66.0627 **(3)** (a) Except as provided in par. (b), before a special charge may be imposed a public hearing shall be held on the imposition of the proposed special charge by the governing body of the city, village or town ~~may determine the manner of providing notice of a special charge~~. Notice of the hearing shall be by class 1 notice under ch. 985, and the notice shall specify where a copy of the proposed ordinance relating to the special charge may be obtained.

SECTION 2023. 66.0707 (2) of the statutes is amended to read:

66.0707 **(2)** A city, village or town may impose a special charge under s. 66.0627 against real property in an adjacent city, village or town that is served by ~~current~~ services that are available, regardless of whether the services are actually rendered by the municipality imposing the special charge if the municipality in which the property is located approves the imposition by resolution, except that such a resolution may not be approved before the governing body of the municipality in which the property is located holds a public hearing on the imposition. Notice of the public hearing shall be by class 1 notice under ch. 985, and the notice shall specify where a copy of the proposed resolution and ordinance relating to the special charge may be obtained. The owner of the property is entitled to the use and enjoyment of the service for which the special charge is imposed on the same conditions as the owner of property within the city, village or town.

SECTION 2026k. 66.0901 (6) of the statutes is amended to read: **Vetoed In Part**

66.0901 **(6)** SEPARATION OF CONTRACTS; CLASSIFICATION OF CONTRACTORS. In public contracts for

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the construction, repair, remodeling, or improvement of a public building or structure, other than highway structures and facilities, a municipality may bid projects based on a single or multiple division of the work. Public contracts shall be awarded according to the division of work selected for bidding. The municipality may set out in any public contract reasonable and lawful conditions as to the hours of labor, wages, residence, character, and classification of workers to be employed by any contractor, classify contractors as to their financial responsibility, competency, and ability to perform work, and set up a classified list of contractors. The municipality may reject the bid of any person, if the person has not been classified for the kind or amount of work in the bid. If one of the conditions a municipality imposes under a contract that is let under this section authorizes preferences or set-asides to minority businesses in the awarding of a contract under this section, the condition shall require that the minority business be certified by the department of commerce under s. 560.036 (2).

Vetoed In Part

SECTION 2026m. 66.0901 (9) (b) of the statutes is amended to read:

66.0901 **(9)** (b) *Retained percentages.* As the work progresses under a contract involving $1,000 or more for the construction, execution, repair, remodeling or improvement of a public work or building or for the furnishing of supplies or materials, regardless of whether proposals for the contract are required to be advertised by law, the municipality, from time to time, shall grant to the contractor an estimate of the amount and proportionate value of the work done, which entitles the contractor to receive the amount of the estimate, less the retainage, from the proper fund. The retainage shall be an amount equal to ~~10%~~ 5% of the estimate until 50% of the work has been completed. At 50% completion, further partial payments shall be made in full to the contractor and no additional amounts may be retained unless the architect or engineer certifies that the job is not proceeding satisfactorily, but amounts previously retained shall not be paid to the contractor. At 50% completion or any time after 50% completion when the progress of the work is not satisfactory, additional amounts may be retained but the total retainage may not be more than ~~10%~~ 5% of the value of the work completed. Upon substantial completion of the work, an amount retained may be paid to the contractor. When the work has been substantially completed except for work which cannot be completed because of weather conditions, lack of materials or other reasons which in the judgment of the municipality are valid reasons for noncompletion, the municipality may make additional payments, retaining at all times an amount sufficient to cover the estimated cost of the work still to be completed or may pay out the entire amount retained and receive from the contractor guarantees in the form of a bond or other collateral sufficient to ensure completion of the job. For the purposes of this section, estimates may include any fabricated or manufactured materials and components specified, previously paid for by the contractor and delivered to the work or properly stored and suitable for incorporation in the work embraced in the contract.

Vetoed In Part

Vetoed In Part

SECTION 2026nz. 66.0903 (3) (ap) of the statutes is created to read:

66.0903 **(3)** (ap) In defining under par. (am) the trades or occupations that are commonly employed on projects that are subject to this section, the department:

1. May not define swimming pool installer as a separate trade or occupation for purposes of determining the prevailing wage rates for the trades or occupations that are commonly employed in the construction of swimming pools.

2. Shall define metal building assembler as a separate trade or occupation for purposes of determining the prevailing wage rates for that trade or occupation and shall include among the typical duties of that trade or occupation reroofing and repairing existing prefabricated, packaged metal buildings and constructing prefabricated, packaged metal additions to existing prefabricated, packaged metal buildings.

SECTION 2026p. 66.0903 (3) (av) of the statutes is amended to read:

66.0903 **(3)** (av) In determining prevailing wage rates under par. (am) or (ar), the department may not use data from projects that are subject to this section, s. 103.49 or 103.50, or 40 USC 276a unless the department determines that there is insufficient wage data in the area to determine those prevailing wage rates, in which case the department may use data from projects that are subject to this section, s. 103.49 or 103.50, or 40 USC 276a. The department may also use data from a project that is subject to this section, s. 103.49 or 103.50, or 40 USC 276a in determining prevailing wage rates under par. (am) or (ar) if the department determines that the wage rate paid on that project is higher than the prevailing wage rate determined for that project.

SECTION 2026r. 66.0903 (10) (a) of the statutes is amended to read:

66.0903 **(10)** (a) Each contractor, subcontractor, or contractor's or subcontractor's agent 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 performing the work described in sub. (4) and an accurate record of the number of hours worked by each of those persons and the actual wages paid for the hours worked. If requested by any person, a contractor, subcontractor, or contractor's or subcontractor's agent 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 if the record were maintained by the department, except that s. 19.36 (3) does not limit the duty of a subcontractor or a

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contractor's or subcontractor's agent to permit inspection and copying of a record under this paragraph. Before permitting the inspection and copying of a record under this paragraph, a contractor, subcontractor, or contractor's or subcontractor's agent shall delete from the record any personally identifiable information, as defined in s. 19.62 (5), contained in the record about any person performing the work described in sub. (4).

SECTION 2029ss. 66.1105 (5) (bh) of the statutes is created to read:

66.1105 **(5)** (bh) Notwithstanding the time limits in subs. (4) (e) and (4m) (b) 2., if the village clerk of a village that created, or attempted to create, a tax incremental district before June 2000 and amended or tried to amend the district's boundaries in September 2000 files with the department of revenue, not later than November 30, 2000, the forms and application that were originally due on or before December 31, 2000, the tax incremental base of the district shall be calculated by the department of revenue as if the time limits described in subs. (4) (e) and (4m) (b) 2. had been strictly complied with 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 time limits described in subs. (4) (e) and (4m) (b) 2. had been strictly complied with and as if the district were created on January 1, 2000, except that the department of revenue may not certify a value increment under par. (b) before 2002.

SECTION 2049h. 66.1113 (2) (a) of the statutes is amended to read:

66.1113 **(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 2049i. 66.1113 (2) (e) of the statutes is created to read:

66.1113 **(2)** (e) 1. The legislature finds the following with respect to the city of Eagle River:

a. That it has an atypical percentage of tax−exempt land within its boundaries that is used for tourism−related purposes.

b. That 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 2056g. 67.05 (6m) (a) of the statutes is amended to read:

67.05 **(6m)** (a) An initial resolution adopted by a technical college district board for an issue of bonds in an amount of money not exceeding ~~$500,000~~ $1,000,000 for building remodeling or improvement need not be submitted to the electors of the district for approval unless within 30 days after the initial resolution is adopted there is filed with the technical college district secretary a petition conforming to the requirements of s. 8.40 requesting a referendum thereon. Such a petition shall be signed by electors from each county lying wholly or partially within the district. The number of electors from each county shall equal at least 1.5% of the population of the county as determined under s. 16.96 (2) (c). If a county lies in more than one district, the technical college system board shall apportion the county's population as determined under s. 16.96 (2) (c) to the districts involved and the petition shall be signed by electors equal to the appropriate percentage of the apportioned population. Any initial resolution adopted under sub. (1) in an amount of money not exceeding ~~$500,000~~ $1,000,000 at the discretion of the district board, may be submitted to the electors without waiting for the filing of a petition. All initial resolutions adopted under sub. (1) in an amount of money in excess of ~~$500,000~~ $1,000,000 or more for building remodeling or improvement shall be submitted to the electors of the district for approval. If a referendum is duly petitioned or required under this subsection, bonds may not be issued until the electors of the district have approved the issue.

SECTION 2056r. 67.12 (12) (e) 5. of the statutes is amended to read:

67.12 **(12)** (e) 5. Within 10 days of the adoption by a technical college district board of a resolution under subd. 1. to issue a promissory note for a purpose under s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption as a class 1 notice, under ch. 985. The notice need not set forth the full contents of the resolution, but shall state the amount proposed to be borrowed, the method of borrowing, the purpose thereof, that the resolution was adopted under this subsection and the place where and the hours during which the resolution is available for public inspection. If the amount proposed to be borrowed is for building remodeling or improvement and does not exceed ~~$500,000~~ $1,000,000 or is for movable equipment, the district board need not submit the resolution to the electors for approval unless, within 30 days after the publication or posting, a petition conforming to the requirements of s. 8.40 is filed with the secretary of the district board requesting a referendum at a special election to be called for that purpose. Such petition shall be signed by electors from each county lying wholly or partially within the district. The number of electors from each county shall equal at least 1.5% of the population of the county as determined under s. 16.96 (2) (c). If a county lies in more than one district, the technical

college system board shall apportion the county's population as determined under s. 16.96 (2) (c) to the districts involved and the petition shall be signed by electors equal to the appropriate percentage of the apportioned population. In lieu of a special election, the district board may specify that the referendum shall be held at the next succeeding spring primary or election or September primary or general election. Any resolution to borrow amounts of money in excess of ~~$500,000~~ $1,000,000 for building remodeling or improvement shall be submitted to the electors of the district for approval. If a referendum is held or required under this subdivision, no promissory note may be issued until the issuance is approved by a majority of the district electors voting at such referendum. The referendum shall be noticed, called and conducted under s. 67.05 (6a) insofar as applicable, except that the notice of special election and ballot need not embody a copy of the resolution and the question which shall appear on the ballot shall be "Shall .... (name of district) be authorized to borrow the sum of $.... for (state purpose) by issuing its general obligation promissory note (or notes) under section 67.12 (12) of the Wisconsin Statutes?".

SECTION 2057. 69.01 (6g) of the statutes is created to read:

69.01 **(6g)** "Date of death" means the date that a person is pronounced dead by a physician, coroner, deputy coroner, medical examiner, or deputy medical examiner.

SECTION 2058. 69.01 (16m) of the statutes is created to read:

69.01 **(16m)** "Medical certification" means those portions of a death certificate that provide the cause of death, the manner of death, injury−related data, and any other medically−related data that is collected as prescribed by the state registrar under s. 69.18 (1m) (c) 2.

SECTION 2059. 69.01 (22) of the statutes is amended to read:

69.01 **(22)** "Research" means a systematic study through scientific inquiry for the purpose of expanding a field of knowledge, including ~~but not limited to~~ environmental or epidemiological research or special studies, that is conducted by persons who meet criteria for access that are specified in rules promulgated under s. 69.20 (4).

SECTION 2060. 69.01 (26) of the statutes is renumbered 69.01 (26) (intro.) and amended to read:

69.01 **(26)** (intro.) "Vital records" means ~~certificates~~ any of the following:

(a) Certificates of birth, death, and divorce or annulment, and marriage documents ~~and data~~.

(c) Data related ~~thereto~~ to documents under par. (a) or worksheets under par. (b).

SECTION 2061. 69.01 (26) (b) of the statutes is created to read:

69.01 **(26)** (b) Worksheets that use forms that are approved by the state registrar and are related to documents under par. (a).

SECTION 2062. 69.03 (5) of the statutes is amended to read:

69.03 **(5)** Under this subchapter, accept for registration, assign a date of acceptance, and index and preserve original certificates of birth and death, original marriage documents and original divorce reports. Indexes prepared for public use under s. 69.20 (3) (e) shall consist of the registrant's full name, date of the event, county of occurrence, county of residence, and, at the discretion of the state registrar, state file number. Notwithstanding s. 69.24 (1) (e), the state registrar may transfer the paper original of a vital record to optical disc or electronic format in accordance with s. 16.61 (5) or to microfilm reproduction in accordance with s. 16.61 (6) and destroy the paper original of any vital record that is so converted. For the purposes of this subchapter, the electronic format version or microfilm reproduction version of the paper original of a vital record that has been transferred under this subsection shall serve as the original vital record.

SECTION 2063. 69.06 (2) of the statutes is amended to read:

69.06 **(2)** Make, file, and index an exact copy of every certificate accepted under sub. (1). Indexes prepared for public use under s. 69.20 (3) (e) shall consist of the registrant's full name, date of the event, county of occurrence, county of residence, and, at the discretion of the state registrar, local file number.

SECTION 2064. 69.07 (2) of the statutes is amended to read:

69.07 **(2)** Make, file, and index an exact copy of every vital record accepted under sub. (1) or received under s. 69.05 (3). Indexes prepared for public use under s. 69.20 (3) (e) shall consist of the registrant's full name, date of the event, county of occurrence, county of residence, and, at the discretion of the state registrar, local file number.

SECTION 2065b. 69.08 (1) of the statutes is amended to read:

69.08 **(1)** Is on a form prescribed or supplied for the record by the state registrar.

SECTION 2067. 69.11 (3) (b) 2. of the statutes is amended to read:

69.11 **(3)** (b) 2. Cause of death, if the vital record is a death certificate and if the amendment is accompanied by a statement ~~which~~ that the person who signed the medical ~~certificate part of the death certificate under s. 69.18 (2)~~ certification has submitted to support the amendment.

SECTION 2068. 69.11 (3) (b) 3. of the statutes is repealed.

SECTION 2069. 69.11 (4) (b) of the statutes is amended to read:

69.11 **(4)** (b) ~~If 365 days have elapsed since the occurrence of the event which is the subject of a birth certificate, the~~ The state registrar may amend an item on ~~the~~ a birth certificate ~~which~~ that affects information about the name, sex, date of birth, place of birth, ~~parents' surnames~~ parent's name, or marital status of the mother ~~on a birth~~

~~certificate~~ if 365 days have elapsed since the occurrence of the event that is the subject of the birth certificate, if the amendment is at the request of a person with a direct and tangible interest in the record and is on a request form supplied by the state registrar, and if the amendment is accompanied by 2 items of documentary evidence from early childhood that are sufficient to prove that the item to be changed is in error and by the affidavit of the person requesting the amendment. A change in the marital status on the birth certificate may be made under this paragraph only if the marital status is inconsistent with information concerning the father or husband that appears on the birth certificate. This paragraph may not be used to add to or delete from a birth certificate the name of a parent or to change the identity of a parent named on the birth certificate.

SECTION 2070. 69.11 (5) (a) 2. of the statutes is repealed and recreated to read:

69.11 **(5)** (a) 2. If the amendment changes the information on the vital record, do all of the following:

a. Record the correct information in the relevant area of the vital record.

b. Maintain legibility of the changed information by placing a single line through the changed entry, by recording the changed information elsewhere on the legal portion of the vital record, or both.

c. Make a notation on the vital record that clearly states that the vital record has been amended and that gives the number of the item corrected, the date of the correction, and the source of the amending information.

d. Initial the amendment notation specified in subd. 2. c.

SECTION 2071. 69.12 (5) of the statutes is created to read:

69.12 **(5)** A change in the marital status on the certificate of birth may be requested under this section only if the marital status is inconsistent with father or husband information appearing on the certificate of birth. This section may not be used to add or delete the name of a parent on the certificate of birth or change the identity of either parent named on the certificate of birth.

SECTION 2072. 69.13 of the statutes is created to read:

69.13 Correction of facts misrepresented by informant for certificate of birth. The state registrar may, under an order issued by the circuit court of the county in which a birth occurred, correct information about the parent or the marital status of the mother on a certificate of birth that is registered in this state if all of the following conditions apply:

(1) The correction may not be accomplished under s. 69.11, 69.12, or 69.15 because the disputed information was misrepresented by the informant during the preparation of the birth certificate.

(2) The state registrar receives, on a form prescribed by the state registrar, a court order that is accompanied by all of the following:

(a) A petition for correction filed by a person with a direct and tangible interest in the certificate of birth.

(b) Certification that all of the following supporting evidence, as listed by the court in the order, was presented in addition to oral testimony:

1. A certified copy of the original certificate of birth.

2. If the birth occurred in a hospital, a copy of the birth worksheet and any other supporting documentation from the hospital.

3. If the birth did not occur in a hospital, a statement from the birth attendant.

4. If relevant to the correction sought, a certified copy of a marriage document, a certified copy of a certificate of divorce or annulment or a final divorce decree that indicates that the mother was not married to the person listed as her husband at any time during the pregnancy, a legal name change order, or any other legal document that clarifies the disputed information.

5. A statement signed by the certificate of birth informant or the petitioner acknowledging that the disputed information was misrepresented.

(c) The supporting evidence specified in par. (b) 1. to 5.

(d) The fee specified under s. 69.22 (5) (b) 1.

SECTION 2073. 69.14 (1) (a) 1. of the statutes is amended to read:

69.14 **(1)** (a) 1. Except as provided under subd. 2., a certificate of birth for every birth ~~which~~ that occurs in this state shall be filed ~~in the registration district in which the birth occurs~~ within 5 days after the birth ~~and shall be registered~~ with the state registrar, who shall register the birth under this subchapter and shall make a copy of the certificate of birth available to the registration district in which the birth occurred and the registration district in which the mother of the registrant resided at the time of the birth.

SECTION 2074. 69.14 (1) (cm) of the statutes is amended to read:

69.14 **(1)** (cm) *Information concerning paternity.* For a birth which occurs en route to or at a hospital, the filing party shall give the mother a copy of the pamphlet under s. 69.03 (14). If the child's parents are not married at the time of the child's birth, the filing party shall give the mother a copy of the form prescribed by the state registrar under s. 69.15 (3) (b) 3. The filing party shall ensure that trained, designated hospital staff provide to the child's available parents oral information or an audio or video presentation and written information about the form and the significance and benefits of, and alternatives to, establishing paternity, before the parents sign the form. The filing party shall also provide an opportunity to complete the form and have the form notarized in the hospital. If the mother provides a completed form to the filing party while she is a patient in the hospital and within 5 days after the birth, the filing party shall send the form directly to the state registrar. From the appropriation under s. 20.445 (3) ~~(mc)~~ (dz), the department of

workforce development shall pay the filing party a financial incentive for correctly filing a form within 60 days after the child's birth.

SECTION 2075. 69.15 (1) (b) of the statutes is amended to read:

69.15 **(1)** (b) A clerk of court or, for a paternity action, a clerk of court or county child support agency under s. 59.53 (5), sends the state registrar a certified report of an order of a court in this state on a form supplied by the state registrar or, in the case of any other order, the state registrar receives a certified copy of the order and the proper fee under s. 69.22.

SECTION 2077. 69.18 (1) (bm) (intro.) of the statutes is amended to read:

69.18 **(1)** (bm) (intro.) A person required to file a certificate of death under par. (b) shall obtain the information required for the certificate of death from the next of kin or the best qualified person or source available. The person filing the certificate of death shall enter his or her signature on the certificate and include his or her address and the date of signing and shall present or mail the certificate, within 24 hours after being notified of the death, to the physician, coroner or medical examiner responsible for completing and signing the medical certification ~~under sub. (2)~~. Within 2 days after receipt of the medical certification ~~under sub. (2)~~, the person filing the certificate of death shall mail or present the certificate of death, together with the fee required under s. 69.22 (7), in:

Vetoed In Part

SECTION 2078. 69.18 (1) (c) of the statutes is amended to read:

69.18 **(1)** (c) A hospital ~~or~~, a nursing home, as defined in s. 50.01 (3), or a hospice, as defined in s. 50.90 (1), which is the place of death of a person may prepare a certificate of death for the person and give the certificate to the person who moves the corpse under par. (a).

SECTION 2079. 69.18 (1) (d) of the statutes is amended to read:

69.18 **(1)** (d) A hospital ~~or~~, nursing home, or hospice, as defined in s. 50.90 (1) (c), may not release a corpse to any person under par. (a) unless the person presents a notice of removal on a form prescribed by the state registrar, in duplicate, to the administrator of the hospital ~~or~~, nursing home, or hospice. The administrator shall retain one copy and forward the other copy to the local registrar of the registration district in which the hospital ~~or~~, nursing home, or hospice is located.

SECTION 2080. 69.18 (1m) of the statutes is created to read:

69.18 **(1m)** FORMAT. Beginning on January 1, 2003, a certificate of death shall consist of the following parts:

(a) Fact−of−death information, which shall include all of the following:

1. The name and other identifiers of the decedent, including the decedent's social security number, if any.

2. The date, time, and place that the decedent was pronounced dead.

3. The manner of the decedent's death.

4. The identity of the person certifying the death.

5. The dates of certification and filing of the certificate of death.

(b) Extended fact−of−death information, which includes all of the following:

1. All information under par. (a).

2. Information on final disposition and cause of death.

3. Injury−related data.

(c) Statistical−use−only information, which includes all of the following:

1. All information other than that under par. (b) that is collected on the standard death record form recommended by the federal agency responsible for national vital statistics.

2. Other data, as directed by the state registrar, including race, educational background, and health risk behavior.

SECTION 2081. 69.18 (2) (a) of the statutes is amended to read:

69.18 **(2)** (a) On the form for a certificate of death prescribed by the state registrar under sub. (1) (b), the state registrar shall provide for a ~~separate~~ medical certification ~~section~~ to be completed under this subsection.

SECTION 2082. 69.18 (2) (d) 1. of the statutes is amended to read:

69.18 **(2)** (d) 1. Except as provided under par. (e), if a death is the subject of a coroner's or medical examiner's determination under s. 979.01 or 979.03, the coroner or medical examiner or a physician supervised by a coroner or medical examiner in the county where the event which caused the death occurred shall complete and sign the medical certification ~~part of the death certificate~~ for the death and mail the death certificate within 5 days after the pronouncement of death or present the certificate to the person responsible for filing the death certificate under sub. (1) within 6 days after the pronouncement of death.

SECTION 2083. 69.18 (2) (d) 2. of the statutes is amended to read:

69.18 **(2)** (d) 2. Except as provided under par. (e), if the decedent was not under the care of a physician for the illness or condition from which the person died, the coroner or medical examiner, or a physician supervised by a coroner or medical examiner, in the county of the place of death shall complete and sign the medical certification ~~part of the death certificate~~ for the death and mail the death certificate within 5 days after the pronouncement of death or present the certificate to the person responsible for filing the death certificate under sub. (1) within 6 days after the pronouncement of death.

SECTION 2085. 69.20 (2) (a) of the statutes is renumbered 69.20 (2) (a) (intro.) and amended to read:

69.20 **(2)** (a) (intro.) Except as provided under sub. (3), information in the part of a ~~birth~~ certificate~~,~~ of birth or divorce or annulment or a marriage document ~~or divorce report~~ that is designated on the form as being collected for statistical or medical and statistical use only and information in the part of a death certificate that is designated on the form as being collected as statistical−use−only information under s. 69.18 (1m) (c) may not be disclosed to any person except the ~~subject~~ following:

1. The subject of the information, or, if the subject is a minor, ~~to~~ his or her parent or guardian.

SECTION 2086. 69.20 (2) (a) 2. of the statutes is created to read:

69.20 **(2)** (a) 2. For a certificate of death, any of the persons specified under s. 69.18 (4) (a) 1. to 6. or an individual who is authorized in writing by one of the persons.

SECTION 2087. 69.20 (2) (c) of the statutes is created to read:

69.20 **(2)** (c) Except as provided under sub. (3), until 50 years after a decedent's date of death, the state registrar and a local registrar may not permit inspection of or disclose information contained in the portion under s. 69.18 (1m) (b) 2. and 3. of the certificate of death to anyone except to a person specified under sub. (1), or to a direct descendent of the decedent.

SECTION 2088. 69.20 (3) (e) of the statutes is repealed and recreated to read:

69.20 **(3)** (e) Public use indexes of certificates of birth, death, or divorce or annulment, or marriage documents that are filed in the system of vital statistics at the state or local level are accessible only by inspection at the office of the state registrar or of a local registrar and may not be copied or reproduced except as follows:

1. a. Certificate of birth index information may be copied or reproduced for the public only after 100 years have elapsed from the year in which the birth occurred. No information in the index that has been impounded under s. 69.15 may be released.

b. Subdivision 1. a. does not apply to certificate of birth indexes of events that occurred before October 1, 1907.

2. Indexes of certificates of death or divorce or annulment may be copied or reproduced for the public after 24 months have elapsed from the year in which the event occurred.

3. Beginning January 1, 2003, any information that is obtained from an index under subd. 1. or 2. and that is released shall contain the following statement: "This information is not a legal vital record index. Inclusion of any information does not constitute legal verification of the fact of the event."

SECTION 2089. 69.20 (4) of the statutes is amended to read:

69.20 **(4)** ~~The~~ Under procedures that are promulgated by rule, the state registrar and every local registrar shall protect vital records from mutilation, alteration ~~or~~, theft, or fraudulent use and shall protect the privacy rights of registrants and their families by strictly controlling direct access to any vital record filed or registered in paper form ~~through procedures promulgated by rule~~.

SECTION 2090. 69.21 (1) (a) 2. b. of the statutes is amended to read:

69.21 **(1)** (a) 2. b. Any information of the part of a ~~birth~~ certificate~~,~~ of birth, death, or divorce or annulment or a marriage document ~~or divorce report~~, the disclosure of which is limited under s. 69.20 (2) (a) and (c), unless the requester is the subject of the information or, for a decedent, unless the requester is specified in s. 69.20 (2) (a) 2.

SECTION 2091. 69.21 (1) (b) 4. of the statutes is amended to read:

69.21 **(1)** (b) 4. ~~Any~~ A copy of a death certificate issued under par. (a) for a death that occurred before January 1, 2003, shall include~~, without limitation due to enumeration,~~ the name, sex, date and place of death, age or birth date, cause and manner of death, and social security number, if any, of the decedent, and the file number and the file date of the certificate, except that a requester may, upon request, obtain a copy that does not include the cause of death.

SECTION 2092. 69.21 (1) (b) 5. of the statutes is created to read:

69.21 **(1)** (b) 5. A copy of a death certificate issued under par. (a) for a death that occurs after December 31, 2002, shall be on a form that contains only fact−of−death information specified in s. 69.18 (1m) (a), except that a requester may, upon request, obtain a form that contains extended fact−of−death information specified in s. 69.18 (1m) (b).

SECTION 2093. 69.22 (1) (intro.) of the statutes is amended to read:

69.22 **(1)** (intro.) ~~The~~ Except as provided in subs. (6) and (7), the state registrar and any local registrar acting under this subchapter shall collect the following fees: **Vetoed In Part**

SECTION 2094. 69.22 (1) (a) of the statutes is amended to read:

69.22 **(1)** (a) Except as provided under par. (c), $7 for issuing one certified copy of a vital record and ~~$2~~ $3 for any additional certified copy of the same vital record issued at the same time.

SECTION 2095g. 69.22 (1) (b) of the statutes is repealed and recreated to read:

69.22 **(1)** (b) Except as provided under par. (c), all of the following: **Vetoed In Part**

1. For issuing an uncertified copy of a vital record issued under s. 69.21 (2) (a) or (b) for an event that occurred before 1930 or for verifying information about the event submitted by an requester without issuance of a copy, $3, and $1 for any additional copy of the same vital record issued at the same time. **Vetoed In Part**

2. For issuing an uncertified copy of a vital record issued under s. 69.21 (2) (a) or (b) for an event that occurs **Vetoed In Part**

Vetoed In Part

after December 31, 1929, or for verifying information about the event submitted by a requester without issuance of a copy, $7, and $3 for any additional copy of the same vital record issued at the same time.

Vetoed In Part

SECTION 2095h. 69.22 (1) (c) of the statutes is renumbered 69.22 (1) (c) 1. and amended to read:

69.22 **(1)** (c) 1. Twelve dollars for issuing ~~a~~ an uncertified copy of a birth certificate for a birth that occurred after December 31, 1929, or a certified 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)~~; and $3 for issuing any additional certified or uncertified copy of the same birth certificate issued at the same time.

Vetoed In Part

Vetoed In Part

Vetoed In Part

SECTION 2095i. 69.22 (1) (c) 2. of the statutes is created to read:

69.22 **(1)** (c) 2. Three dollars for issuing an uncertified copy of a birth certificate for a birth that occurred before 1930, and $1 for any additional uncertified copy of the same birth certificate issued at the same time.

SECTION 2096. 69.22 (1) (d) of the statutes is created to read:

69.22 **(1)** (d) In addition to other fees under this subchapter, $10 for expedited service in issuing a vital record.

SECTION 2096c. 69.22 (1m) of the statutes is amended to read:

69.22 **(1m)** The state registrar and any local registrar acting under this subchapter shall, for each copy of a birth certificate for which a fee under sub. (1) (c) 1. is charged that is issued during a calendar quarter, forward to the state treasurer ~~the amount~~ for deposit in the appropriations under s. 20.433 (1) (g) and (h) the amounts specified in sub. (1) (c) ~~for each copy of a birth certificate issued during a calendar quarter~~ by the 15th day of the first month following the end of the calendar quarter.

Vetoed In Part

SECTION 2097. 69.22 (5) (a) 2. of the statutes is amended to read:

69.22 **(5)** (a) 2. Making ~~alterations~~ any change ordered by a court under s. 69.12 (3) or 69.15 (4) (a).

SECTION 2098. 69.22 (5) (a) 3. of the statutes is amended to read:

69.22 **(5)** (a) 3. Making ~~alterations~~ any change in a birth certificate under s. 69.15 (3) ~~or (3m)~~.

SECTION 2099. 69.22 (5) (b) 1. of the statutes is amended to read:

69.22 **(5)** (b) 1. Any new vital record registered under s. 69.12 (4), 69.14 (2) (b) ~~6.~~, 69.15 ~~(1),~~ (2), ~~(3) or (4)~~ (3m), (4) (b), or (6), 69.16 (2), or 69.19, or any corrected vital record registered under s. 69.13.

SECTION 2100. 69.22 (6) of the statutes is amended to read:

69.22 **(6)** The state registrar may ~~provide free search and free~~ charge a reasonable fee for providing searches of vital records and for providing copies of vital records to state agencies for program use. The register of deeds may provide free searches and free copies to agencies in his or her county at the direction of the county board.

Vetoed In Part

SECTION 2100m. 69.22 (7) of the statutes is created to read:

69.22 **(7)** In a county with a population greater than 600,000, in addition to any applicable fee under sub. (1), the state registrar and any local registrar shall charge a fee of $10 for filing a certificate of death and a surcharge of $1 for issuing a certified copy or additional certified copy of a certificate of death, regardless of whether the death occurred before or after 1930. By the 15th day of the first month following the end of a calendar quarter, the state registrar and local registrar shall forward to the state treasurer the amounts received under this subsection during the calendar quarter. The state treasurer shall credit all amounts received under this subsection to the cemetery management insurance fund.

SECTION 2101. 69.24 (2) (b) of the statutes is amended to read:

69.24 **(2)** (b) ~~Wilfully~~ Willfully and knowingly refuses to provide information required under this subchapter for ~~a death certificate or for~~ any part of a birth certificate which is not designated as the part for statistical or medical and statistical use or for a death certificate.

SECTION 2103. 70.11 (9) of the statutes is amended to read:

70.11 **(9)** MEMORIALS. All memorial halls and the real estate upon which the same are located, owned and occupied by any organization of United States war veterans organized pursuant to act of congress and domesticated in this state pursuant to the laws of this state, containing permanent memorial tablets with the names of former residents of any given town, village, city or county who lost their lives in the military or naval service of the state or the United States in any war inscribed thereon, and all personal property owned by such organizations, and all buildings erected, purchased or maintained by any county, city, town or village as memorials under s. 45.05 or 45.055. The renting of such halls or buildings for public purposes shall not render them taxable, provided that all income derived therefrom be used for the upkeep and maintenance thereof. Where such hall or building is used in part for exempt purposes and in part for pecuniary profit, it shall be assessed for taxation to the extent of such use for pecuniary profit as provided in s. 70.1105 (1).

SECTION 2103g. 70.11 (10) of the statutes is repealed.

SECTION 2103k. 70.11 (12) (a) of the statutes is amended to read:

70.11 **(12)** (a) Property owned by units which are organized in this state of the following organizations: the Salvation Army~~,~~; the Boy Scouts of America~~,~~; the Boys' Clubs of America~~,~~; the Girl Scouts or Camp Fire Girls; the Young Men's Christian Association, not exceeding

40 acres for property that is located outside the limit of any incorporated city or village and not exceeding 10 acres for property that is located inside the limit of any incorporated city or village; the Young Women's Christian Association, not exceeding 40 acres for property that is located outside the limit of any incorporated city or village and not exceeding 10 acres for property that is located inside the limit of any incorporated city or village; or any person as trustee for them of property used for the purposes of those organizations, provided no pecuniary profit results to any individual owner or member.

SECTION 2104. 70.11 (21) (a) of the statutes is amended to read:

70.11 **(21)** (a) All property purchased or constructed as a waste treatment facility used for the treatment of industrial wastes, as defined in s. 281.01 (5), or air contaminants, as defined in s. 285.01 (1), but not for other wastes, as defined in s 281.01 (7) ~~and approved by the department of revenue~~, for the purpose of abating or eliminating pollution of surface waters, the air, or waters of the state if that property is not used to grow agricultural products for sale and, if the property's owner is taxed under ch. 76, if the property is approved by the department of revenue. For the purposes of this subsection, "industrial waste" also includes wood chips, sawdust, and other wood residue from the paper and wood products manufacturing process that can be used as fuel and would otherwise be considered superfluous, discarded, or fugitive material. The department of natural resources and department of health and family services shall make recommendations upon request to the department of revenue regarding such property. All property purchased or upon which construction began prior to July 31, 1975, shall be subject to s. 70.11 (21), 1973 stats.

SECTION 2105. 70.11 (21) (c) of the statutes is amended to read:

70.11 **(21)** (c) A prerequisite to exemption under this subsection for owners who are taxed under ch. 76 is the filing of a statement on forms prescribed by the department of revenue with the department of revenue. This statement shall be filed not later than January 15 of the year in which a new exemption is requested or in which a waste treatment facility that has been granted an exemption is retired, replaced, disposed of, moved to a new location, or sold.

SECTION 2106. 70.11 (21) (d) of the statutes is amended to read:

70.11 **(21)** (d) The department of revenue shall allow an extension to ~~February 15; or, if the owner is subject to tax under ch. 76, to~~ a date determined by the department by rule~~; of the due date~~ for filing the report form required under par. (c) if a written application for an extension, stating the reason for the request, is filed with the department of revenue before January 15.

SECTION 2107. 70.11 (21) (e) of the statutes is repealed.

SECTION 2108. 70.11 (21) (f) of the statutes is amended to read:

70.11 **(21)** (f) If property about which a statement has been filed under par. (c) is determined to be taxable, the owner may appeal that determination ~~to the tax appeals commission under s. 73.01 (5) (a), except that assessments under s. 76.07 shall be appealed~~ under s. 76.08 ~~and except that assessments under s. 70.995 (5) shall be appealed under s. 70.995 (8)~~.

SECTION 2108q. 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, and prewritten software ~~and custom software~~. The exemption under this subsection does not apply to automatic teller machines, custom software, 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). For the purposes of s. 79.095, the exemption under this subsection does not apply to property that is otherwise exempt under this chapter.

Vetoed In Part

SECTION 2108s. 70.11 (39m) of the statutes is created to read:

70.11 **(39m)** If the owner of the property fulfills the requirements under s. 70.35, cash registers and fax machines, excluding fax machines that are also copiers.

SECTION 2109. 70.11 (41) of the statutes is created to read:

70.11 **(41)** FOX RIVER NAVIGATIONAL SYSTEM AUTHORITY. All property owned by the Fox River Navigational System Authority, provided that use of the property is primarily related to the purposes of the authority.

SECTION 2110. 70.11 (42) of the statutes is created to read:

70.11 **(42)** HUB FACILITY. (a) In this subsection:

1. "Air carrier company" means any person engaged in the business of transportation in aircraft of persons or property for hire on regularly scheduled flights. In this subdivision, "aircraft" has the meaning given in s. 76.02 (1).

2. "Hub facility" means any of the following:

a. A facility at an airport from which an air carrier company operated at least 45 common carrier departing flights each weekday in the prior year and from which it transported passengers to at least 15 nonstop destinations, as defined by rule by the department of revenue, or

transported cargo to nonstop destinations, as defined by rule by the department of revenue.

b. An airport or any combination of airports in this state from which an air carrier company cumulatively operated at least 20 common carrier departing flights each weekday in the prior year, if the air carrier company's headquarters, as defined by rule by the department of revenue, is in this state.

(b) Property owned by an air carrier company that operates a hub facility in this state, if the property is used in the operation of the air carrier company.

SECTION 2111. 70.1105 of the statutes is renumbered 70.1105 (1).

SECTION 2112. 70.1105 (2) of the statutes is created to read:

70.1105 **(2)** Property, excluding land, that is owned or leased by a corporation that provides services pursuant to 15 USC 79 to a light, heat, and power company, as defined under s. 76.28 (1) (e), that is subject to taxation under s. 76.28 and that is affiliated with the corporation shall be assessed for taxation at the portion of the fair market value of the property that is not used to provide such services.

SECTION 2112m. 70.111 (25) of the statutes is amended 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~~ or cable television system, as defined in s. ~~66.082~~ 66.0419 (2) (d).

SECTION 2113. 70.112 (4) of the statutes is renumbered 70.112 (4) (a) and amended to read:

70.112 **(4)** (a) All special property assessed under ss. 76.01 to 76.26 and property of any light, heat, and power company taxed under s. 76.28, ~~telephone company,~~ car line company, and electric cooperative association that is used and useful in the operation of the business of such company or association. If a general structure for which an exemption is sought under this section is used and useful in part in the operation of any public utility assessed under ss. 76.01 to 76.26 or of the business of any light, heat, and power company taxed under s. 76.28, ~~telephone company,~~ car line company, or electric cooperative association and in part for nonoperating purposes of the public utility or company or association, that general structure shall be assessed for taxation under this chapter at the percentage of its full market value that fairly measures and represents the extent of its use for nonoperating purposes. Nothing provided in this ~~subsection~~ paragraph shall exclude any real estate or any property which is separately accounted for under s. 196.59 from special assessments for local improvements under s. 66.0705.

SECTION 2114. 70.112 (4) (b) of the statutes is created to read:

70.112 **(4)** (b) If real or tangible personal property is used more than 50%, as determined by the department of revenue, in the operation of a telephone company that is subject to the tax imposed under s. 76.81, the department of revenue shall assess the property and that property shall be exempt from the general property taxes imposed under this chapter. If real or tangible personal property is used less than 50%, as determined by the department of revenue, in the operation of a telephone company that is subject to the tax imposed under s. 76.81, the taxation district in which the property is located shall assess the property and that property shall be subject to the general property taxes imposed under this chapter.

SECTION 2114c. 70.112 (5) of the statutes is amended to read: **Vetoed In Part**

70.112 **(5)** MOTOR VEHICLES, BICYCLES, SNOWMOBILES. Every automobile, low-speed vehicle, motor bicycle, motor bus, motorcycle, motor truck, moped, road tractor, school bus, snowmobile, truck tractor, or other similar motor vehicle, or trailer or semitrailer used in connection therewith.

SECTION 2114gb. 70.113 (1) (intro.) of the statutes is amended to read: **Vetoed In Part**

70.113 **(1)** (intro.) As soon after April 20 of each year as is feasible the department of natural resources shall pay to the city, village, or town treasurer all of the following amounts from the following appropriations for each acre situated in the municipality of ~~state forest lands, as defined in s. 28.02 (1),~~ state parks under s. 27.01 and state public shooting, trapping or fishing grounds and reserves or refuges operated thereon, acquired at any time under s. 29.10, 1943 stats., s. 23.09 (2) (d) or 29.749 (1) or from the appropriations made by s. 20.866 (2) (tp) by the department of natural resources or leased from the federal government by the department of natural resources:

SECTION 2114gd. 70.113 (1m) of the statutes is created to read:

70.113 **(1m)** As soon after April 20 of each year as is feasible, the department of forestry shall pay to the city, village, or town treasurer all of the following amounts from the following appropriations for each acre situated in the municipality that is state forest land, as defined in s. 28.02 (1).

(a) Eighty cents, to be paid from the appropriation under s. 20.375 (3) (d) or (s).

(b) Eight cents, to be paid from the appropriation under s. 20.375 (3) (s).

SECTION 2114ge. 70.113 (2) (a) of the statutes is amended to read:

70.113 **(2)** (a) Towns, cities or villages shall be paid for forest lands as defined in s. 28.02 (1), state parks under s. 27.01, and other lands acquired under s. 23.09 (2) (d), 23.27, 23.29, 23.293, 23.31, or 29.749 (1) located within such municipality and acquired after

Vetoed In Part

June 30, 1969. Such payments shall be ~~made from the appropriation under s. 20.370 (5) (da) or (dq) and~~ remitted by the department of natural resources or the department of forestry in the amounts certified by the department of revenue according to par. (b).

SECTION 2114gf. 70.114 (1) (a) of the statutes is repealed.

SECTION 2114gj. 70.114 (1) (d) of the statutes is amended to read:

70.114 **(1)** (d) "Purchase price" means the amount paid by the department of natural resources or by the department of forestry for a fee simple interest in real property. "Purchase price" does not include administrative costs incurred by ~~the~~ either department to acquire the land, such as legal fees, appraisal costs or recording fees. If real estate is transferred by gift to the applicable department ~~by gift~~ or is sold to the applicable department for an amount that is less than the estimated fair market value of the property as shown on the property tax bill prepared for the prior year under s. 74.09, "purchase price" means an amount equal to the estimated fair market value of the property as shown on that tax bill. If the real estate is exempt from taxation at the time that it is transferred or sold to the applicable department and if the property was not sold at an arm's−length sale, "purchase price" means the fair market value of the real estate at the time that the applicable department takes title to it.

SECTION 2114gk. 70.114 (2) of the statutes is amended to read:

70.114 **(2)** APPLICATION. For all land acquired after December 31, 1991, the department of natural resources and the department of forestry shall pay aids in lieu of taxes under this section and not under s. 70.113.

SECTION 2114gL. 70.114 (3) of the statutes is amended to read:

70.114 **(3)** ASCERTAINING RATE. Each year, the department of natural resources and the department of forestry shall ascertain from the clerks of the taxation district the aggregate net general property tax rate for taxation districts to which aids are paid under this section.

SECTION 2114gn. 70.114 (4) (a) of the statutes is amended to read:

70.114 **(4)** (a) On or before January 31, the department of natural resources shall pay to each treasurer of a taxation district, with respect to each parcel of land acquired ~~by~~ that is under the jurisdiction of the department and that is within the taxation district on or before January 1 of the preceding year~~, an~~.

(c) The amount to be paid under par. (a) or (b) shall be determined by multiplying each parcel's estimated value equated to the average level of assessment in the taxation district by the aggregate net general property tax rate that would apply to the parcel of land if it were taxable, as shown on property tax bills prepared for that year under s. 74.09.

Vetoed In Part

SECTION 2114gp. 70.114 (4) (b) of the statutes is created to read:

70.114 **(4)** (b) On or before January 31, the department of forestry shall pay to each treasurer of a taxation district, with respect to each parcel of state land acquired that is under the jurisdiction of the department of forestry and that is within the taxation district on or before January 1 of the preceding year.

Vetoed In Part

SECTION 2114m. 70.32 (2) (c) 4. of the statutes is amended to read:

70.32 **(2)** (c) 4. "Swampland or wasteland" means bog~~,~~; marsh~~,~~; lowland brush~~,~~; uncultivated land zoned as shoreland under s. 59.692 and shown as a wetland on a final map under s. 23.32; undeveloped land that is not classified under this subsection as agricultural or as productive forest land and that is part of a parcel that is designated as managed forest land under subch. VI of ch. 77; or other nonproductive lands not otherwise classified under this subsection.

SECTION 2114p. 70.35 (1) of the statutes is amended to read:

70.35 **(1)** To determine the amount and value of any personal property for which any person, firm or corporation should be assessed, any assessor may examine such person or the managing agent or officer of any firm or corporation under oath as to all such items of personal property, the taxable value thereof as defined in s. 70.34 if the property is taxable and the fair market value if the property is exempt under s. 70.11 (39) or (39m). In the alternative the assessor may require such person, firm or corporation to submit a return of such personal property and of the taxable value thereof. There shall be annexed to such return the declaration of such person or of the managing agent or officer of such firm or corporation that the statements therein contained are true.

SECTION 2114q. 70.35 (2) of the statutes is amended to read:

70.35 **(2)** The return shall be made and all the information therein requested given by such person on a form prescribed by the assessor with the approval of the department of revenue which shall provide suitable schedules for such information bearing on value as the department deems necessary to enable the assessor to determine the true cash value of the taxable personal property, and of the personal property that is exempt under s. 70.11 (39) and (39m), that is owned or in the possession of such person on January 1 as provided in s. 70.10. The return may contain methods of deriving assessable values from book values and for the conversion of book values to present values, and a statement as to the accounting method used. No person shall be required to take detailed physical inventory for the purpose of making the return required by this section.

SECTION 2114s. 70.36 (1m) of the statutes is amended to read:

70.36 **(1m)** Any person, firm or corporation that fails to include information on property that is exempt under s. 70.11 (39) and (39m) on the report under s. 70.35 shall forfeit $10 for every $100 or major fraction thereof that is not reported.

SECTION 2115. 70.425 of the statutes is repealed.

Vetoed In Part

SECTION 2115m. 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)~~ 25.28 (3) (am) and (b), the proceeds of the tax to be paid into the ~~conservation~~ forestry 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 2119. 70.73 (1m) of the statutes is created to read:

70.73 **(1m)** AFTER BOARD OF REVIEW. If a town, village, or city clerk or treasurer discovers a palpable error, as described under s. 74.33 (1), in the assessment roll after the board of review has adjourned for the year under s. 70.47 (4), the clerk or treasurer shall correct the assessment roll before calculating the property taxes that are due on the property related to the error and notify the department of revenue of the correction under s. 74.41 (1).

SECTION 2120. 70.995 (5) of the statutes is amended to read:

70.995 **(5)** ~~Commencing January 1, 1974, and annually thereafter, the~~ The department of revenue shall assess all property of manufacturing establishments included under subs. (1) and (2) as of the close of January 1 of each year, if on or before March 1 of that year the department has classified the property as manufacturing or the owner of the property has requested, in writing, that the department make such a classification and the department later does so. A change in ownership, location, or name of the manufacturing establishment does not necessitate a new request. In assessing lands from which metalliferous minerals are being extracted and valued for purposes of the tax under s. 70.375, the value of the metalliferous mineral content of such lands shall be excluded.

SECTION 2121. 70.995 (6) of the statutes is amended to read:

70.995 **(6)** Prior to February 15 of each year the department of revenue shall notify each municipal assessor of the manufacturing property within the taxation district that, as of that date, will be assessed by the department during the current assessment year.

SECTION 2122. 70.995 (8) (b) of the statutes is renumbered 70.995 (8) (b) 1. and amended to read:

70.995 **(8)** (b) 1. The department of revenue shall annually notify each manufacturer assessed under this section and the municipality in which the manufacturing property is located of the full value of all real and personal property owned by the manufacturer. The notice shall be in writing and shall be sent by 1st class mail. In addition, the notice shall specify that objections to valuation, amount, or taxability must be filed with the state board of assessors within 60 days of issuance of the notice of assessment, that objections to a change from assessment under this section to assessment under s. 70.32 (1) must be filed within 60 days after receipt of the notice, that the fee under par. (c) 1. or (d) must be paid and that the objection is not filed until the fee is paid. A statement shall be attached to the assessment roll indicating that the notices required by this section have been mailed and failure to receive the notice does not affect the validity of the assessments, the resulting tax on real or personal property, the procedures of the tax appeals commission or of the state board of assessors, or the enforcement of delinquent taxes by statutory means.

SECTION 2123. 70.995 (8) (b) 2. of the statutes is created to read:

70.995 **(8)** (b) 2. If a municipality files an objection to the amount, valuation, taxability, or change from assessment under this section and the person assessed does not file an objection, the person assessed may file an appeal within 15 days after the municipality's objection is filed.

SECTION 2124. 70.995 (8) (c) of the statutes is renumbered 70.995 (8) (c) 1. and amended to read:

70.995 **(8)** (c) 1. All objections to the amount, valuation, taxability, or change from assessment under this section to assessment under s. 70.32 (1) of property shall be first made in writing on a form prescribed by the department of revenue ~~and~~ that specifies that the objector shall set forth the reasons for the objection, the objector's estimate of the correct assessment, and the basis under s. 70.32 (1) for the objector's estimate of the correct assessment. An objection shall be filed with the state board of assessors within the time prescribed in par. (b) 1. A $45 fee shall be paid when the objection is filed unless a fee has been paid in respect to the same piece of property and that appeal has not been finally adjudicated. The objection is not filed until the fee is paid. Neither the state board of assessors nor the tax appeals commission may waive the requirement that objections be in writing. Persons who own land and improvements to that land may object to the aggregate value of that land and improvements to that land, but no person who owns land and improvements to that land may object only to the valua-

tion of that land or only to the valuation of improvements to that land.

SECTION 2125. 70.995 (8) (c) 2. of the statutes is created to read:

70.995 **(8)** (c) 2. A manufacturer who files an objection under subd. 1. may file supplemental information to support the manufacturer's objection within 60 days from the date the objection is filed. The state board of assessors shall notify the municipality in which the manufacturer's property is located of supplemental information filed by the manufacturer under this subdivision, if the municipality has filed an appeal related to the objection.

SECTION 2126. 70.995 (8) (d) of the statutes is amended to read:

70.995 **(8)** (d) A municipality may file an objection with the state board of assessors to the amount, valuation, or taxability under this section or to the change from assessment under this section to assessment under s. 70.32 (1) of a specific property having a situs in the municipality, whether or not the owner of the specific property in question has filed an objection. Objection shall be made on a form prescribed by the department and filed with the board within 60 days of the date of the issuance of the assessment in question. If the person assessed files an objection and the municipality affected does not file an objection, the municipality affected may file an appeal to that objection within 15 days after the person's objection is filed. A $45 filing fee shall be paid when the objection is filed unless a fee has been paid in respect to the same piece of property and that appeal has not been finally adjudicated. The objection is not filed until the fee is paid. The board shall forthwith notify the person assessed of the objection filed by the municipality.

SECTION 2127. 70.995 (8) (dm) of the statutes is amended to read:

70.995 **(8)** (dm) The department shall refund filing fees paid under par. (c) 1. or (d) if the appeal in respect to the fee is denied because of lack of jurisdiction.

SECTION 2128. 70.995 (12) (a) of the statutes is amended to read:

70.995 **(12)** (a) The department of revenue shall prescribe a standard manufacturing property report form that shall be submitted annually for each real estate parcel and each personal property account on or before March 1 by all manufacturers whose property is assessed under this section. The report form shall contain all information considered necessary by the department and shall include, without limitation, income and operating statements, fixed asset schedules and a report of new construction or demolition. Failure to submit the report shall result in denial of any right of redetermination by the state board of assessors or the tax appeals commission. If any property is omitted or understated in the assessment roll in any of the next 5 previous years, the assessor shall enter the value of the omitted or understated property once for each previous year of the omission or understatement. ~~The assessor shall designate each additional entry as omitted or understated for the year of omission or understatement.~~ The assessor shall affix a just valuation to each entry for a former year as it should have been assessed according to the assessor's best judgment. Taxes shall be apportioned and collected on the tax roll for each entry, on the basis of the net tax rate for the year of the omission, taking into account credits under s. 79.10~~, and~~. In the case of omitted property, interest shall be added at the rate of 0.0267% per day for the period of time between the date when the form is required to be submitted and the date when the assessor affixes the just valuation. In the case of underpayments determined after an objection under s. 70.995 (8) (d), interest shall be added at the average annual discount interest rate determined by the last auction of 6−month U.S. treasury bills before the objection per day for the period of time between the date when the tax was due and the date when it is paid.

SECTION 2129. 70.995 (12) (b) of the statutes is amended to read:

70.995 **(12)** (b) The department of revenue shall allow an extension to April 1 of the due date for filing the report forms required under par. (a) if a written application for an extension, stating the reason for the request, is filed with the department on or before March 1.

SECTION 2130. 70.995 (12) (c) of the statutes is amended to read:

70.995 **(12)** (c) Unless the taxpayer shows that the failure is due to reasonable cause, if a taxpayer fails to file any form required under par. (a) for property that the department of revenue assessed during the previous year by the due date or by any extension of the due date that has been granted, the taxpayer shall pay to the department of revenue a penalty of ~~the greater of $10 or 0.05% of the previous year's full value assessment not to exceed $1,000. If the form required under par. (a) for property that the department of revenue assessed during the previous year is not filed within 30 days after the due date or within 30 days after any extension, the taxpayer shall pay to the department of revenue a 2nd penalty of the greater of $10 or 0.05% of the previous year's full value assessment not to exceed $1,000~~ $25 if the form is filed 1 to 10 days late; $50 or 0.05% of the previous year's assessment, whichever is greater, but not more than $250, if the form is filed 11 to 30 days late; and $100 or 0.1% of the previous year's assessment, whichever is greater, but not more than $750, if the form is filed more than 30 days late. Penalties are due 30 days after they are assessed and are delinquent if not paid on or before that date. The department may refund all or part of any penalty it assesses under this paragraph if it finds reasonable grounds for late filing.

SECTION 2130b. 70.995 (12r) of the statutes is amended to read:

70.995 **(12r)** The department of revenue shall calculate the value of property that is used in manufacturing, as defined in this section, and that is exempt under s. 70.11 (39) and (39m).

Vetoed In Part

SECTION 2130d. 71.01 (6) (g) of the statutes is repealed.

SECTION 2130db. 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" means the federal 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. 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, 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 made by P.L. 103−66, P.L. 103−465, P.L. 104−188, excluding section 1311 of P.L. 104−188, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554 excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2130dd. 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" means the federal 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. 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, 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

Vetoed In Part

SECTION 2130df. 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" means the federal 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L.

Vetoed In Part

106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. 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, 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2130dh. 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" means the federal 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. 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, 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. 104−117, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2130dj. 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" 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, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. 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

Vetoed In Part

Revenue Code made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2130dL. 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573. 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2130dn. 71.01 (6) (n) of the statutes is amended to read:

Vetoed In Part

71.01 **(6)** (n) For taxable years that begin after December 31, 1998, and before January 1, 2000, 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 amended by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573. 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, and before January 1, 2000, except that changes to the Internal Revenue Code made by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2130dp. 71.01 (6) (o) of the statutes is amended to read:

71.01 **(6)** (o) For taxable years that begin after December 31, 1999, and before January 1, 2001, 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, 1999, 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. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573,

Vetoed In Part

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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573. 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, 1999, do not apply to this paragraph with respect to taxable years beginning after December 31, 1999, and before January 1, 2001, except that changes to the Internal Revenue Code made by P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2130dr. 71.01 (6) (p) of the statutes is created to read:

71.01 **(6)** (p) For taxable years that begin after December 31, 2000, 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, 2000, 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, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573. 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, 2000, do not apply to this paragraph with respect to taxable years beginning after December 31, 2000.

Vetoed In Part

SECTION 2130dt. 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" means either the federal Internal Revenue Code as amended to December 31, ~~1999~~ 2000, or the federal 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 as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980.

SECTION 2142m. 71.05 (1) (am) of the statutes is created to read:

71.05 **(1)** (am) *Military retirement systems.* All retirement payments, other than surviving spouse benefits, received from the U.S. military employee retirement system, to the extent that such payments are not exempt under par. (a).

Vetoed In Part

SECTION 2142n. 71.05 (1) (an) of the statutes is created to read:

71.05 **(1)** (an) *Uniformed services retirement benefits.* All retirement payments received by an individual from the U.S. government that relate to the individual's service with the coast guard, the commissioned corps of the national oceanic and atmospheric administration, or the commissioned corps of the public health service, to the extent that such payments are not exempt under par. (a) or (am).

Vetoed In Part

Vetoed In Part

SECTION 2143. 71.05 (6) (a) 15. of the statutes is amended to read:

71.05 **(6)** (a) 15. The amount of the credits computed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx) ~~and~~, (3g), 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 2144. 71.05 (11) (b) of the statutes is amended to read:

71.05 **(11)** (b) The cost of the following described property, less any federal depreciation or amortization taken, may be deducted as a subtraction modification or as subtraction modifications in the year or years in which paid or accrued, dependent on the method of accounting employed: All property purchased or constructed as a waste treatment facility utilized for the treatment of industrial wastes, as defined in s. 281.01 (5), or air contaminants, as defined in s. 285.01 (1), but not for other wastes, as defined in s. 281.01 (7) ~~and approved by the department of revenue under s. 70.11 (21) (a)~~, for the pur-

pose of abating or eliminating pollution of surface waters, the air, or waters of the state and, if the property's owner is taxed under ch. 76, if the property is approved by the department of revenue. In case of such election, appropriate add modifications shall be made in subsequent years to reverse federal depreciation or amortization or to correct gain or loss on disposition. This paragraph is intended to apply only to depreciable property except that where wastes are disposed of through a lagoon process, lagooning costs and the cost of land containing such lagoons may be treated as depreciable property for purposes of this paragraph. In no event may any amount in excess of cost be deducted. Paragraph (a) applies to all property purchased prior to July 31, 1975, or purchased and constructed in fulfillment of a written construction contract or formal written bid, which contract was entered into or which bid was made prior to July 31, 1975.

SECTION 2145. 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 1997, as determined by the federal department of labor, except that for taxable years beginning after December 31, 2000, and before January 1, 2002, 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 2145m. 71.07 (2di) (b) 1. of the statutes is amended to read:

71.07 **(2di)** (b) 1. Except as provided in subd. 2., the credit, including any credits carried over, may be offset only against the amount of the tax otherwise due under this chapter attributable to income from the business operations of the claimant in the development zone; except that a claimant in a development zone under s. 560.795 (1) (e) may offset the credit, including any credits carried over, against the amount of the tax otherwise due under this chapter attributable to all of the claimant's income; and against the tax attributable to income from directly related business operations of the claimant.

SECTION 2145p. 71.07 (2di) (b) 3. of the statutes is amended to read:

71.07 **(2di)** (b) 3. Partnerships, limited liability companies and tax−option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners or members. The corporation, partnership or company shall compute the amount of the credit that may be claimed by each of its shareholders, partners or members and shall provide that information to each of its shareholders, partners or members. Partners, members of limited liability companies and shareholders of tax−option corporations may claim the credit based on the partnership's, company's or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's, company's or corporation's business operations in the development zone; except that partners, members, and shareholders in a development zone under s. 560.795 (1) (e) may offset the credit against the amount of the tax attributable to their income from all of the partnership's, company's, or corporation's business operations; and against the tax attributable to their income from the partnership's, company's or corporation's directly related business operations.

SECTION 2146. 71.07 (2dm) of the statutes is created to read:

71.07 **(2dm)** DEVELOPMENT ZONE CAPITAL INVESTMENT CREDIT. (a) In this subsection:

1. "Certified" means entitled under s. 560.795 (3) (a) 4. to claim tax benefits or certified under s. 560.795 (5) or 560.798 (3).

2. "Claimant" means a person who files a claim under this subsection.

3. "Development zone" means a development opportunity zone under s. 560.795 (1) (e) and (f) or 560.798.

4. "Previously owned property" means real property that the claimant or a related person owned during the 2 years prior to the department of commerce designating the place where the property is located as a development zone and for which the claimant may not deduct a loss from the sale of the property to, or an exchange of the property with, the related person under section 267 of the Internal Revenue Code, except that section 267 (b) of the

Internal Revenue Code is modified so that if the claimant owns any part of the property, rather than 50% ownership, the claimant is subject to section 267 (a) (1) of the Internal Revenue Code for purposes of this subsection.

(b) Subject to the limitations provided in this subsection and in s. 73.03 (35), for any taxable year for which the claimant is certified, a claimant may claim as a credit against the taxes imposed under s. 71.02 an amount that is equal to 3% of the following:

1. The purchase price of depreciable, tangible personal property.

2. The amount expended to acquire, construct, rehabilitate, remodel, or repair real property in a development zone.

(c) A claimant may claim the credit under par. (b) 1., if the tangible personal property is purchased after the claimant is certified and the personal property is used for at least 50% of its use in the claimant's business at a location in a development zone or, if the property is mobile, the property's base of operations for at least 50% of its use is at a location in a development zone.

(d) A claimant may claim the credit under par. (b) 2. for an amount expended to construct, rehabilitate, remodel, or repair real property, if the claimant began the physical work of construction, rehabilitation, remodeling, or repair, or any demolition or destruction in preparation for the physical work, after the place where the property is located was designated a development zone, or if the completed project is placed in service after the claimant is certified. In this paragraph, "physical work" does not include preliminary activities such as planning, designing, securing financing, researching, developing specifications, or stabilizing the property to prevent deterioration.

(e) A claimant may claim the credit under par. (b) 2. for an amount expended to acquire real property, if the property is not previously owned property and if the claimant acquires the property after the place where the property is located was designated a development zone, or if the completed project is placed in service after the claimant is certified.

(f) No credit may be allowed under this subsection unless the claimant includes with the claimant's return:

1. A copy of a verification from the department of commerce that the claimant may claim tax benefits under s. 560.795 (3) (a) 4. or is certified under s. 560.795 (5) or 560.798 (3).

2. A statement from the department of commerce verifying the purchase price of the investment and verifying that the investment fulfills the requirements under par. (b).

(g) In calculating the credit under par. (b) a claimant shall reduce the amount expended to acquire property by a percentage equal to the percentage of the area of the real property not used for the purposes for which the claimant is certified and shall reduce the amount expended for other purposes by the amount expended on the part of the property not used for the purposes for which the claimant is certified.

(h) The carry−over provisions of s. 71.28 (4) (e) and (f) as they relate to the credit under s. 71.28 (4) relate to the credit under this subsection.

(hm) Credits claimed under this subsection, including any credits carried over, may be offset only against the amount of the tax otherwise due under this subchapter attributable to income from the business operations of the claimant in the development zone; except that a claimant in a development zone under s. 560.795 (1) (e) may offset credits, including any credits carried over, against the amount of the tax otherwise due under this subchapter attributable to all of the claimant's income; and against the tax attributable to income from directly related business operations of the claimant.

(i) Partnerships, limited liability companies, and tax−option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners, or members. The corporation, partnership, or limited liability company shall compute the amount of credit that may be claimed by each of its shareholders, partners, or members and provide that information to its shareholders, partners, or members. Partners, members of limited liability companies, and shareholders of tax−option corporations may claim the credit based on the partnership's, company's, or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's, company's, or corporation's business operations in the development zone; except that partners, members, and shareholders in a development zone under s. 560.795 (1) (e) may offset the credit against the amount of the tax attributable to their income from all of the partnership's, company's, or corporation's business operations; and against the tax attributable to their income from the partnership's, company's, or corporation's directly related business operations.

Vetoed In Part

(j) If a person who is entitled under s. 560.795 (3) (a) 4. to claim tax benefits becomes ineligible for such tax benefits, or if a person's certification under s. 560.795 (5) or 560.798 (3) is revoked, that person may claim no credits under this subsection for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, 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 the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years.

(k) If a person who is entitled under s. 560.795 (3) (a) 4. to claim tax benefits or certified under s. 560.795 (5) or 560.798 (3) 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.

(L) Section 71.28 (4) (g) and (h) as it applies to the credit under s. 71.28 (4) applies to the credit under this subsection.

SECTION 2146m. 71.07 (2dx) (a) 2. of the statutes is amended to read:

71.07 **(2dx)** (a) 2. "Development zone" means a development zone under s. 560.70, a development opportunity zone under s. 560.795 ~~or~~, an enterprise development zone under s. 560.797, or an agricultural development zone under s. 560.798.

SECTION 2147. 71.07 (2dx) (a) 5. of the statutes is amended to read:

71.07 **(2dx)** (a) 5. "Member of a targeted group" means ~~a person under sub. (2dj) (am) 1.,~~ a person who resides in an empowerment zone, or an enterprise community, that the U.S. government designates, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), ~~or~~ a person who is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex−convict, a qualified summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient; if the person has been certified in the manner under sub. (2dj) (am) 3. by a designated local agency, as defined in sub. (2dj) (am) 2.

SECTION 2147k. 71.07 (2dx) (b) (intro.) of the statutes is amended to read:

71.07 **(2dx)** (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and 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) or 560.798 (3), any person may claim as a credit against taxes imposed on the person's income from the person's business activities in a development zone the following amounts:

SECTION 2147m. 71.07 (2dx) (be) of the statutes is created to read:

71.07 **(2dx)** (be) *Offset.* A claimant in a development zone under s. 560.795 (1) (e) may offset any credits claimed under this subsection, including any credits carried over, against the amount of the tax otherwise due under this subchapter attributable to all of the claimant's income and against the tax attributable to income from directly related business operations of the claimant.

SECTION 2147p. 71.07 (2dx) (bg) of the statutes is created to read:

71.07 **(2dx)** (bg) *Other entities.* For claimants in a development zone under s. 560.795 (1) (e), partnerships, limited liability companies, and tax−option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners, or members. The corporation, partnership, or company shall compute the amount of the credit that may be claimed by each of its shareholders, partners, or members and shall provide that information to each of its shareholders, partners, or members. Partners, members of limited liability companies, and shareholders of tax−option corporations may claim the credit based on the partnership's, company's, or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from all of the partnership's, company's, or corporation's business operations and against the tax attributable to their income from the partnership's, company's, or corporation's directly related business operations. **Vetoed In Part**

SECTION 2147r. 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) or 560.798 (3) 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 2147t. 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) or 560.798 (3) 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.

SECTION 2148. 71.07 (3g) of the statutes is created to read:

71.07 **(3g)** TECHNOLOGY ZONES CREDIT. (a) Subject to the limitations under this subsection and ss. 73.03

(35m) and 560.96, a business that is certified under s. 560.96 (3) may claim as a credit against the taxes imposed under s. 71.02 an amount equal to the sum of the following, as established under s. 560.96 (3) (c):

1. The amount of real and personal property taxes imposed under s. 70.01 that the business paid in the taxable year.

2. The amount of income and franchise taxes imposed under s. 71.02 that the business paid in the taxable year.

3. The amount of sales and use taxes imposed under ss. 77.52, 77.53, and 77.71 that the business paid in the taxable year.

(b) The department of revenue shall notify the department of commerce of all claims under this subsection.

(c) Section 71.28 (4) (e), (f), (g), and (h), as it applies to the credit under s. 71.28 (4), applies to the credit under par. (a).

(d) Partnerships, limited liability companies, and tax−option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (a). A partnership, limited liability company, or tax−option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax−option corporations may claim the credit in proportion to their ownership interest.

Vetoed In Part

SECTION 2148m. 71.07 (5) (a) 10. of the statutes is created to read:

71.07 **(5)** (a) 10. Any amount claimed as a credit under sub. (9t).

SECTION 2149. 71.07 (7) (b) of the statutes is amended to read:

71.07 **(7)** (b) If a resident individual, estate or trust pays a net income tax to another state, that resident individual, estate or trust may credit the net tax paid to that other state on that income against the net income tax otherwise payable to the state on income of the same year. The credit may not be allowed unless the income taxed by the other state is also considered income for Wisconsin tax purposes. The credit may not be allowed unless claimed within the time provided in s. 71.75 (2), but s. 71.75 (4) does not apply to those credits. For purposes of this paragraph, amounts declared and paid ~~pursuant to~~ under the income tax law of another state ~~shall be deemed~~ are considered a net income tax paid to that other state only in the year in which the income tax return for that state was required to be filed. Income and franchise taxes paid to another state by a tax−option corporation, partnership, or limited liability company that is treated as a partnership may be claimed as a credit under this paragraph by that corporation's shareholders, that partnership's partners, or that limited liability company's members who are residents of this state and who otherwise qualify under this paragraph.

Vetoed In Part

SECTION 2150d. 71.07 (9t) of the statutes is created to read:

71.07 **(9t)** ARTISTIC ENDOWMENT CREDIT. (a) *Definition.* In this subsection, "claimant" means a person who files a claim under this subsection.

(b) *Filing claims.* For taxable years beginning after December 31, 2002, subject to the limitations 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 equal to 10% of the amount contributed to the artistic endowment fund under s. 25.78.

(c) *Limitations and conditions.* 1. The maximum credit that may be claimed under par. (b), in a taxable year, is one of the following amounts:

a. If the claimant is a single individual or a married individual who files a separate income tax return, $5.

b. If the claimant is married and the claimant and his or her spouse file a joint income tax return, $10.

2. Nonresidents of this state are not eligible for the credit under this subsection, except as provided under subd. 3.

3. For a claimant who is a part−year resident of this state and who is a single person or a married person filing a separate return, multiply the credit for which the claimant is eligible under subd. 1. by a fraction, the numerator of which is the individual's Wisconsin adjusted gross income and the denominator of which is the individual's federal adjusted gross income. If a claimant is married and files a joint return, and if the claimant's spouse is a nonresident or if the claimant or the claimant's spouse, or both, are part−year residents of this state, multiply the credit for which the claimant is eligible under subd. 1. by a fraction, the numerator of which is the couple's joint Wisconsin adjusted gross income and the denominator of which is the couple's joint federal adjusted gross income.

4. No new claim may be filed under this subsection for a taxable year that begins after December 31 of the year in which the department determines that the total amount of revenues received by the endowment fund equals $50,150,000.

5. No credit may be allowed under this subsection unless it is claimed within the time period under s. 71.75 (2).

(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 2150t. 71.10 (4) (dg) of the statutes is created to read:

71.10 **(4)** (dg) The artistic endowment credit under s. 71.07 (9t).

SECTION 2152. 71.10 (4) (grb) of the statutes is created to read:

71.10 **(4)** (grb) Development zone capital investment credit under s. 71.07 (2dm).

SECTION 2153. 71.10 (4) (grd) of the statutes is created to read:

71.10 **(4)** (grd) Technology zones credit under s. 71.07 (3g).

Vetoed In Part

SECTION 2153g. 71.10 (5f) of the statutes is created to read:

71.10 **(5f)** LOCAL PROFESSIONAL BASEBALL PARK DISTRICT DONATION. (a) *Definitions.* In this subsection:

1. "Baseball donation" means a designation made under this subsection, the net proceeds of which shall be deposited into the fund under s. 229.685 to be used for the repayment of bonds issued for purposes related to baseball park facilities under s. 229.65 (1).

2. "Department" means the department of revenue.

(b) *Voluntary payments.* 1. 'Designation on return.' Every individual filing an income tax return who has a tax liability or is entitled to a tax refund may designate on the return any amount of additional payment or any amount of a refund due that individual as a baseball donation.

2. 'Designation added to tax owed.' If the individual owes any tax, the individual shall remit in full the tax due and the amount designated on the return as a baseball donation when the individual files a tax return.

3. 'Designation deducted from refund.' Except as provided under par. (d), if the individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80 (3), the department shall deduct the amount designated on the return as a baseball donation from the amount of the refund.

(c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails to remit an amount equal to or in excess of the total of the actual tax due, after error corrections, and the amount designated on the return as a baseball donation:

1. The department shall reduce the designation for the baseball donation to reflect the amount remitted in excess of the actual tax due, after error corrections, if the individual remitted an amount in excess of the actual tax due, after error corrections, but less than the total of the actual tax due, after error corrections, and the amount originally designated on the return as a baseball donation.

2. The designation for the baseball donation is void if the individual remitted an amount equal to or less than the actual tax due, after error corrections.

(d) *Errors; insufficient refund.* If an individual who is owed a refund that does not equal or exceed the amount designated on the return as a baseball donation, after crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections, the department shall reduce the designation for the baseball donation to reflect the actual amount of the refund the individual is otherwise owed, after crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections.

Vetoed In Part

(e) *Conditions.* If an individual places any conditions on a designation for the baseball donation, the designation is void.

(f) *Void designation.* If a designation for the baseball donation is void, the department shall disregard the designation and determine amounts due, owed, refunded, and received without regard to the void designation.

(g) *Tax return.* The secretary of revenue shall provide a place for the designations under this subsection on the individual income tax return, and the secretary shall highlight that place on the return by a symbol chosen by the department that relates to a baseball park that is part of baseball park facilities, as defined in s. 229.65 (1).

(h) *Certification of amounts.* Annually, on or before September 15, the secretary of revenue shall certify to the district board under subch. III of ch. 229, the department of administration, and the state treasurer:

1. The total amount of the administrative costs, including data processing costs, incurred by the department in administering this subsection during the previous fiscal year.

2. The total amount received from all designations for baseball donations made by taxpayers during the previous fiscal year.

3. The net amount remaining after the administrative costs, including data processing costs, under subd. 1. are subtracted from the total received under subd. 2.

4. From the moneys received from designations for baseball donations, an amount equal to the sum of administrative expenses, including data processing costs, certified under subd. 1. shall be deposited into the general fund and credited to the appropriation under s. 20.566 (1) (hp), and the net amount remaining that is certified under subd. 3. shall be deposited into the fund created under s. 229.685 and credited to retire bonds issued for the initial construction of baseball park facilities under s. 229.65 (1).

(i) *Amounts subject to refund.* Amounts designated for baseball donations under this subsection are not subject to refund to the taxpayer unless the taxpayer submits information to the satisfaction of the department within 18 months after the date on which taxes are due or the date on which the return is filed, whichever is later, that the amount designated is clearly in error. Any 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.

SECTION 2154. 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 <u>and were administered in this state</u> before October 29, 1999, 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 2155. 71.14 (3m) (a) (intro.) of the statutes is amended to read:

71.14 **(3m)** (a) (intro.) 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, that become irrevocable on or after October 29, 1999, or that became irrevocable before October 29, 1999, and are first administered in this state on or after October 29, 1999, are resident of this state:

SECTION 2156. 71.14 (3m) (b) 2. of the statutes is amended to read:

71.14 **(3m)** (b) 2. Is irrevocable if the power to revest title, as described in ~~par. (a)~~ subd. 1., does not exist.

SECTION 2157. 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), (2dm), (2ds), (2dx) ~~and~~, (3g), and (3s) and passed through to partners shall be added to the partnership's income.

SECTION 2158. 71.22 (1r) of the statutes is amended to read:

71.22 **(1r)** "Doing business in this state" includes issuing credit, debit, or travel and entertainment cards to customers in this state; owning, directly or indirectly, a general or limited partnership interest in a partnership that does business in this state, regardless of the percentage of ownership; and owning, directly or indirectly, an interest in a limited liability company that does business in this state, regardless of the percentage of ownership, if the limited liability company is treated as a partnership for federal income tax purposes.

Vetoed In Part

SECTION 2158d. 71.22 (4) (g) of the statutes is repealed.

SECTION 2158db. 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", for taxable years that begin after December 31, 1992, and before January 1, 1994, means the federal 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. 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, 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 made by P.L. 103−66, P.L. 103−465, P.L. 104−188, excluding section 1311 of P.L. 104−188, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

Vetoed In Part

SECTION 2158dd. 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", for taxable years that begin after December 31, 1993, and before January 1, 1995, means the federal 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. The Internal Revenue

Vetoed In Part

Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2158df. 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", for taxable years that begin after December 31, 1994, and before January 1, 1996, means the federal 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. 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, 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2158dh. 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", for taxable years that begin after December 31, 1995, and before January 1, 1997, means the federal 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. 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, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 104−188, excluding sections 1123, 1202, 1204, 1311,

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and 1605 of P.L. 104−188, P.L. 104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2158dj. 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", 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, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. 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, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2158dL. 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573. 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2158dn. 71.22 (4) (n) of the statutes is amended 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, and before January 1, 2000, 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 amended by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, and as indirectly affected in the provisions applicable to

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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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573. 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, and before January 1, 2000, except that changes to the Internal Revenue Code made by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2158dp. 71.22 (4) (o) of the statutes is amended to read:

71.22 **(4)** (o) 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, 1999, and before January 1, 2001, means the federal Internal Revenue Code as amended to December 31, 1999, 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. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573. 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, 1999, do not apply to this paragraph with respect to taxable years beginning after December 31, 1999, and before January 1, 2001, except that changes to the Internal Revenue Code made by P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2158dr. 71.22 (4) (p) of the statutes is created to read:

71.22 **(4)** (p) 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, 2000, means the federal Internal Revenue Code as amended to December 31, 2000, 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, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573. 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, 2000, do not apply to this paragraph with respect to taxable years beginning after December 31, 2000.

SECTION 2158dt. 71.22 (4m) (e) of the statutes is repealed.

Vetoed In Part

SECTION 2158du. 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", 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, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. 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, 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 made by P.L. 103−66, P.L. 103−465, P.L. 104−188, excluding section 1311 of P.L. 104−188, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2158dv. 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", 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, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. 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, 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2158dw. 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", 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, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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,

Vetoed In Part

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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. 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, 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2158dx. 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", 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, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. 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, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

Vetoed In Part

SECTION 2158dy. 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, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554. 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, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and changes that indirectly affect provisions applicable to this subchapter made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections

Vetoed In Part

162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2158dz. 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573. 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2158dzb. 71.22 (4m) (L) of the statutes is amended to read:

71.22 **(4m)** (L) For taxable years that begin after December 31, 1998, and before January 1, 2000, "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 amended by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573. 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, and before January 1, 2000, except that changes to the Internal Revenue Code made by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2158dzd. 71.22 (4m) (m) of the statutes is amended to read:

71.22 **(4m)** (m) For taxable years that begin after December 31, 1999, and before January 1, 2001, "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, 1999, 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. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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

Vetoed In Part

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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573. 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, 1999, do not apply to this paragraph with respect to taxable years beginning after December 31, 1999, and before January 1, 2001, except that changes to the Internal Revenue Code made by P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2158dzf. 71.22 (4m) (n) of the statutes is created to read:

71.22 **(4m)** (n) For taxable years that begin after December 31, 2000, "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, 2000, 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, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573. 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, 2000, do not apply to this paragraph with respect to taxable years beginning after December 31, 2000.

SECTION 2159. 71.22 (6m) of the statutes is created to read:

71.22 **(6m)** "Member" does not include a member of a limited liability company treated as a corporation under sub. (1).

SECTION 2160. 71.22 (7m) of the statutes is created to read:

71.22 **(7m)** "Partner" does not include a partner of a publicly traded partnership treated as a corporation under sub. (1).

SECTION 2173. 71.25 (15) of the statutes is created to read:

71.25 **(15)** PARTNERSHIPS AND LIMITED LIABILITY COMPANIES. (a) A general or limited partner's share of the numerator and denominator of a partnership's apportionment factors under this section are included in the numerator and denominator of the general or limited partner's apportionment factors under this section.

(b) If a limited liability company is treated as a partnership, for federal tax purposes, a member's share of the numerator and denominator of a limited liability company's apportionment factors under this section are included in the numerator and denominator of the member's apportionment factors under this section.

SECTION 2174. 71.26 (1) (be) of the statutes is amended to read:

71.26 **(1)** (be) *Certain authorities.* Income of the University of Wisconsin Hospitals and Clinics Authority and of the Fox River Navigational System Authority.

SECTION 2175. 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~~ 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~~, (4), (5), and (9t) plus the amount of the credit computed under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds) ~~and~~, and (3g) (1dx) 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~~ 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).

Vetoed In Part

SECTION 2175d. 71.26 (2) (b) 7. of the statutes is repealed.

Vetoed In Part

SECTION 2175db. 71.26 (2) (b) 8. of the statutes is amended to read:

Vetoed In Part

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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, "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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the 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 made by P.L. 103−66, P.L. 103−465, P.L. 104−188, excluding section 1311 of P.L. 104−188, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

Vetoed In Part

SECTION 2175dc. 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and as indirectly affected in the provisions applicable to this subchapter by P.L.

Vetoed In Part

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, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, "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 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, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, 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, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, 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, 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, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, 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, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, 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, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the 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 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, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, 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, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2175dd. 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 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, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, 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,

Vetoed In Part

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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, "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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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,

Vetoed In Part

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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2175de. 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, "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

Vetoed In Part

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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

Vetoed In Part

SECTION 2175df. 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, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, "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, 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, P.L. 105−34,

Vetoed In Part

P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, 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, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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 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, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

Vetoed In Part

SECTION 2175dg. 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, "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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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.

Vetoed In Part

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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 and ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36 and ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

Vetoed In Part

SECTION 2175dgm. 71.26 (2) (b) 14. of the statutes is amended to read:

71.26 **(2)** (b) 14. For taxable years that begin after December 31, 1998, and before January 1, 2000, 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 amended by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, "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 amended by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~,

Vetoed In Part

P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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 amended by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, and before January 1, 2000, except that changes to the Internal Revenue Code made by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2175dh. 71.26 (2) (b) 15. of the statutes is amended to read:

71.26 **(2)** (b) 15. For taxable years that begin after December 31, 1999, and before January 1, 2001, 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, 1999, 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. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, "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, 1999, 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. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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

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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, 1999, 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. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 1999, do not apply to this subdivision with respect to taxable years that begin after December 31, 1999, and before January 1, 2001, except that changes to the Internal Revenue Code made by P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2175dj. 71.26 (2) (b) 16. of the statutes is created to read:

71.26 **(2)** (b) 16. For taxable years that begin after December 31, 2000, 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, 2000, 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, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, "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, 2000, 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, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, 2000, 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

Vetoed In Part

Vetoed In Part

(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, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–200, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 106–573, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the Internal Revenue Code enacted after December 31, 2000, do not apply to this subdivision with respect to taxable years that begin after December 31, 2000.

SECTION 2176. 71.26 (3) (n) of the statutes is amended to read:

71.26 **(3)** (n) Sections 381, 382 and 383 (relating to carry–overs in certain corporate acquisitions) are modified so that they apply to losses under sub. (4) and credits under s. 71.28 (1di), (1dL), (1dm), (1dx) ~~and~~, (3) ~~to~~, (4), and (5) instead of to federal credits and federal net operating losses.

Vetoed In Part

SECTION 2176d. 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 as amended to December 31, ~~1999~~ 2000, or the federal 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 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 2176m. 71.28 (1di) (b) 1. of the statutes is amended to read:

71.28 **(1di)** (b) 1. Except as provided in subd. 2., the credit, including any credits carried over, may be offset only against the amount of the tax otherwise due under this chapter attributable to income from the business operations of the claimant in the development zone; except that a claimant in a development zone under s. 560.795 (1) (e) may offset the credit, including any credits carried over, against the amount of the tax otherwise due under this chapter attributable to all of the claimant's income; and against the tax attributable to income from directly related business operations of the claimant.

SECTION 2176p. 71.28 (1di) (b) 3. of the statutes is amended to read:

71.28 **(1di)** (b) 3. Partnerships, limited liability companies and tax–option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners or members. The corporation, partnership or limited liability company shall compute the amount of the credit that may be claimed by each of its shareholders, partners or members and shall provide that information to each of its shareholders, partners or members. Partners, members of limited liability companies and shareholders of tax–option corporations may claim the credit based on the partnership's, company's or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's, company's or corporation's business operations in the development zone; except that partners, members, and shareholders in a development zone under s. 560.795 (1) (e) may offset the credit against the amount of the tax attributable to their income from all of the partnership's, company's, or corporation's business operations; and against the tax attributable to their income from the partnership's, company's or corporation's directly related business operations.

SECTION 2177. 71.28 (1dm) of the statutes is created to read:

71.28 **(1dm)** DEVELOPMENT ZONE CAPITAL INVESTMENT CREDIT. (a) In this subsection:

1. "Certified" means entitled under s. 560.795 (3) (a) 4. to claim tax benefits or certified under s. 560.795 (5) or 560.798 (3).

2. "Claimant" means a person who files a claim under this subsection.

3. "Development zone" means a development opportunity zone under s. 560.795 (1) (e) and (f) or 560.798.

4. "Previously owned property" means real property that the claimant or a related person owned during the 2 years prior to the department of commerce designating the place where the property is located as a development zone and for which the claimant may not deduct a loss from the sale of the property to, or an exchange of the property with, the related person under section 267 of the Internal Revenue Code, except that section 267 (b) of the Internal Revenue Code is modified so that if the claimant owns any part of the property, rather than 50% ownership, the claimant is subject to section 267 (a) (1) of the Internal Revenue Code for purposes of this subsection.

(b) Subject to the limitations provided in this subsection and in s. 73.03 (35), for any taxable year for which the claimant is certified, a claimant may claim as a credit against the taxes imposed under s. 71.23 an amount that is equal to 3% of the following:

1. The purchase price of depreciable, tangible personal property.

2. The amount expended to acquire, construct, rehabilitate, remodel, or repair real property in a development zone.

(c) A claimant may claim the credit under par. (b) 1., if the tangible personal property is purchased after the claimant is certified and the personal property is used for at least 50% of its use in the claimant's business at a location in a development zone or, if the property is mobile, the property's base of operations for at least 50% of its use is at a location in a development zone.

(d) A claimant may claim the credit under par. (b) 2. for an amount expended to construct, rehabilitate, remodel, or repair real property, if the claimant began the physical work of construction, rehabilitation, remodeling, or repair, or any demolition or destruction in preparation for the physical work, after the place where the property is located was designated a development zone, or if the completed project is placed in service after the claimant is certified. In this paragraph, "physical work" does not include preliminary activities such as planning, designing, securing financing, researching, developing specifications, or stabilizing the property to prevent deterioration.

(e) A claimant may claim the credit under par. (b) 2. for an amount expended to acquire real property, if the property is not previously owned property and if the claimant acquires the property after the place where the property is located was designated a development zone, or if the completed project is placed in service after the claimant is certified.

(f) No credit may be allowed under this subsection unless the claimant includes with the claimant's return:

1. A copy of a verification from the department of commerce that the claimant may claim tax benefits under s. 560.795 (3) (a) 4. or is certified under s. 560.795 (5) or 560.798 (3).

2. A statement from the department of commerce verifying the purchase price of the investment and verifying that the investment fulfills the requirements under par. (b).

(g) In calculating the credit under par. (b) a claimant shall reduce the amount expended to acquire property by a percentage equal to the percentage of the area of the real property not used for the purposes for which the claimant is certified and shall reduce the amount expended for other purposes by the amount expended on the part of the property not used for the purposes for which the claimant is certified.

(h) The carry−over provisions of sub. (4) (e) and (f) as they relate to the credit under sub. (4) relate to the credit under this subsection.

(hm) Credits claimed under this subsection, including any credits carried over, may be offset only against the amount of the tax otherwise due under this subchapter attributable to income from the business operations of the claimant in the development zone; except that a claimant in a development zone under s. 560.795 (1) (e) may offset credits, including any credits carried over, against the amount of the tax otherwise due under this subchapter attributable to all of the claimant's income; and against the tax attributable to income from directly related business operations of the claimant.

(i) Partnerships, limited liability companies, and tax−option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners, or members. The corporation, partnership, or limited liability company shall compute the amount of credit that may be claimed by each of its shareholders, partners, or members and provide that information to its shareholders, partners, or members. Partners, members of limited liability companies, and shareholders of tax−option corporations may claim the credit based on the partnership's, company's, or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's, company's, or corporation's business operations in the development zone; except that partners, members, and shareholders in a development zone under s. 560.795 (1) (e) may offset the credit against the amount of the tax attributable to their income from all of the partnership's, company's, or corporation's business operations; and against the tax attributable to their income from the partnership's, company's, or corporation's directly related business operations.

Vetoed In Part

(j) If a person who is entitled under s. 560.795 (3) (a) 4. to claim tax benefits becomes ineligible for such tax benefits, or if a person's certification under s. 560.795 (5) or 560.798 (3) is revoked, that person may claim no credits under this subsection for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, 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 the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years.

(k) If a person who is entitled under s. 560.795 (3) (a) 4. to claim tax benefits or certified under s. 560.795 (5) or 560.798 (3) 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.

(L) Subsection (4) (g) and (h) as it applies to the credit under sub. (4) applies to the credit under this subsection.

SECTION 2177m. 71.28 (1dx) (a) 2. of the statutes is amended to read:

71.28 **(1dx)** (a) 2. "Development zone" means a development zone under s. 560.70, a development opportunity zone under s. 560.795 ~~or~~, an enterprise development zone under s. 560.797, or an agricultural development zone under s. 560.798.

SECTION 2178. 71.28 (1dx) (a) 5. of the statutes is amended to read:

71.28 **(1dx)** (a) 5. "Member of a targeted group" means ~~a person under sub. (2dj) (am) 1.,~~ a person who resides in an empowerment zone, or an enterprise community, that the U.S. government designates, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), ~~or~~ a person who is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex−convict, a qualified summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient; if the person has been certified in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

SECTION 2178k. 71.28 (1dx) (b) (intro.) of the statutes is amended to read:

71.28 **(1dx)** (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and 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) or 560.798 (3), any person may claim as a credit against taxes imposed on the person's income from the person's business activities in a development zone under this subchapter the following amounts:

SECTION 2178m. 71.28 (1dx) (be) of the statutes is created to read:

71.28 **(1dx)** (be) *Offset.* A claimant in a development zone under s. 560.795 (1) (e) may offset any credits claimed under this subsection, including any credits carried over, against the amount of the tax otherwise due under this subchapter attributable to all of the claimant's income and against the tax attributable to income from directly related business operations of the claimant.

SECTION 2178p. 71.28 (1dx) (bg) of the statutes is created to read:

71.28 **(1dx)** (bg) *Other entities.* For claimants in a development zone under s. 560.795 (1) (e), partnerships, limited liability companies, and tax−option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners, or members. The corporation, partnership, or company shall compute the amount of the credit that may be claimed by each of its shareholders, partners, or members and shall provide that information to each of its shareholders, partners, or members. Partners, members of limited liability companies, and shareholders of tax−option corporations may claim the credit based on the partnership's, company's, or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from all of the partnership's, company's, or corporation's business operations and against the tax attributable to their income from the partnership's, company's, or corporation's directly related business operations.

Vetoed In Part

SECTION 2178r. 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) or 560.798 (3) 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 2178t. 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) or 560.798 (3) 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.

SECTION 2179. 71.28 (3g) of the statutes is created to read:

71.28 **(3g)** TECHNOLOGY ZONES CREDIT. (a) Subject to the limitations under this subsection and ss. 73.03 (35m) and 560.96, a business that is certified under s. 560.96 (3) may claim as a credit against the taxes imposed under s. 71.23 an amount equal to the sum of the following, as established under s. 560.96 (3) (c):

1. The amount of real and personal property taxes imposed under s. 70.01 that the business paid in the taxable year.

2. The amount of income and franchise taxes imposed under s. 71.23 that the business paid in the taxable year.

3. The amount of sales and use taxes imposed under ss. 77.52, 77.53, and 77.71 that the business paid in the taxable year.

(b) The department of revenue shall notify the department of commerce of all claims under this subsection.

(c) Subsection (4) (e), (f), (g), and (h), as it applies to the credit under sub. (4), applies to the credit under par. (a).

(d) Partnerships, limited liability companies, and tax−option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (a). A partnership, limited liability company, or tax−option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax−option corporations may claim the credit in proportion to their ownership interest.

Vetoed In Part

SECTION 2179d. 71.28 (9t) of the statutes is created to read:

71.28 **(9t)** ARTISTIC ENDOWMENT CREDIT. (a) *Definition.* In this subsection, "claimant" means a person who files a claim under this subsection.

(b) *Filing claims.* For taxable years beginning after December 31, 2002, subject to the limitations provided in this subsection, a claimant may claim as a credit against the tax imposed under s. 71.23, up to the amount of those taxes, an amount equal to 10% of the amount contributed to the artistic endowment fund under s. 25.78, up to a maximum credit of $500 in a taxable year.

(c) *Limitations and conditions.* 1. No new claim may be filed under this subsection for a taxable year that begins after December 31 of the year in which the department determines that the total amount of revenues received by the endowment fund equals $50,150,000.

2. No credit may be allowed under this subsection unless it is claimed within the time period under s. 71.75 (2).

(d) *Administration.* Subsection (4) (e) and (g), as it applies to the credit under sub. (4), applies to the credit under this subsection.

SECTION 2179h. 71.30 (3) (bm) of the statutes is created to read:

71.30 **(3)** (bm) Artistic endowment credit under s. 71.28 (9t).

SECTION 2180. 71.30 (3) (emb) of the statutes is created to read:

71.30 **(3)** (emb) Development zone capital investment credit under s. 71.28 (1dm).

SECTION 2181. 71.30 (3) (eon) of the statutes is created to read:

71.30 **(3)** (eon) Technology zones credit under s. 71.28 (3g).

SECTION 2182. 71.34 (1) (g) of the statutes is amended to read:

71.34 **(1)** (g) An addition shall be made for credits computed by a tax−option corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx) ~~and~~, (3), and (3g) and passed through to shareholders.

Vetoed In Part

SECTION 2182d. 71.34 (1g) (g) of the statutes is repealed.

SECTION 2182db. 71.34 (1g) (h) of the statutes is amended to read:

71.34 **(1g)** (h) "Internal 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, 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 made by P.L. 103−66, P.L. 103−465, P.L. 104−188, excluding section 1311 of P.L. 104−188, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

Vetoed In Part

SECTION 2182dc. 71.34 (1g) (i) of the statutes is amended to read:

71.34 **(1g)** (i) "Internal 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2182dd. 71.34 (1g) (j) of the statutes is amended to read:

Vetoed In Part

71.34 **(1g)** (j) "Internal 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2182de. 71.34 (1g) (k) of the statutes is amended to read:

71.34 **(1g)** (k) "Internal 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 as amended to December 31, 1995, excluding sections 103, 104, and 110 of P.L. 102−227 and sections 13113, 13150 (d),

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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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2182df. 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, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−33, P.L. 105−34, P.L. 105−206, P.L. 105−277 ~~and~~, P.L. 106−36, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2182dg. 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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

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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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2182dh. 71.34 (1g) (n) of the statutes is amended to read:

71.34 **(1g)** (n) "Internal Revenue Code" for tax−option corporations, for taxable years that begin after December 31, 1998, and before January 1, 2000, 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 amended by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, and before January 1, 2000, except that changes to the Internal Revenue Code made by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2182dj. 71.34 (1g) (o) of the statutes is amended to read:

71.34 **(1g)** (o) "Internal Revenue Code" for tax−option corporations, for taxable years that begin after December 31, 1999, and before January 1, 2001, means the federal Internal Revenue Code as amended to December 31, 1999, 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. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, 1999, do not apply to this paragraph with

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respect to taxable years beginning after December 31, 1999, and before January 1, 2001, except that changes to the Internal Revenue Code made by P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2182dk. 71.34 (1g) (p) of the statutes is created to read:

71.34 **(1g)** (p) "Internal Revenue Code" for tax−option corporations, for taxable years that begin after December 31, 2000, means the federal Internal Revenue Code as amended to December 31, 2000, 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, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, 2000, do not apply to this paragraph with respect to taxable years beginning after December 31, 2000.

SECTION 2182dL. 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 as amended to December 31, ~~1999~~ 2000, or the federal 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 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. 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 as defined for Wisconsin purposes for the property in the hands of the transferor.

SECTION 2182dm. 71.42 (2) (f) of the statutes is repealed.

SECTION 2182dn. 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" means the federal 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 and P.L. 105−277~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L.

Vetoed In Part

106−554, 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, 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 made by P.L. 103−66, P.L. 103−465, P.L. 104−188, excluding section 1311 of P.L. 104−188, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and changes that indirectly affect the federal 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2182dp. 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" means the federal 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2182dq. 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" means the federal 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, 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 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, 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, P.L. 105−34, P.L. 105−206 ~~and~~, P.L. 105−277, and P.L. 106−554, excluding sections 162 and 165 of P.L.

Vetoed In Part

106–554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2182dr. 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" means the federal 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, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, 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, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, 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, 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, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, 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, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2182ds. 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, P.L. 105–34, P.L. 105–206, P.L. 105–277 ~~and~~, P.L. 106–36, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, 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. 105–206, P.L. 105–277 ~~and~~, P.L. 106–36, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, 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, P.L. 105–34, P.L. 105–206, P.L. 105–277 ~~and~~, P.L. 106–36, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277 ~~and~~, P.L. 106–36, and P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, apply for Wisconsin purposes at the same time as for federal purposes.

Vetoed In Part

SECTION 2182dt. 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, P.L. 105–277, P.L. 106–36 ~~and~~, P.L. 106–170, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, and P.L. 106–573, 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.

Vetoed In Part

104−191, P.L. 104−193, P.L. 105−33, P.L. 105−34, P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 105−178, P.L. 105−206, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2182du. 71.42 (2) (m) of the statutes is amended to read:

71.42 **(2)** (m) For taxable years that begin after December 31, 1998, and before January 1, 2000, "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 amended by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, and before January 1, 2000, except that changes to the Internal Revenue Code made by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2182dv. 71.42 (2) (n) of the statutes is amended to read:

71.42 **(2)** (n) For taxable years that begin after December 31, 1999, and before January 1, 2001, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 1999, 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. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, P.L. 105−277, P.L. 106−36 ~~and~~, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, 1999, do not apply to this paragraph with respect to taxable years beginning after December 31, 1999, and before January 1, 2001, except that changes to the Internal Revenue Code made by P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 2182dw. 71.42 (2) (o) of the statutes is created to read:

71.42 **(2)** (o) For taxable years that begin after December 31, 2000, "Internal Revenue Code" means the federal Internal Revenue Code as amended to December 31, 2000, excluding sections 103, 104, and 110 of P.L. 102−227, sections 13113, 13150 (d), 13171

Vetoed In Part

(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, P.L. 105−277, P.L. 106−36, P.L. 106−170, P.L. 106−200, P.L. 106−230, P.L. 106−554, excluding sections 162 and 165 of P.L. 106−554, and P.L. 106−573, 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, 2000, do not apply to this paragraph with respect to taxable years beginning after December 31, 2000.

SECTION 2183. 71.42 (3d) of the statutes is created to read:

71.42 **(3d)** "Member" does not include a member of a limited liability company treated as a corporation under s. 71.22 (1).

SECTION 2184. 71.42 (3h) of the statutes is created to read:

71.42 **(3h)** "Partner" does not include a partner of a publicly traded partnership treated as a corporation under s. 71.22 (1).

Vetoed In Part

SECTION 2184r. 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, ~~1999~~ 2000, 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 2190. 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 factors under this section are included in the numerator and denominator of the general or limited partner's apportionment factors under this section.

(b) If a limited liability company is treated as a partnership, for federal tax purposes, a member's share of the numerator and denominator of a limited liability company's apportionment factors under this section are included in the numerator and denominator of the member's apportionment factors under this section.

SECTION 2190m. 71.47 (1di) (b) 1. of the statutes is amended to read:

71.47 **(1di)** (b) 1. Except as provided in subd. 2., the credit, including any credits carried over, may be offset only against the amount of the tax otherwise due under this chapter attributable to income from the business operations of the claimant in the development zone; except that a claimant in a development zone under s. 560.795 (1) (e) may offset the credit, including any credits carried over, against the amount of the tax otherwise due under this chapter attributable to all of the claimant's income; and against the tax attributable to income from directly related business operations of the claimant.

SECTION 2190p. 71.47 (1di) (b) 3. of the statutes is amended to read:

71.47 **(1di)** (b) 3. Partnerships, limited liability companies and tax−option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners or members. The corporation, partnership or limited liability company shall compute the amount of the credit that may be claimed by each of its shareholders, partners or members and shall provide that information to each of its shareholders, partners or members. Partners, members of limited liability companies and shareholders of tax−option corporations may claim the credit based on the partnership's, company's or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's, company's or corporation's business operations in the development zone; except that a claimant in a development zone under s. 560.795 (1) (e) may offset the credit, including any credits carried over, against the amount of the tax otherwise due under this chapter attributable to all of the claimant's income; and against the tax attributable to their income from the partnership's, company's or corporation's directly related business operations.

SECTION 2191. 71.47 (1dm) of the statutes is created to read:

71.47 **(1dm)** DEVELOPMENT ZONE CAPITAL INVESTMENT CREDIT. (a) In this subsection:

1. "Certified" means entitled under s. 560.795 (3) (a) 4. to claim tax benefits or certified under s. 560.795 (5) or 560.798 (3).

2. "Claimant" means a person who files a claim under this subsection.

3. "Development zone" means a development opportunity zone under s. 560.795 (1) (e) and (f) or 560.798.

4. "Previously owned property" means real property that the claimant or a related person owned during the 2 years prior to the department of commerce designating the place where the property is located as a development zone and for which the claimant may not deduct a loss from the sale of the property to, or an exchange of the property with, the related person under section 267 of the Internal Revenue Code, except that section 267 (b) of the Internal Revenue Code is modified so that if the claimant owns any part of the property, rather than 50% ownership, the claimant is subject to section 267 (a) (1) of the Internal Revenue Code for purposes of this subsection.

(b) Subject to the limitations provided in this subsection and in s. 73.03 (35), for any taxable year for which the claimant is certified, a claimant may claim as a credit against the taxes imposed under s. 71.43 an amount that is equal to 3% of the following:

1. The purchase price of depreciable, tangible personal property.

2. The amount expended to acquire, construct, rehabilitate, remodel, or repair real property in a development zone.

(c) A claimant may claim the credit under par. (b) 1., if the tangible personal property is purchased after the claimant is certified and the personal property is used for at least 50% of its use in the claimant's business at a location in a development zone or, if the property is mobile, the property's base of operations for at least 50% of its use is at a location in a development zone.

(d) A claimant may claim the credit under par. (b) 2. for an amount expended to construct, rehabilitate, remodel, or repair real property, if the claimant began the physical work of construction, rehabilitation, remodeling, or repair, or any demolition or destruction in preparation for the physical work, after the place where the property is located was designated a development zone, or if the completed project is placed in service after the claimant is certified. In this paragraph, "physical work" does not include preliminary activities such as planning, designing, securing financing, researching, developing specifications, or stabilizing the property to prevent deterioration.

(e) A claimant may claim the credit under par. (b) 2. for an amount expended to acquire real property, if the property is not previously owned property and if the claimant acquires the property after the place where the property is located was designated a development zone, or if the completed project is placed in service after the claimant is certified.

(f) No credit may be allowed under this subsection unless the claimant includes with the claimant's return:

1. A copy of a verification from the department of commerce that the claimant may claim tax benefits under s. 560.795 (3) (a) 4. or is certified under s. 560.795 (5) or 560.798 (3).

2. A statement from the department of commerce verifying the purchase price of the investment and verifying that the investment fulfills the requirements under par. (b).

(g) In calculating the credit under par. (b) a claimant shall reduce the amount expended to acquire property by a percentage equal to the percentage of the area of the real property not used for the purposes for which the claimant is certified and shall reduce the amount expended for other purposes by the amount expended on the part of the property not used for the purposes for which the claimant is certified.

(h) The carry−over provisions of s. 71.28 (4) (e) and (f) as they relate to the credit under s. 71.28 (4) relate to the credit under this subsection.

(hm) Credits claimed under this subsection, including any credits carried over, may be offset only against the amount of the tax otherwise due under this subchapter attributable to income from the business operations of the claimant in the development zone; except that a claimant in a development zone under s. 560.795 (1) (e) may offset credits, including any credits carried over, against the amount of the tax otherwise due under this subchapter attributable to all of the claimant's income; and against the tax attributable to income from directly related business operations of the claimant.

(i) Partnerships, limited liability companies, and tax−option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners, or members. The corporation, partnership, or limited liability company shall compute the amount of credit that may be claimed by each of its shareholders, partners, or members and provide that information to its shareholders, partners, or members. Partners, members of limited liability companies, and shareholders of tax−option corporations may claim the credit based on the partnership's, company's, or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's, company's, or corporation's business operations in the development zone; except that partners, members, and shareholders in a development zone under s. 560.795 (1) (e) may offset the credit against the amount of the tax attributable to their income from all of the partnership's, company's, or corporation's business operations; and against the tax attributable to their income from the partnership's, company's, or corporation's directly related business operations.

Vetoed In Part

(j) If a person who is entitled under s. 560.795 (3) (a) 4. to claim tax benefits becomes ineligible for such tax benefits, or if a person's certification under s. 560.795 (5) or 560.798 (3) is revoked, that person may claim no credits under this subsection for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, 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 the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years.

(k) If a person who is entitled under s. 560.795 (3) (a) 4. to claim tax benefits or certified under s. 560.795 (5) or 560.798 (3) 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.

(L) Section 71.28 (4) (g) and (h) as it applies to the credit under s. 71.28 (4) applies to the credit under this subsection.

SECTION 2191m. 71.47 (1dx) (a) 2. of the statutes is amended to read:

71.47 **(1dx)** (a) 2. "Development zone" means a development zone under s. 560.70, a development opportunity zone under s. 560.795 or an enterprise development zone under s. 560.797, or an agricultural development zone under s. 560.798.

SECTION 2192. 71.47 (1dx) (a) 5. of the statutes is amended to read:

71.47 **(1dx)** (a) 5. "Member of a targeted group" means ~~a person under sub. (2dj) (am) 1.,~~ a person who resides in an empowerment zone, or an enterprise community, that the U.S. government designates, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), ~~or~~ a person who is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex−convict, a qualified summer youth employee, as defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient; if the person has been certified in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

SECTION 2192k. 71.47 (1dx) (b) (intro.) of the statutes is amended to read:

71.47 **(1dx)** (b) *Credit.* (intro.) Except or provided in pars. (be) and (bg) and 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) or 560.798 (3), any person may claim as a credit against taxes imposed on the person's income from the person's business activities in a development zone under this subchapter the following amounts:

SECTION 2192m. 71.47 (1dx) (be) of the statutes is created to read:

71.47 **(1dx)** (be) *Offset.* A claimant in a development zone under s. 560.795 (1) (e) may offset any credits claimed under this subsection, including any credits carried over, against the amount of the tax otherwise due under this subchapter attributable to all of the claimant's income and against the tax attributable to income from directly related business operations of the claimant.

SECTION 2192p. 71.47 (1dx) (bg) of the statutes is created to read:

71.47 **(1dx)** (bg) *Other entities.* For claimants in a development zone under s. 560.795 (1) (e), partnerships, limited liability companies, and tax−option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners, or members. The corporation, partnership, or company shall compute the amount of the credit that may be claimed by each of its shareholders, partners, or members and shall provide that information to each of its shareholders, partners, or members. Partners, members of limited liability companies, and shareholders of tax−option corporations may claim the credit based on the partnership's, company's, or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from all of the partnership's, company's, or corporation's business operations and against the tax attributable to their income from the partnership's, company's, or corporation's directly related business operations. **Vetoed In Part**

SECTION 2192r. 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) or 560.798 (3) 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 2192t. 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) or 560.798 (3) 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.

SECTION 2193. 71.47 (3g) of the statutes is created to read:

71.47 **(3g)** TECHNOLOGY ZONES CREDIT. (a) Subject to the limitations under this subsection and ss. 73.03 (35m), and 560.96, a business that is certified under s. 560.96 (3) may claim as a credit against the taxes imposed under s. 71.43 an amount equal to the sum of the following, as established under s. 560.96 (3) (c):

1. The amount of real and personal property taxes imposed under s. 70.01 that the business paid in the taxable year.

2. The amount of income and franchise taxes imposed under s. 71.43 that the business paid in the taxable year.

3. The amount of sales and use taxes imposed under ss. 77.52, 77.53, and 77.71 that the business paid in the taxable year.

(b) The department of revenue shall notify the department of commerce of all claims under this subsection.

(c) Section 71.28 (4) (e), (f), (g), and (h), as it applies to the credit under s. 71.28 (4), applies to the credit under par. (a).

(d) Partnerships, limited liability companies, and tax−option corporations may not claim the credit under this subsection, but the eligibility for, and the amount of, the credit are based on their payment of amounts under par. (a). A partnership, limited liability company, or tax−option corporation shall compute the amount of credit that each of its partners, members, or shareholders may claim and shall provide that information to each of them. Partners, members of limited liability companies, and shareholders of tax−option corporations may claim the credit in proportion to their ownership interest.

Vetoed In Part

SECTION 2193d. 71.47 (9t) of the statutes is created to read:

71.47 **(9t)** ARTISTIC ENDOWMENT CREDIT. (a) *Definition.* In this subsection, "claimant" means a person who files a claim under this subsection.

(b) *Filing claims.* For taxable years beginning after December 31, 2002, subject to the limitations provided in this subsection, a claimant may claim as a credit against the tax imposed under s. 71.43, up to the amount of those taxes, an amount equal to 10% of the amount contributed to the artistic endowment fund under s. 25.78, up to a maximum credit of $500 in a taxable year.

Vetoed In Part

(c) *Limitations and conditions.* 1. No new claim may be filed under this subsection for a taxable year that begins after December 31 of the year in which the department determines that the total amount of revenues received by the endowment fund equals $50,150,000.

2. No credit may be allowed under this subsection unless it is claimed within the time period under s. 71.75 (2).

(d) *Administration.* Section 71.28 (4) (e) and (g), as it applies to the credit under s. 71.28 (4), applies to the credit under this subsection.

SECTION 2193h. 71.49 (1) (bm) of the statutes is created to read:

71.49 **(1)** (bm) Artistic endowment credit under s. 71.47 (9t).

SECTION 2194. 71.49 (1) (emb) of the statutes is created to read:

71.49 **(1)** (emb) Development zone capital investment credit under s. 71.47 (1dm).

SECTION 2195. 71.49 (1) (eon) of the statutes is created to read:

71.49 **(1)** (eon) Technology zones credit under s. 71.47 (3g).

Vetoed In Part

SECTION 2195m. 71.59 (1m) of the statutes is amended to read:

71.59 **(1m)** PERMITTED USES. The designation by the department of natural resources or by the department of forestry of any farmland in this state, for which a claim under this section may be filed, as part of the ice age trail, under s. 23.17, is a permitted use under a farmland preservation agreement, or a certificate of a zoning authority, under sub. (1) (b).

SECTION 2200b. 71.93 (1) (a) 3. of the statutes is amended to read:

71.93 **(1)** (a) 3. An amount that the department of health and family services may recover under s. 49.45 (2) (a) 10. or 49.497, if the department of health and family services has certified the amount under s. 49.85.

SECTION 2200c. 71.93 (1) (a) 4. of the statutes is amended to read:

71.93 **(1)** (a) 4. An amount that the department of workforce development may recover under s. ~~49.125 or~~ 49.195 (3) or 49.793, if the department of workforce development has certified the amount under s. 49.85.

SECTION 2200cm. 71.93 (1) (a) 6. of the statutes is created to read:

71.93 **(1)** (a) 6. An amount owed to the department of military affairs under s. 21.49 (3m).

SECTION 2200d. 72.01 (11m) of the statutes is created to read:

72.01 **(11m)** "Federal credit" means, for deaths occurring after September 30, 2002, and before January 1, 2008, the federal estate tax credit allowed for state

death taxes as computed under the federal estate tax law in effect on December 31, 2000, and for deaths occurring after December 31, 2007, the federal estate tax credit allowed for state death taxes as computed under the federal estate tax law in effect on the day of the decedent's death.

SECTION 2200e. 72.01 (11n) of the statutes is created to read:

72.01 **(11n)** "Federal estate tax" means, for deaths occurring after September 30, 2002, and before January 1, 2008, the federal estate tax as computed under the federal estate tax law in effect on December 31, 2000, and for deaths occurring after December 31, 2007, the federal estate tax as computed under the federal estate tax law in effect on the day of the decedent's death.

SECTION 2200g. 72.02 of the statutes is amended to read:

72.02 Estate tax imposed. An estate tax is imposed upon the transfer of all property that is subject to a federal estate tax and that has a taxable situs in this state. The tax imposed is equal to the federal credit ~~allowed for state death taxes~~ against the federal estate tax as finally determined. If only a portion of a decedent's property has a taxable situs in this state, the tax imposed is the amount obtained by multiplying the federal credit ~~allowed for state death taxes~~ by a fraction the numerator of which is the value of the decedent's estate that has a taxable situs in this state and the denominator of which is the total value of the property in the estate that qualifies for the federal credit ~~allowed for state death taxes~~.

SECTION 2200k. 72.30 (1) of the statutes is renumbered 72.30 (1) (a) and amended to read:

72.30 **(1)** (a) ~~If~~ Except as provided in par. (b), if a federal estate tax return is required, the personal representative, special administrator, trustee, distributee or other person interested shall prepare the return for the tax under this chapter, compute the tax due under this chapter, and on or before the due date, as extended, of the federal estate tax return file the return for the tax under this chapter~~,~~ with a copy of the federal estate tax return and a copy of all documents submitted with the federal estate tax return.

SECTION 2200L. 72.30 (1) (b) of the statutes is created to read:

Vetoed In Part

72.30 **(1)** (b) For deaths occurring after December 31, 2002, the personal representative, special administrator, trustee, distributee, or other person interested shall prepare the return for the tax under this chapter in the manner prescribed by the department.

SECTION 2201. 73.01 (4) (a) of the statutes is amended to read:

73.01 **(4)** (a) Subject to the provisions for judicial review contained in s. 73.015, the commission shall be the final authority for the hearing and determination of all questions of law and fact arising under sub. (5) and s. 72.86 (4), 1985 stats., and ss. ~~70.11 (21),~~ 70.38 (4) (a), 70.397, 70.64, and 70.995 (8), s. 76.38 (12) (a), 1993 stats., ss. 76.39 (4) (c), 76.48 (6), 76.91, 77.26 (3), 77.59 (6) (b), 78.01, 78.22, 78.40, 78.555, 139.02, 139.03, 139.06, 139.31, 139.315, 139.33, 139.76, 139.78, 341.405, and 341.45, subch. XIV of ch. 71, and subch. VII of ch. 77. Whenever with respect to a pending appeal there is filed with the commission a stipulation signed by the department of revenue and the adverse party, under s. 73.03 (25), or the department of transportation and the adverse party agreeing to an affirmance, modification, or reversal of the department of revenue's or department of transportation's position with respect to some or all of the issues raised in the appeal, the commission shall enter an order affirming or modifying in whole or in part, or canceling the assessment appealed from, or allowing in whole or in part or denying the petitioner's refund claim, as the case may be, pursuant to and in accordance with the stipulation filed. No responsibility shall devolve upon the commission, respecting the signing of an order of dismissal as to any pending appeal settled by the department of revenue or the department of transportation without the approval of the commission.

SECTION 2202. 73.01 (5) (a) of the statutes is amended to read:

73.01 **(5)** (a) Any person who is aggrieved by a determination of the state board of assessors under s. 70.995 (8) ~~or by the department of revenue under s. 70.11 (21)~~ or who has filed a petition for redetermination with the department of revenue and who is aggrieved by the redetermination of the department of revenue may, within 60 days of the determination of the state board of assessors or of the department of revenue or, in all other cases, within 60 days after the redetermination but not thereafter, file with the clerk of the commission a petition for review of the action of the department of revenue and the number of copies of the petition required by rule adopted by the commission. Any person who is aggrieved by a determination of the department of transportation under s. 341.405 or 341.45 may, within 30 days after the determination of the department of transportation, file with the clerk of the commission a petition for review of the action of the department of transportation and the number of copies of the petition required by rule adopted by the commission. If a municipality appeals, its appeal shall set forth that the appeal has been authorized by an order or resolution of its governing body and the appeal shall be verified by a member of that governing body as pleadings in courts of record are verified. The clerk of the commission shall transmit one copy to the department of revenue, or to the department of transportation, and to each party. In the case of appeals from manufacturing property assessments, the person assessed shall be a party to a proceeding initiated by a municipality. At the time of filing the petition, the petitioner shall pay to the commission a $25 filing fee. The commission shall deposit the fee in the general fund. Within 30 days after such trans-

mission the department of revenue, except for petitions objecting to manufacturing property assessments, or the department of transportation, shall file with the clerk of the commission an original and the number of copies of an answer to the petition required by rule adopted by the commission and shall serve one copy on the petitioner or the petitioner's attorney or agent. Within 30 days after service of the answer, the petitioner may file and serve a reply in the same manner as the petition is filed. Any person entitled to be heard by the commission under s. 76.38 (12) (a), 1993 stats., or s. 76.39 (4) (c), 76.48, or 76.91 may file a petition with the commission within the time and in the manner provided for the filing of petitions in income or franchise tax cases. Such papers may be served as a circuit court summons is served or by certified mail. For the purposes of this subsection, a petition for review is considered timely filed if mailed by certified mail in a properly addressed envelope, with postage duly prepaid, which envelope is postmarked before midnight of the last day for filing.

SECTION 2203. 73.03 (35) of the statutes is amended to read:

73.03 **(35)** To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dm), (2dr), (2ds) or (2dx), 71.28 (1dd), (1de), (1di), (1dj), (1dm), (1dL), (1ds), (1dx), or (4) (am) or 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), or (4) (am) if granting the full amount claimed would violate a requirement under s. 560.785 or would bring 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 2204. 73.03 (35m) of the statutes is created to read:

73.03 **(35m)** To deny a portion of a credit claimed under s. 71.07 (3g), 71.28 (3g), or 71.47 (3g), if granting the full amount claimed would violate a requirement under s. 560.96 or would bring the total of the credits claimed under ss. 71.07 (3g), 71.28 (3g), and 71.47 (3g) over the limit for all claimants under s. 560.96 (2).

SECTION 2204m. 73.03 (46) of the statutes is repealed.

SECTION 2205. 73.03 (52m) of the statutes is created to read:

73.03 **(52m)** To enter into agreements with other states that provide for offsetting state tax refunds against tax obligations of other states and offsetting tax refunds of other states against state tax obligations, if the agreements provide that setoffs under ss. 71.93 and 71.935 occur before the setoffs under those agreements.

SECTION 2205m. 73.03 (56) of the statutes is created to read:

73.03 **(56)** To work with the Internal Revenue Service and the University of Wisconsin−Extension to undertake a program that accomplishes all of the following:

(a) Promotes volunteering among the state's financial and legal professionals in the volunteer income tax assistance program.

(b) Provides training for the volunteers.

(c) Assists in the creation of mobile sites that offer assistance to individuals who are eligible to participate in the volunteer income tax assistance program and who reside in rural and underserved areas. **Vetoed In Part**

SECTION 2205n. 73.03 (57) of the statutes is created to read: **Vetoed In Part**

73.03 **(57)** To include on the forms on which the artistic endowment credits are claimed, under ss. 71.07 (9t), 71.28 (9t), and 71.47 (9t), a statement that a taxpayer may contribute amounts to the artistic endowment fund under s. 25.78 that exceed the amount for which a credit may be claimed by reducing the taxpayer's refund or by increasing the taxpayer's payment for tax liability, with the proceeds to be deposited into the fund.

SECTION 2207. 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 under ~~s. 121.85 (6) (ar) and~~ subch. VII of ch. 121. 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 2207m. 73.06 (3) of the statutes is amended to read:

73.06 **(3)** The department of revenue, through its supervisors of equalization, shall examine and test the work of assessors during the progress of their assessments and ascertain whether any of them is assessing property at other than full value or is omitting property subject to taxation from the roll. The department and such supervisors shall have the rights and powers of a local assessor for the examination of persons and property and for the discovery of property subject to taxation. If any property has been omitted or not assessed according to law, they shall bring the same to the attention of the local assessor of the proper district and if such local assessor shall neglect or refuse to correct the assessment they shall report the fact to the board of review. If it discovers errors in identifying or valuing property that is exempt under s. 70.11 (39) or (39m), the department shall change the specification of the property as taxable or exempt and shall change the value of the property. All disputes between the department, municipalities and property owners about the taxability or value of property that is reported under s. 79.095 (2) (a) or of the property under s. 70.995 (12r) shall be resolved by using the procedures under s. 70.995 (8).

SECTION 2208. 74.23 (1) (a) 2. of the statutes is amended to read:

74.23 **(1)** (a) 2. Pay to the proper treasurer all collections of special assessments, special charges and special taxes, except that occupational taxes under ss. 70.40 to ~~70.425~~ 70.421 and forest cropland, woodland and managed forest land taxes under ch. 77 shall be settled for under s. 74.25 (1) (a) 1. to 8.

SECTION 2209. 74.23 (1) (a) 5. of the statutes is created to read:

74.23 **(1)** (a) 5. Pay to each taxing jurisdiction within the district its proportionate share of the taxes and interest under s. 70.995 (12) (a).

SECTION 2211. 74.25 (1) (a) 2. of the statutes is amended to read:

74.25 **(1)** (a) 2. Pay to the proper treasurer all collections of special assessments, special charges and special taxes, except that occupational taxes under ss. 70.40 to ~~70.425~~ 70.421 and forest cropland, woodland and managed forest land taxes under ch. 77 shall be settled for under subds. 5. to 8.

SECTION 2212. 74.25 (1) (a) 3. of the statutes is amended to read:

74.25 **(1)** (a) 3. Retain all collections of special assessments, special charges and special taxes due to the taxation district, except that occupational taxes under ss. 70.40 to ~~70.425~~ 70.421 and forest cropland, woodland and managed forest land taxes under ch. 77 shall be settled for under subds. 5. to 8.

SECTION 2213. 74.25 (1) (a) 4m. of the statutes is created to read:

74.25 **(1)** (a) 4m. Pay to each taxing jurisdiction within the district its proportionate share of the taxes and interest under s. 70.995 (12) (a).

SECTION 2216. 74.30 (1) (b) of the statutes is amended to read:

74.30 **(1)** (b) Pay to the proper treasurer all collections of special assessments, special charges and special taxes, except that occupational taxes under ss. 70.40 to ~~70.425~~ 70.421 and forest cropland, woodland and managed forest land taxes under ch. 77 shall be settled for under pars. (e) to (h).

SECTION 2217. 74.30 (1) (c) of the statutes is amended to read:

74.30 **(1)** (c) Retain all collections of special assessments, special charges and special taxes due to the taxation district, except that occupational taxes under ss. 70.40 to ~~70.425~~ 70.421 and forest cropland, woodland and managed forest land taxes under ch. 77 shall be settled for under pars. (e) to (h).

SECTION 2218. 74.30 (1) (dm) of the statutes is created to read:

74.30 **(1)** (dm) Pay to each taxing jurisdiction within the district its proportionate share of the taxes and interest under s. 70.995 (12) (a).

SECTION 2226. 74.41 (1) (d) of the statutes is created to read:

74.41 **(1)** (d) Have been corrected under s. 70.73 (1m).

SECTION 2231. 76.02 (1) of the statutes is amended to read:

76.02 **(1)** "Air carrier company" means any person engaged in the business of transportation in aircraft of persons or property for hire on regularly scheduled flights, except an air carrier company whose property is exempt from taxation under s. 70.11 (42) (b). In this subsection, "aircraft" means a completely equipped operating unit, including spare flight equipment, used as a means of conveyance in air commerce.

SECTION 2231m. 76.02 (6m) of the statutes is created to read:

76.02 **(6m)** "Repair facility" means property on which a roundhouse, a repair shop, and a turntable are located and at which railcars and locomotives are built, maintained, and repaired.

SECTION 2231n. 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, excluding property that is exempt from the property tax under s. 70.11 (39) and (39m), 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 2232d. 76.16 of the statutes is amended to read:

76.16 Separate valuation of repair facilities, docks, piers, wharves, ore yards, elevators, car ferries and pipeline terminal facilities. After the property of a company is first valued as a whole, if any repair facilities, docks, ore yards, piers, wharves, grain elevators or car ferries used in transferring freight or passengers between cars and vessels or transfer of freight cars located on car ferries, or if any terminal storage facilities, docks, pipelines and pumping equipment used in transferring oil from pipelines to vessels shall be included in such valuation, then for the purpose of accounting to the proper taxation districts, the department shall make a separate valuation of each such repair facility, dock, ore yard, pier, wharf, grain elevator, including the

approaches thereto, or car ferries and of each such terminal storage facility, dock, pipeline and pumping equipment. As used herein, an approach shall be an immediate access facility commencing at the switching point which leads primarily to the terminal facility. For the purpose of defining the pipeline terminal facilities affected by this section, such facilities shall begin where the incoming pipeline enters the terminal storage facility site used in the transfer of oil to vessels.

SECTION 2232m. 76.24 (2) (a) of the statutes is amended to read:

76.24 **(2)** (a) All taxes paid by any railroad company derived from or apportionable to repair facilities, docks, ore yards, piers, wharves, grain elevators, and their approaches, or car ferries or terminal storage facilities, docks, pipelines and pumping equipment used in transferring oil from pipelines to vessels on the basis of the separate valuation provided for in s. 76.16, shall be distributed annually from the transportation fund to the towns, villages and cities in which they are located, pursuant to certification made by the department of revenue on or before August 15.

SECTION2234. 76.28 (1) (f) of the statutes is amended to read:

76.28 **(1)** (f) "Payroll factor" means a fraction the numerator of which is the total amount paid in this state during the tax period by the taxpayer for compensation and the denominator of which is the total compensation paid everywhere during the tax period, except that compensation solely related to the production of nonoperating revenues shall be excluded from the numerator and denominator of the payroll factor and except that compensation related to the production of both operating and nonoperating revenue shall be partially excluded from the numerator and denominator of the payroll factor so as to exclude as near as possible the portion of compensation related to the production of nonoperating revenue. Compensation is paid in this state if the individual's service is performed entirely within this state, or if the individual's service is performed both within and outside this state but the service performed outside this state is incidental to the individual's service within this state, or if some of the service is performed in this state and the base of operations or, if there is no base of operations, the place from which the service is directed or controlled is in this state or the base of operations or the place from which the service is directed or controlled is not in any state in which part of the service is performed and the individual's residence is in this state. In this paragraph, "compensation" includes management and service fees paid to an affiliated service corporation pursuant to 15 USC 79.

SECTION 2234m. 76.28 (1) (gm) of the statutes is renumbered 76.28 (1) (gm) (intro.) and amended to read:

76.28 **(1)** (gm) (intro.) "Qualified wholesale electric company" means ~~any~~ all of the following:

1. Any person that owns or operates facilities for the generation and sale of electricity to a public utility, as defined in s. 196.01 (5), or to any other entity that sells electricity directly to the public, except that "qualified wholesale electric company" does not include any person that sells less than 95% of its net production of electricity or that does not own, operate, or control electric generating facilities that have a total power production capacity of at least 50 megawatts.

SECTION 2234n. 76.28 (1) (gm) 2. of the statutes is created to read:

76.28 **(1)** (gm) 2. A wholesale merchant plant, as defined in s. 196.491 (1) (w), that has a total power production capacity of at least 50 megawatts.

SECTION 2235. 76.28 (2) (a) of the statutes is amended to read:

76.28 **(2)** (a) ~~There~~ Except as provided in s. 76.29, there is imposed on every light, heat and power company an annual license fee to be assessed by the department on or before May 1, 1985, and every May 1 thereafter measured by the gross revenues of the preceding year; excluding for the tax period, as defined in s. 76.29 (1) (f), gross revenues that are subject to the license fee under s. 76.29; at the rates and by the methods set forth under pars. (b) to (d). The fee shall become delinquent if not paid when due and when delinquent shall be subject to interest at the rate of 1.5% per month until paid. Payment in full of the May 1 assessment constitutes a license to carry on business for the 12−month period commencing on the preceding January 1.

SECTION 2236. 76.29 of the statutes is created to read:

76.29 License fee for selling electricity at wholesale. (1) DEFINITIONS. In this section:

(a) "Apportionment factor" has the meaning given in s. 76.28 (1) (a).

(b) "Department" means the department of revenue.

(c) "Electric cooperative" has the meaning given in s. 76.48 (1g) (c).

(d) "Gross revenues" means total revenues from the sale of electricity for resale by the purchaser of the electricity.

(e) "Light, heat, and power companies" has the meaning given in s. 76.28 (1) (e).

(f) "Tax period" means each calendar year or portion of a calender year from January 1, 2004, to December 31, 2009.

(2) IMPOSITION. There is imposed on every light, heat, and power company and electric cooperative that owns an electric utility plant, an annual license fee to be assessed by the department on or before May 1, 2005, and every May 1 thereafter, ending with the assessment on May 1, 2010, measured by the gross revenues of the preceding tax period in an amount equal to the apportionment factor multiplied by gross revenues multiplied by 1.59%. The fee shall become delinquent if not paid when

due and when delinquent shall be subject to interest at the rate of 1.5% per month until paid. Gross revenues earned by a light, heat, and power company after December 31, 2009, are subject to the license fee imposed under s. 76.28 (2). Gross revenues earned by an electric cooperative after December 31, 2009, are subject to the license fee imposed under s. 76.48 (1r).

(3) ADMINISTRATION. Section 76.28 (3) (c) and (4) to (11), as it applies to the fee imposed under s. 76.28 (2), applies to the fee imposed under this section.

SECTION 2236m. 76.31 of the statutes is created to read:

76.31 Determination of ad valorem tax receipts for hub facility exemptions. By July 1, 2004, and every July 1 thereafter, the department shall determine the total amount of the tax imposed under subch. I of ch. 76 that was paid by each air carrier company, as defined in s. 70.11 (42) (a) 1., whose property is exempt from taxation under s. 70.11 (42) (b) for the most recent taxable year that the air carrier company paid the tax imposed under subch. I of ch. 76. The total amount determined under this section shall be transferred under s. 20.855 (4) (fm) to the transportation fund.

SECTION 2237. 76.48 (1r) of the statutes is amended to read:

76.48 **(1r)** ~~Every~~ Except as provided in s. 76.29, every electric cooperative shall pay, in lieu of other general property and income or franchise taxes, an annual license fee equal to its apportionment factor multiplied by its gross revenues; excluding for the tax period, as defined in s. 76.29 (1) (f), gross revenues that are subject to the license fee under s. 76.29; multiplied by 3.19%. Real estate and personal property not used primarily for the purpose of generating, transmitting or distributing electric energy are subject to general property taxes. If a general structure is used in part to generate, transmit or distribute electric energy and in part for nonoperating purposes, the license fee imposed by this section is in place of the percentage of all other general property taxes that fairly measures and represents the extent of the use in generating, transmitting or distributing electric energy, and the balance is subject to local assessment and taxation, except that the entire general structure is subject to special assessments for local improvements.

SECTION 2243. 76.81 of the statutes is amended to read:

76.81 Imposition. There is imposed a tax on the real property of, and the tangible personal property of, every telephone company, excluding property that is exempt from the property tax under s. 70.11 (39) and (39m), motor vehicles that are exempt under s. 70.112 (5), property that is used less than 50% in the operation of a telephone company, as provided under s. 70.112 (4) (b), and treatment plant and pollution abatement equipment that is exempt under s. 70.11 (21) (a). Except as provided in s. 76.815, the rate for the tax imposed on each description of real property and on each item of tangible personal property is the net rate for the prior year for the tax under ch. 70 in the taxing jurisdictions where the description or item is located. The real and tangible personal property of a telephone company shall be assessed as provided under s. 70.112 (4) (b).

SECTION 2243b. 77.02 (1) of the statutes is amended to read: **Vetoed In Part**

77.02 **(1)** PETITION. The owner of an entire quarter quarter section, fractional lot or government lot as determined by U.S. government survey plat, excluding public roads and railroad rights−of−way that may have been sold, may file with the department of ~~natural resources~~ forestry a petition stating that the owner believes the lands therein described are more useful for growing timber and other forest crops than for any other purpose, that the owner intends to practice forestry thereon, that all persons holding encumbrances thereon have joined in the petition and requesting that such lands be approved as "Forest Croplands" under this subchapter. Whenever any such land is encumbered by a mortgage or other indenture securing any issue of bonds or notes, the trustee named in such mortgage or indenture or any amendment thereto may join in such petition, and such action shall for the purpose of this section be deemed the action of all holders of such bonds or notes.

SECTION 2243c. 77.02 (2) of the statutes is amended to read:

77.02 **(2)** NOTICE OF HEARING, ADJOURNMENT. Upon receipt of such petition the department of ~~natural resources~~ forestry shall investigate the same and shall file a listing of descriptions with the town chairperson. For petitions received prior to May 1, the department shall within the same calendar year cause a notice that such petition has been filed to be published as a class 3 notice, under ch. 985, in the newspaper having the largest general circulation in the county in which the lands are located, and notice by registered mail shall be given to the town clerk of any town in which the lands are located. Such notice shall contain the name of the petitioner, a description of the lands and a statement that any resident of or taxpayer in the town may within 15 days from the date of publication of the notice file a request with the department that it conduct a public hearing on the petition. Upon receipt of such a request the department shall conduct a public hearing on the petition. The department may conduct a public hearing on any petition without a request, if it deems it advisable to do so. Notice of the time and place of such hearing and a description, in specific or general terms, as the department deems advisable, of the property requested to be approved as "Forest Croplands" shall be given to persons making the request, the owner of such land and to the assessor of towns in which it is situated, by mail, at least one week before the day of hearing. The notice also shall be published as a class 1 notice, under ch. 985, in a

Vetoed In Part

newspaper having general circulation in the county in which such land is located, at least one week before the day of the hearing. Such hearing may be adjourned and no notice of the time and place of such adjourned hearing need be given, excepting the announcement thereof by the presiding officer at the hearing at which the adjournment is had.

SECTION 2243d. 77.02 (3) of the statutes is amended to read:

77.02 **(3)** DECISION, COPIES. After receiving all the evidence offered at any hearing held on the petition and after making such independent investigation as it sees fit the department shall make its findings of fact and make and enter an order accordingly. If it finds that the facts give reasonable assurance that a stand of merchantable timber will be developed on such descriptions within a reasonable time, and that such descriptions are then held permanently for the growing of timber under sound forestry practices, rather than for agricultural, mineral, shoreland development of navigable waters, recreational, residential or other purposes, and that all persons holding encumbrances against such descriptions have in writing agreed to the petition, the order entered shall grant the request of the petitioner on condition that all unpaid taxes against said descriptions be paid within 30 days thereafter; otherwise the department of ~~natural resources~~ forestry shall deny the request of the petitioner. If the request of the petitioner is granted, a copy of such order shall be filed with the department of revenue, the supervisor of equalization and the clerk of each town, and the order shall be recorded with the register of deeds of each county, in which any of the lands affected by the order are located. The register of deeds shall record the entry, transfer or withdrawal of all forest croplands in a suitable manner on the county records. The register of deeds may collect recording fees under s. 59.43 (2) from the owner. Any order of the department relating to the entry of forest croplands issued on or before November 20 of any year shall take effect on January 1 of the following calendar year, but all orders issued after November 20 shall take effect on January 1 of the calendar year following the calendar year in which orders issued on or before November 20 would have been effective.

SECTION 2243e. 77.03 of the statutes is amended to read:

77.03 Taxation of forest croplands. After the filing and recording of the order with the officers under s. 77.02 (3) the lands described therein shall be "Forest Croplands", on which taxes shall thereafter be payable only as provided under this subchapter. The enactment of ss. 77.01 to 77.14, petition by the owner and the making of the order under s. 77.02 (3) shall constitute a contract between the state and the owner, running with the lands, for a period of 25 or 50 years at the election of the applicant at the time the petition is filed, unless withdrawn under s. 77.10, with privilege of renewal by mutual agreement between the owner and the state, whereby the state as an inducement to owners and prospective purchasers of forest croplands to come under ss. 77.01 to 77.14 agrees that, unless withdrawn under s. 77.10, no change in or repeal of ss. 77.01 to 77.14 shall apply to any land then accepted as forest croplands, except as the department of ~~natural resources~~ forestry and the owner may expressly agree in writing and except as provided in s. 77.17. If at the end of the contract period the land is not designated as managed forest land under subch. VI, the merchantable timber on the land shall be estimated by an estimator jointly agreed upon by the department of ~~natural resources~~ forestry and the owner, and if the department and the owner fail to agree on an estimator, the judge of the circuit court of the district in which the lands lie shall appoint a qualified forester, whose estimate shall be final, and the cost thereof shall be borne jointly by the department of ~~natural resources~~ forestry and the owner; and the 10% severance tax paid on the stumpage thereon in the same manner as if the stumpage had been cut. The owners by such contract consent that the public may hunt and fish on the lands, subject to such rules as the department of natural resources prescribes regulating hunting and fishing.

Vetoed In Part

SECTION 2243f. 77.04 (2) of the statutes is amended to read:

77.04 **(2)** TAX PER ACRE; PAYMENT; PENALTY. The "acreage share" shall be computed at the rate of 10 cents per acre on all lands entered prior to 1972. On all lands entered after December 31, 1971, the "acreage share" shall be computed every 10 years to the nearest cent by the department of revenue at the rate of 20 cents per acre multiplied by a ratio using the equalized value of the combined residential, commercial, manufacturing, agricultural, swamp, or waste and productive forest land classes under s. 70.32 (2) within the state in 1972 as the denominator, and using equalized value for these combined land classes in 1982 and every 10th year thereafter as the numerator. All owners shall pay to the taxation district treasurer the acreage share on each description on or before January 31. If the acreage share is not paid when due to the taxation district treasurer it shall be subject to interest and penalty as provided under ss. 74.11 (11), 74.12 (10) and 74.47. These lands shall be returned as delinquent and a tax certificate under subch. VII of ch. 74 shall be issued on them. After 2 years from the date of the issuance of a tax certificate, the county clerk shall promptly take a tax deed under ch. 75. On taking such deed the county clerk shall certify that fact and specify the descriptions to the department of ~~natural resources~~ forestry.

SECTION 2243g. 77.05 of the statutes is amended to read:

77.05 State contribution. The department of ~~natural resources~~ forestry shall pay before June 30 annually to

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the town treasurer, from the appropriation under s. ~~20.370 (5) (bv)~~ 20.375 (2) (vm), 20 cents for each acre of land in the town that is described as forest croplands under this subchapter.

SECTION 2243h. 77.06 (1) of the statutes is amended to read:

77.06 **(1)** CUTTING TIMBER REGULATED. No person shall cut any merchantable wood products on any forest croplands where the forest crop taxes are delinquent nor until 30 days after the owner has filed with the department of ~~natural resources~~ forestry a notice of intention to cut, specifying by descriptions and the estimated amount of wood products to be removed and the proportion of present volume to be left as growing stock in the area to be cut. The department of ~~natural resources~~ forestry may require a bond executed by some surety company licensed in this state or other surety for such amount as may reasonably be required for the payment to the department of ~~natural resources~~ forestry of the severance tax hereinafter provided. The department, after examination of the lands specified, may prescribe the amount of forest products to be removed. Cutting in excess of the amount prescribed shall render the owner liable to double the severance tax prescribed in s. 77.06 (5) and subject to cancellation under s. 77.10. Merchantable wood products include all wood products except wood used for fuel by the owner.

SECTION 2243i. 77.06 (2) of the statutes is amended to read:

77.06 **(2)** APPRAISAL OF TIMBER, ZONES. Each year the department of ~~natural resources~~ forestry, at the time and place it shall fix and after such public notice as it deems reasonable, shall hold a public hearing. After the hearing the department shall make and file, open to public inspection, a determination of the reasonable stumpage values of the wood products usually grown in the several towns in which any forest croplands lie. A public hearing under this section shall be held prior to August 1 of each year and the determination of stumpage values made by the department of ~~natural resources~~ forestry shall take effect on November 1 of that year. If the department of ~~natural resources~~ forestry finds there is a material variance in the stumpage values in the different localities, it may fix separate zones and determine the values for each zone.

SECTION 2243j. 77.06 (3) of the statutes is amended to read:

77.06 **(3)** REVALUATION. As to any locality or zone in which the department of ~~natural resources~~ forestry deems there has been no material variance from the preceding year in stumpage values, it may omit to make any new valuation in any year, in which event the last preceding valuation shall continue in force until changed in a succeeding year.

SECTION 2243k. 77.06 (4) of the statutes is amended to read:

Vetoed In Part

77.06 **(4)** CUTTING REPORTED. Within 30 days after completion of cutting on any land description, but not more than one year after filing of the notice of intention to cut, the owner shall transmit to the department of ~~natural resources~~ forestry on forms provided by the department a written statement of the products so cut, specifying the variety of wood, kind of product, and quantity of each variety and kind as shown by the scale or measurement thereof made on the ground as cut, skidded, loaded, delivered, or by tree scale certified by a qualified forester when stumpage is sold by tree measurement. The department of ~~natural resources~~ forestry may accept such reports as sufficient evidence of the facts, or may either with or without hearing and notice of time and place thereof to such owner, investigate and determine the fact of the quantity of each variety and kind of product so cut during said periods preceding such reports.

SECTION 2243L. 77.06 (5) of the statutes is amended to read:

77.06 **(5)** TAX LEVY ON RIGHT TO CUT TIMBER. The department of ~~natural resources~~ forestry shall assess and levy against the owner a severance tax on the right to cut and remove wood products covered by reports under this section, at the rate of 10% of the value of the wood products based upon the stumpage value then in force. Upon making the assessment, the department of ~~natural resources~~ forestry shall mail a duplicate of the certificate by registered mail to the owner who made the report of cutting at the owner's last−known post−office address. The tax assessed is due and payable to the department of ~~natural resources~~ forestry on the last day of the next calendar month after mailing the certificate. The proceeds of the tax shall be paid into the forestry ~~account of the conservation~~ fund for distribution under s. 77.07 (3).

SECTION 2243m. 77.07 (2) of the statutes is amended to read:

77.07 **(2)** PENALTY, COLLECTIONS. If any severance tax remain unpaid for 30 days after it becomes due, there shall then be added a penalty of 10%, and such tax and penalty shall thereafter draw interest at the rate of one per cent per month until paid. At the expiration of said 30 days the department of ~~natural resources~~ forestry shall report to the attorney general any unpaid severance tax, adding said penalty, and the attorney general shall thereupon proceed to collect the same with penalty and interest by suit against the owner and by attachment or other legal means to enforce the lien and by action on the bond mentioned in s. 77.06 (1), or by any or all such means.

SECTION 2243n. 77.08 of the statutes is amended to read:

77.08 Supplemental severance tax. At any time within one year after any cutting should have been reported, the department of ~~natural resources~~ forestry

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after due notice to the owner and opportunity to be heard, and on evidence duly made a matter of record, may determine whether the quantity of wood products cut from any such land, did in fact substantially exceed the amount on which the severance tax theretofore levied was based, and if so shall assess a supplemental severance tax which, in all respects, shall have the same force and effect as the former severance tax, except only it shall not be a lien on any property the title of which has passed to a purchaser for value without notice.

SECTION 2243p. 77.09 (1) of the statutes is amended to read:

77.09 **(1)** Any person who fails to report or shall intentionally make any false statement or report to the department of ~~natural resources~~ forestry required by s. 77.06 shall forfeit not more than $1,000. An action under this section shall not be a bar to a cancellation of entry and order of withdrawal under s. 77.10.

SECTION 2243q. 77.10 (1) (a) of the statutes is amended to read:

77.10 **(1)** (a) The department of ~~natural resources~~ forestry shall on the application of the department of revenue or the owner of any forest croplands or the town board of the town in which said lands lie and may on its own motion at any time cause an investigation to be made and hearing to be had as to whether any forest croplands shall continue under this subchapter. If on such hearing after due notice to and opportunity to be heard by the department of revenue, the town and the owner, the department of ~~natural resources~~ forestry finds that any such lands are not meeting the requirements set forth in s. 77.02 or that the owner has made use of the land for anything other than forestry or has failed to practice sound forestry on the land, the department of ~~natural resources~~ forestry shall cancel the entry of such description and issue an order of withdrawal, and the owner shall be liable for the tax and penalty under sub. (2). Copies of the order of withdrawal specifying the description shall be filed by the department of ~~natural resources~~ forestry with all officers designated to receive copies of the order of entry and withdrawal and this subchapter shall not thereafter apply to the lands withdrawn, except s. 77.07 so far as it may be needed to collect any previously levied severance or supplemental severance tax. If the owner shall not repay the amounts on or before the last day of February next succeeding the return of such lands to the general property tax roll as provided in sub. (4), the department of ~~natural resources~~ forestry shall certify to the county treasurer the descriptions and the amounts due, and the county treasurer shall sell such lands as delinquent as described in s. 77.04 (2). Whenever any county clerk has certified to the taking of tax deed under s. 77.04 (2) the department of ~~natural resources~~ forestry shall issue an order of withdrawal as to the lands covered in such tax deed. Such order may also be issued when examination of tax records reveals prolonged delinquency and noncompliance with the requirements of s. 77.04 (2).

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SECTION 2243r. 77.10 (1) (b) of the statutes is amended to read:

77.10 **(1)** (b) Whenever any owner of forest croplands conveys such land the owner shall, within 10 days of the date of the deed, file with the department of ~~natural resources~~ forestry on forms prepared by the department a transfer of ownership signed by the owner and an acceptance of transfer signed by the grantee certifying that the grantee intends to continue the practice of forestry on such land. The department of ~~natural resources~~ forestry shall immediately issue a notice of transfer to all officers designated to receive copies of orders of entry and withdrawal. Whenever a purchaser of forest croplands declines to certify his or her intention to continue the practice of forestry thereon, such action shall constitute cause for cancellation of entry under par. (a) without hearing.

SECTION 2243s. 77.10 (2) (a) 1. of the statutes is amended to read:

77.10 **(2)** (a) 1. Any owner of forest croplands may elect to withdraw all or any of such lands from under this subchapter, by filing with the department of ~~natural resources~~ forestry a declaration withdrawing from this subchapter any description owned by such person which he or she specified, and by payment by such owner to the department of ~~natural resources~~ forestry within 60 days the amount of tax due from the date of entry or the most recent date of renewal, whichever is later, as determined by the department of revenue under s. 77.04 (1) with simple interest thereon at 12% per year, less any severance tax and supplemental severance tax or acreage share paid thereon, with interest computed according to the rule of partial payments at the rate of 12% per year.

SECTION 2243t. 77.10 (2) (a) 2. of the statutes is amended to read:

77.10 **(2)** (a) 2. The amount of the tax shall be determined by the department of revenue and furnished to the department of ~~natural resources~~ forestry, which shall determine the exact amount of payment. When the tax rate or assessed value ratio of the current year has not been determined the rate of the preceding tax year may be used. On receiving such payment the department of ~~natural resources~~ forestry shall issue an order of withdrawal and file copies thereof with the department of revenue, the supervisor of equalization and the clerk of the town, and shall record the order with the register of deeds of the county, in which the land lies. The land shall then cease to be forest croplands.

SECTION 2243u. 77.10 (2) (b) of the statutes is amended to read:

77.10 **(2)** (b) Upon receipt of any taxes under this section by the state, the department of ~~natural resources~~ forestry shall first deduct all moneys paid by the state on account of the lands under s. 77.05 with interest on the

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moneys computed according to the rule of partial payments at the rate of interest paid under par. (a) by the person withdrawing such lands. The department shall within 20 days remit the balance to the town treasurer who shall pay 20% to the county treasurer and retain the remainder.

SECTION 2243v. 77.10 (4) of the statutes is amended to read:

77.10 **(4)** TAXATION AFTER WITHDRAWAL. When any description ceases to be a part of the forest croplands, by virtue of any order of withdrawal issued by the department of ~~natural resources~~ forestry, taxes thereafter levied thereon shall be payable and collectible as if such description had never been under this subchapter.

SECTION 2243w. 77.11 of the statutes is amended to read:

77.11 Accounts of department of ~~natural resources~~ forestry. The department of ~~natural resources~~ forestry shall keep a set of forest croplands books in which shall always appear as to each description in each town containing any forest croplands, the amount of taxes paid by the state to the town and received by the state from the owner. All tax payments shall be paid out of and receipts credited to the forestry ~~account of the conservation~~ fund.

SECTION 2243x. 77.13 (1) of the statutes is amended to read:

77.13 **(1)** On and after July 20, 1985, no person may petition the department of ~~natural resources~~ forestry requesting it to approve any land as forest croplands under this subchapter.

SECTION 2243y. 77.13 (2) of the statutes is amended to read:

77.13 **(2)** On and after January 1, 1986, the department of ~~natural resources~~ forestry may not act on any petition requesting the designation of land as forest croplands, issue any order entering land as forest croplands or enter into a renewal of any forest croplands contract under this subchapter.

SECTION 2243z. 77.14 of the statutes is amended to read:

77.14 Forest croplands information, protection, appropriation. The department of ~~natural resources~~ forestry shall publish and distribute information regarding the method of taxation of forest croplands under this subchapter, and may employ a fire warden in charge of fire prevention in forest croplands. All actual and necessary expenses incurred by the department of ~~natural resources~~ forestry or by the department of revenue in the performance of their duties under this subchapter shall be paid from the appropriation made in s. ~~20.370 (1) (mu)~~ 20.375 (2) (q) upon certification by the department incurring such expenses.

SECTION 2243zm. 77.16 (1) of the statutes is amended to read:

Vetoed In Part

77.16 **(1)** In this section "department" means the department of ~~natural resources~~ forestry.

SECTION 2245. 77.52 (2) (a) 10. of the statutes is amended to read:

77.52 **(2)** (a) 10. Except for installing or applying tangible personal property which, when installed or applied, will constitute an addition or capital improvement of real property, the repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection and maintenance of all items of tangible personal property unless, at the time of such repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection or maintenance, a sale in this state of the type of property repaired, serviced, altered, fitted, cleaned, painted, coated, towed, inspected or maintained would have been exempt to the customer from sales taxation under this subchapter, other than the exempt sale of a motor vehicle or truck body to a nonresident under s. 77.54 (5) (a) and other than nontaxable sales under s. 77.51 (14r). For purposes of this paragraph, the following items shall be deemed to have retained their character as tangible personal property, regardless of the extent to which any such item is fastened to, connected with or built into real property: furnaces, boilers, stoves, ovens, including associated hoods and exhaust systems, heaters, air conditioners, humidifiers, dehumidifiers, refrigerators, coolers, freezers, water pumps, water heaters, water conditioners and softeners, clothes washers, clothes dryers, dishwashers, garbage disposal units, radios and radio antennas, incinerators, television receivers and antennas, record players, tape players, jukeboxes, vacuum cleaners, furniture and furnishings, carpeting and rugs, bathroom fixtures, sinks, awnings, blinds, gas and electric logs, heat lamps, electronic dust collectors, grills and rotisseries, bar equipment, intercoms, recreational, sporting, gymnasium and athletic goods and equipment including by way of illustration but not of limitation bowling alleys, golf practice equipment, pool tables, punching bags, ski tows and swimming pools; ~~office, restaurant and tavern type~~ equipment in offices, business facilities, schools, and hospitals but not in residential facilities including personal residences, apartments, long–term care facilities, as defined under s. 16.009 (1) (em), state institutions, as defined under s. 101.123 (1) (i), or similar facilities, including by way of illustration but not of limitation lamps, chandeliers, and fans, venetian blinds, canvas awnings, office and business machines, ice and milk dispensers, beverage–making equipment, vending machines, soda fountains, steam warmers and tables, compressors, condensing units and evaporative condensers, pneumatic conveying systems; laundry, dry cleaning, and pressing machines, power tools, burglar alarm and fire alarm fixtures, electric clocks and electric signs. "Service" does not include services performed by veterinarians. The tax imposed under this subsection applies to the repair, service, alteration,

fitting, cleaning, painting, coating, towing, inspection, or maintenance of items listed in this subdivision, regardless of whether the installation or application of tangible personal property related to the items is an addition to or a capital improvement of real property, except that the tax imposed under this subsection does not apply to the original installation or the complete replacement of an item listed in this subdivision, if such installation or replacement is a real property construction activity under s. 77.51 (2).

SECTION 2245d. 77.52 (2) (a) 10. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

77.52 **(2)** (a) 10. Except for installing or applying tangible personal property which, when installed or applied, will constitute an addition or capital improvement of real property, the repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection and maintenance of all items of tangible personal property unless, at the time of such repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection or maintenance, a sale in this state of the type of property repaired, serviced, altered, fitted, cleaned, painted, coated, towed, inspected or maintained would have been exempt to the customer from sales taxation under this subchapter, other than the exempt sale of a motor vehicle or truck body to a nonresident under s. 77.54 (5) (a) and other than nontaxable sales under s. 77.51 (14r). For purposes of this paragraph, the following items shall be deemed to have retained their character as tangible personal property, regardless of the extent to which any such item is fastened to, connected with or built into real property: furnaces, boilers, stoves, ovens, including associated hoods and exhaust systems, heaters, air conditioners, humidifiers, dehumidifiers, refrigerators, coolers, freezers, water pumps, water heaters, water conditioners and softeners, clothes washers, clothes dryers, dishwashers, garbage disposal units, radios and radio antennas, incinerators, television receivers and antennas, record players, tape players, jukeboxes, vacuum cleaners, furniture and furnishings, carpeting and rugs, bathroom fixtures, sinks, awnings, blinds, gas and electric logs, heat lamps, electronic dust collectors, grills and rotisseries, bar equipment, intercoms, recreational, sporting, gymnasium and athletic goods and equipment including by way of illustration but not of limitation bowling alleys, golf practice equipment, pool tables, punching bags, ski tows and swimming pools; equipment in offices, business facilities, schools and hospitals but not in residential facilities including personal residences, apartments, long−term care facilities, as defined under s. 16.009 (1) (em), state institutions, as defined under s. 101.123 (1) (i), Type 1 secured correctional facilities, as defined in s. 938.02 (19), or similar facilities, including by way of illustration but not of limitation lamps, chandeliers, and fans, venetian blinds, canvas awnings, office and business machines, ice and milk dispensers, beverage−making equipment, vending machines, soda fountains, steam warmers and tables, compressors, condensing units and evaporative condensers, pneumatic conveying systems; laundry, dry cleaning, and pressing machines, power tools, burglar alarm and fire alarm fixtures, electric clocks and electric signs. "Service" does not include services performed by veterinarians. The tax imposed under this subsection applies to the repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection, or maintenance of items listed in this subdivision, regardless of whether the installation or application of tangible personal property related to the items is an addition to or a capital improvement of real property, except that the tax imposed under this subsection does not apply to the original installation or the complete replacement of an item listed in this subdivision, if such installation or replacement is a real property construction activity under s. 77.51 (2).

SECTION 2245dm. 77.524 of the statutes is created to read:

77.524 Seller and 3rd−party liability. (1) In this subsection:

(a) "Certified automated system" means software that is certified jointly by the states that are signatories to the agreement, as defined in s. 77.65 (2) (a), and that is used to calculate the sales tax and use tax imposed under this subchapter and subch. V on a transaction by each appropriate jurisdiction, to determine the amount of tax to remit to the appropriate state, and to maintain a record of the transaction.

(b) "Certified service provider" means an agent that is certified jointly by the states that are signatories to the agreement, as defined in s. 77.65 (2) (a), and that performs all of a seller's sales tax and use tax functions related to the seller's retail sales.

(c) "Seller" has the meaning given in s. 77.65 (2) (e).

(2) A certified service provider is the agent of the seller with whom the certified service provider has contracted and is liable for the sales and use taxes that are due the state on all sales transactions that the provider processes for a seller, except as provided in sub. (3).

(3) A seller that contracts with a certified service provider is not liable for sales and use taxes that are due the state on transactions that the provider processed, unless the seller has misrepresented the type of items that the seller sells or has committed fraud. The seller is subject to an audit on transactions that the certified service provider processed only if there is probable cause to believe that the seller has committed fraud or made a material misrepresentation. The seller is subject to an audit on transactions that the certified service provider does not process. The states that are signatories to the agreement, as defined in s. 77.65 (2) (a), may jointly check the seller's business system and review the seller's business procedures to determine if the certified service provider's system is functioning properly and to determine the

extent to which the seller's transactions are being processed by the certified service provider.

(4) A person that provides a certified automated system is responsible for the system's proper functioning and is liable to this state for tax underpayments that are attributable to errors in the system's functioning. A seller that uses a certified automated system is responsible and liable to this state for reporting and remitting sales and use tax.

(5) A seller that has a proprietary system for determining the amount of tax that is due on transactions and that has signed an agreement with the states that are signatories to the agreement, as defined in s. 77.65 (2) (a), establishing a performance standard for the system is liable for the system's failure to meet the performance standard.

SECTION 2246. 77.54 (9a) (a) of the statutes is amended to read:

77.54 **(9a)** (a) This state or any agency thereof ~~and~~, the University of Wisconsin Hospitals and Clinics Authority, and the Fox River Navigational System Authority.

SECTION 2246m. 77.54 (45) of the statutes is amended to read:

77.54 **(45)** The gross receipts from the sale of and the use or other consumption of a onetime license or similar right to purchase admission to professional football games at a football stadium, as defined in s. 229.821 (6), that is granted by a municipality; a local professional football stadium district; or a professional football team or related party, as defined in s. 229.821 (12); if the person who buys the license or right is entitled, at the time the license or right is transferred to the person, to purchase admission to at least 3 professional football games in this state during one football season. ~~The exemption under this subsection does not apply to a license or right that is sold after December 31, 2003.~~

SECTION 2246n. 77.54 (46) of the statutes is created to read:

77.54 **(46)** The gross receipts from the sale of and the storage, use, or other consumption of the U.S. flag or the state flag. This subsection does not apply to a representation of the U.S. flag or the state flag.

Vetoed In Part

SECTION 2246nm. 77.54 (47) of the statutes is created to read:

77.54 **(47)** The gross receipts from the sale of and the storage, use, or other consumption of water park water slides, including support structures, attachments, and parts for water park water slides, but excluding underground piping, foundations, and wholly or partially underground pools that are additions or improvements to real property and excluding water slides; and support structures, attachments, and parts for water slides; located at residential facilities, including personal residences, apartments, long–time care facilities, and state institutions.

SECTION 2246p. 77.65 of the statutes is created to read:

77.65 Uniform sales and use tax administration. **(1)** SHORT TITLE. This section shall be known as the "Uniform Sales and Use Tax Administration Act."

(2) DEFINITIONS. In this section:

(a) "Agreement" means the streamlined sales and use tax agreement.

(b) "Department" means the department of revenue.

(c) "Person" means an individual, trust, estate, fiduciary, partnership, limited liability company, limited liability partnership, corporation, or any other legal entity.

(d) "Sales tax" means the tax imposed under ss. 77.52, 77.57, and 77.71 (1).

(e) "Seller" means any person who sells, leases, or rents personal property or services.

(f) "State" means any state of the United States and the District of Columbia.

(g) "Use tax" means the tax imposed under ss. 77.53 and 77.71 (2), (3), and (4).

(3) DEPARTMENT AUTHORITY. The department may enter into the agreement to simplify and modernize sales tax and use tax administration in order to substantially reduce the tax compliance burden for all sellers and for all types of commerce. The department may act jointly with other states that are signatories to the agreement to establish standards for the certification of a certified service provider and certified automated system and to establish performance standards for multistate sellers. The department may promulgate rules to administer this section, may procure jointly with other states that are signatories to the agreement goods and services in furtherance of the agreement, and may take other actions reasonably required to implement this section. The secretary of revenue or the secretary's designee may represent this state before the states that are signatories to the agreement.

(4) AGREEMENT REQUIREMENTS. The department may not enter into the agreement unless the agreement requires that a state that is a signatory to the agreement do all of the following:

(a) Limit the number of state sales and use tax rates.

(b) Limit the application of any maximums on the amount of state sales and use tax that is due on a transaction.

(c) Limit thresholds on the application of sales and use tax.

(d) Establish uniform standards for the sourcing of transactions to the appropriate taxing jurisdictions, for administering exempt sales, and for sales and use tax returns and remittances.

(e) Develop and adopt uniform definitions related to sales and use tax.

(f) Provide, with all states that are signatories to the agreement, a central electronic registration system that

allows a seller to register to collect and remit sales and use taxes for all states that are signatories to the agreement.

(g) Provide that the state shall not use a seller's registration with the central electronic registration system under par. (f), and the subsequent collection and remittance of sales and use taxes in the states that are signatories to the agreement, to determine whether the seller has sufficient connection with the state for the purpose of imposing any tax.

(h) Restrict variances between the state tax bases and local tax bases.

(i) Administer all sales and use taxes imposed by local jurisdictions within the state so that sellers who collect and remit such taxes are not required to register with, or submit returns or taxes to, local jurisdictions and are not subject to audits by local jurisdictions.

(j) Restrict the frequency of changes in any local sales and use tax rates and provide notice of any such changes.

(k) Establish effective dates for the application of local jurisdictional boundary changes to local sales and use tax rates and provide notice of any such changes.

(L) Provide monetary allowances to sellers and certified service providers as outlined in the agreement.

(m) Certify compliance with the agreement before entering into the agreement and maintain compliance with the agreement.

(n) Adopt a uniform policy, with the states that are signatories to the agreement, for certified service providers that protects a consumer's privacy and maintains tax information confidentiality.

(o) Appoint, with the states that are signatories to the agreement, an advisory council to consult with in administering the agreement. The advisory council shall consist of private sector representatives and representatives from states that are not signatories to the agreement.

(5) COOPERATING STATES. The agreement entered into under this section is an accord among cooperating states to further their governmental functions and provides a mechanism among the cooperating states to establish and maintain a cooperative, simplified system for the application and administration of sales and use taxes that are imposed by each state that is a signatory to the agreement.

(6) LIMITED BINDING AND BENEFICIAL EFFECT. (a) The agreement entered into under this section binds, and inures to the benefit of, only the states that are signatories to the agreement. Any benefit that a person may receive from the agreement is established by this state's law and not by the terms of the agreement.

(b) No person shall have any cause of action or defense under the agreement or because of the department entering into the agreement. No person may challenge any action or inaction by any department, agency, other instrumentality of this state, or any political subdivision of this state on the ground that the action or inaction is inconsistent with the agreement.

(c) No law of this state, or the application of such law, may be declared invalid on the ground that the law, or the application of such law, is inconsistent with the agreement.

(7) RELATIONSHIP TO STATE LAW. No provision of the agreement in whole or in part invalidates or amends any law of this state and the state becoming a signatory to the agreement shall not amend or modify any law of this state.

SECTION 2247b. 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 98.25% 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~~ 75 days following the ~~end~~ last day 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 2247c. 77.81 (1) of the statutes is amended to read: **Vetoed In Part**

77.81 **(1)** "Department" means the department of ~~natural resources~~ forestry.

SECTION 2247d. 77.82 (1) (a) 2. of the statutes is amended to read: **Vetoed In Part**

77.82 **(1)** (a) 2. At least ~~80%~~ 65% of the parcel must be producing or capable of producing a minimum of 20 cubic feet of merchantable timber per acre per year.

SECTION 2247h. 77.82 (1) (b) 1. of the statutes is amended to read:

77.82 **(1)** (b) 1. A parcel of which more than ~~20%~~ 35% consists of land that is unsuitable for producing merchantable timber, including water, marsh, muskeg, bog, rock outcrops, or sand dunes~~, farmland, roadway or railroad and utility rights−of−way~~.

Vetoed In Part

SECTION 2247p. 77.82 (1) (b) 1g. of the statutes is created to read:

77.82 **(1)** (b) 1g. A parcel of which more than 20% consists of land that is farmland, roadway, or a railroad or utility right−of−way or that is not capable of producing merchantable timber because the production would affect the land's natural resources including land that contains sensitive soil, as determined by the department, endangered species as defined in s. 29.604 (2) (a), threatened species, as defined in s. 29.604 (2) (b), or an archeological site, or land that lacks sound forestry regeneration options, as determined by the department.

Vetoed In Part

SECTION 2247pg. 77.82 (2) (intro.) of the statutes is amended to read:

77.82 **(2)** PETITION. (intro.) Any owner of land may petition the department to designate any eligible parcel of land as managed forest land. A petition may include any number of eligible parcels under the same ownership in a single municipality. Each petition shall be submitted on a form provided by the department and shall be accompanied by a nonrefundable $10 application fee unless a different amount of the fee is established by the department by rule at an amount equal to the average expense to the department of recording an order issued under this subchapter. The fee shall be deposited in the ~~conservation~~ forestry fund and credited to the appropriation under s. ~~20.370 (1) (cr)~~ 20.375 (2) (qr). Each petition shall include all of the following:

SECTION 2247q. 77.82 (4) of the statutes is amended to read:

77.82 **(4)** ADDITIONS TO MANAGED FOREST LAND. An owner may petition the department to designate as managed forest land an additional parcel of land in the same municipality if the additional parcel is at least 3 acres in size and is contiguous to any of the owner's designated land. The petition shall be accompanied by a nonrefundable $10 application fee unless a different amount of the fee is established in the same manner as the fee under sub. (2). The fee shall be deposited in the ~~conservation~~ forestry fund and credited to the appropriation under s. ~~20.370 (1) (cr)~~ 20.375 (2) (qr). The petition shall be submitted on a department form and shall contain any additional information required by the department.

SECTION 2247r. 77.82 (4m) (bn) of the statutes is amended to read:

77.82 **(4m)** (bn) A petition under this subsection shall be accompanied by a nonrefundable $100 application fee which shall be deposited in the ~~conservation~~ forestry fund and credited to the appropriation under s. ~~20.370 (1) (cr)~~ 20.375 (2) (qr).

Vetoed In Part

SECTION 2247t. 77.82 (7) (a) 3. of the statutes is amended to read:

77.82 **(7)** (a) 3. That a stand of merchantable timber will be developed on at least ~~80%~~ 65% of the land within a reasonable period of time.

Vetoed In Part

SECTION 2247tg. 77.84 (3) (b) of the statutes is amended to read:

77.84 **(3)** (b) Immediately after receiving the certification of the county clerk that a tax deed has been taken, the department shall issue an order withdrawing the land as managed forest land. The notice requirement under s. 77.88 (1) does not apply to the department's action under this paragraph. The department shall notify the county treasurer of the amount of the withdrawal tax, as determined under s. 77.88 (5), and the amount of the tax shall be payable to the department under s. 75.36 (3) if the property is sold by the county. The amount shall be credited to the ~~conservation~~ forestry fund.

SECTION 2247tj. 77.85 of the statutes is amended to read:

77.85 State contribution. The department shall pay before June 30 annually the municipal treasurer, from the appropriation under s. ~~20.370 (5) (bv)~~ 20.375 (2) (vm), 20 cents for each acre of land in the municipality that is designated as managed forest land under this subchapter.

SECTION 2247tk. 77.87 (3) of the statutes is amended to read:

77.87 **(3)** PAYMENT. A tax assessed under sub. (1) or (2) is due and payable to the department on the last day of the month following the date the certificate is mailed to the owner. The department shall collect interest at the rate of 12% per year on any tax that is paid later than the due date. Amounts received shall be credited to the ~~conservation~~ forestry fund.

SECTION 2247tm. 77.88 (2) (d) of the statutes is amended to read:

77.88 **(2)** (d) Within 10 days after a transfer of ownership, the former owner shall, on a form provided by the department, file with the department a report of the transfer signed by the former owner and the transferee. The report shall be accompanied by a $20 fee which shall be deposited in the ~~conservation~~ forestry fund and credited to the appropriation under s. ~~20.370 (1) (cr)~~ 20.375 (2) (qr). The department shall immediately notify each person entitled to notice under s. 77.82 (8).

SECTION 2247tn. 77.88 (7) of the statutes is amended to read:

77.88 **(7)** PAYMENT; DELINQUENCY. A tax under sub. (5) is due and payable to the department on the last day of the month following the effective date of the withdrawal order. Amounts received shall be credited to the ~~conservation~~ forestry fund. If the owner of the land fails to pay the tax, the department shall certify to the taxation district clerk the amount due. The taxation district clerk shall enter the delinquent amount on the property tax roll as a special charge.

SECTION 2247tp. 77.89 (1) of the statutes is amended to read:

77.89 **(1)** PAYMENT TO MUNICIPALITIES. By June 30 of each year, the department, from the appropriation under s. ~~20.370 (5) (bv)~~ 20.375 (2) (vm), shall pay 50% of each

Vetoed In Part

payment received under s. 77.84 (3) (b), 77.87 (3) or 77.88 (7) to the treasurer of the municipality in which is located the land to which the payment applies.

SECTION 2247tr. 77.89 (3) of the statutes is amended to read:

77.89 **(3)** ~~CONSERVATION~~ FORESTRY FUND CREDIT. The municipal treasurer shall pay all amounts received under s. 77.84 (2) (b) to the county treasurer, as provided under ss. 74.25 and 74.30. The county treasurer shall, by June 30 of each year, pay all amounts received under this subsection to the department. All amounts received by the department shall be credited to the ~~conservation~~ forestry fund and shall be reserved for land acquisition and resource management activities relating to the state forests.

SECTION 2247tt. 77.91 (4) of the statutes is amended to read:

77.91 **(4)** EXPENSES. Except as provided in sub. (5), the department's expenses for the administration of this subchapter shall be paid from the appropriation under s. ~~20.370 (1) (mu)~~ 20.375 (2) (q).

SECTION 2247tu. 77.91 (5) of the statutes is amended to read:

77.91 **(5)** RECORDING. Each register of deeds who receives notice of an order under this subchapter shall record the action as provided under s. 59.43 (1). The department shall pay the register of deeds the fee specified under s. 59.43 (2) (ag) 1. from the appropriation under s. ~~20.370 (1) (cr)~~ 20.375 (2) (qr). If the amount in the appropriation under s. ~~20.370 (1) (cr)~~ 20.375 (2) (qr) in any fiscal year is insufficient to pay the full amount required under this subsection in that fiscal year, the department shall pay the balance from the appropriation under s. ~~20.370 (1) (mu)~~ 20.375 (2) (q).

SECTION 2248. 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; plus the items of income and gain under section 702 of the 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, except items that are not deductible under s. 71.21; plus guaranteed payments to partners under section 707 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), and (3g), 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 employee as defined in section 3121 (d) (3) of the Internal Revenue Code.

SECTION 2249. 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), or (5), except an entity that has less than $4,000,000 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 methods under s. 71.04, for the taxable year of the entity by 0.2 %, up to a maximum of $9,800, or $25, whichever is greater.

SECTION 2250. 77.94 (1) (c) of the statutes is repealed.

SECTION 2251. 77.996 (2) (intro.) of the statutes is amended to read:

77.996 **(2)** (intro.) "Dry cleaning facility" means a facility that ~~dry~~ cleans apparel or household fabrics for the general public using a dry cleaning product, other than the following facilities:

SECTION 2252. 77.996 (3) of the statutes is amended to read:

77.996 **(3)** "Dry cleaning ~~solvent~~ product" means a ~~chlorine−based or hydrocarbon−based formulation or product that is used as a primary cleaning agent in dry cleaning facilities~~ hazardous substance used to clean apparel or household fabrics, except a hazardous substance used to launder apparel or household products.

SECTION 2253. 77.9962 of the statutes is amended to read:

77.9962 Dry cleaning ~~solvents~~ products fee. There is imposed on each person who sells a dry cleaning ~~solvent~~ product to a dry cleaning facility a fee equal to $5 per gallon of perchloroethylene sold and 75 cents per gallon of ~~a hydrocarbon−based solvent~~ any dry cleaning product sold, other than perchloroethylene. The fees for the previous 3 months are due on January 25, April 25, July 25, and October 25.

SECTION 2254. 77.9963 of the statutes is repealed.

SECTION 2255. 78.55 (1) of the statutes is amended to read:

78.55 **(1)** "Air carrier company" has the meaning given in s. ~~76.02 (1)~~ 70.11 (42) (a) 1.

SECTION 2255d. 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".~~ Account." There shall be appropriated to that account $25,000,000 in 1991, in 1992, and in 1993~~,~~; $42,000,000 in 1994~~,~~; $48,000,000 in each year beginning in 1995 and ending in 1999 ~~and~~; $57,000,000 in the year 2000 and in the year 2001; $57,570,000 in 2002; and $58,145,700 in 2003 and in each year thereafter.

SECTION 2255m. 79.03 (3) (b) 3. of the statutes is amended to read:

79.03 **(3)** (b) 3. "Full valuation" means the full value of property that is exempt under s. 70.11 (39) and (39m)

as determined under s. 79.095 (3) plus the full value of all taxable property for the preceding year as equalized for state tax purposes, except that for municipalities the value of real estate assessed under s. 70.995 is excluded. Value increments under s. 66.1105 plus the full value of property that is exempt under s. 70.11 (39) and (39m) that would otherwise be part of a value increment are included for municipalities but excluded for counties. Environmental remediation value increments under s. 66.1106 are included for municipalities and counties that create the environmental remediation tax incremental district and are excluded for units of government that do not create the district. If property that had been assessed under s. 70.995 and that has a value exceeding 10% of a municipality's value is assessed under s. 70.10, 30% of that property's full value is included in "full valuation" for purposes of the shared revenue payments in the year after the assessment under s. 70.10, 65% of that property's full value is included in "full valuation" for purposes of the shared revenue payments in the year 2 years after the assessment under s. 70.10 and 100% of that property's full value is included in "full valuation" for purposes of subsequent shared revenue payments.

SECTION 2280m. 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~~; $11,000,000 in the year 2000 and in the year 2001; $11,110,000 in 2002; and $11,221,100 in 2003 and in each year thereafter.

SECTION 2281d. 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 2001, 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 2002, the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) are $769,092,800 to municipalities and $170,671,600 to counties. In 2003 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 $776,783,700 to municipalities and $172,378,300 to counties.

SECTION 2281e. 79.03 (5) of the statutes is created to read:

79.03 **(5)** (a) In 2002 and 2003, each municipality shall receive a shared revenue payment under this section that is equal to the amount of the payment it received in the previous year, multiplied by 101%. In 2004 and in subsequent years, each municipality shall receive a shared revenue payment under this section that is equal to the amount of the payment it received in 2003. **Vetoed In Part Vetoed In Part**

(b) The department of revenue shall use the population amounts it used to determine the November 2000, shared revenue payments to municipalities to calculate corrections to such payments in 2001, as provided under s. 79.08. The department of revenue shall use the population amounts it used to estimate payments under s. 79.015 in September 2000, to calculate actual and corrected 2001 shared revenue payments to municipalities.

SECTION 2282. 79.04 (1) (intro.) of the statutes is amended to read:

79.04 **(1)** (intro.) Annually the department of administration, upon certification by the department of revenue, shall distribute to a municipality having within its boundaries a production plant or a general structure, including production plants and general structures under construction, used by a light, heat, or power company assessed under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813 unless the production plant is owned or operated by a local governmental unit located outside of the municipality, or by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825 the amount determined as follows:

SECTION 2285. 79.04 (2) (a) of the statutes is amended to read:

79.04 **(2)** (a) Annually, the department of administration, upon certification by the department of revenue, shall distribute from the shared revenue account to any county having within its boundaries a production plant or a general structure, including production plants and general structures under construction, used by a light, heat or power company assessed under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813 unless the production plant is owned or operated by a local governmental unit that is located outside of the municipality in which the production plant is located, or by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825 an amount determined by multiplying by 6 mills in the case of property in a town and by 3 mills in the case of property in a city or village the first $125,000,000 of the amount shown in the account, plus leased property, of each public utility except qualified wholesale electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the pre-

ceding year for either "production plant, exclusive of land" and "general structures", or "work in progress" for production plants and general structures under construction, in the case of light, heat and power companies, electric cooperatives or municipal electric companies, for all property within the municipality in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue and less the value of treatment plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as determined by the department of revenue plus an amount from the shared revenue account determined by multiplying by 6 mills in the case of property in a town, and 3 mills in the case of property in a city or village, of the total original cost of production plant, general structures and work−in−progress less depreciation, land and approved waste treatment facilities of each qualified wholesale electric company, as defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property within the municipality. The total of amounts, as depreciated, from the accounts of all public utilities for the same production plant is also limited to not more than $125,000,000. The amount distributable to a county in any year shall not exceed $100 times the population of the county.

SECTION 2285b. 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~~ revenue sharing payments under s. 66.0305 and recycling fee payments 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~~ revenue sharing payments under s. 66.0305 and recycling fee payments 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 2285d. 79.058 (3) (c) of the statutes is amended to read:

79.058 **(3)** (c) In the year 2000 and ~~subsequent years~~ in 2001, $20,763,800.

SECTION 2285e. 79.058 (3) (d) of the statutes is created to read:

79.058 **(3)** (d) In 2002, $20,971,400.

SECTION 2285f. 79.058 (3) (e) of the statutes is created to read:

79.058 **(3)** (e) In 2003 and subsequent years, $21,181,100.

SECTION 2287. 79.06 (2) (b) of the statutes is amended to read:

79.06 **(2)** (b) If the payments to a municipality or county, except any county in which there are no cities or villages, or any county created in the year 1846 or 1847, with a population in the year 1990 greater than 16,000 but less than 17,000, as determined by the 1990 federal decennial census, in any year exceed its combined payments under this section and s. 79.03, excluding payments under s. 79.03 (3c), in the previous year by more than the maximum allowable increase, the excess shall be withheld to fund minimum payments in that year under sub. (1) (c).

SECTION 2291m. 79.095 (2) (a) of the statutes is amended to read:

79.095 **(2)** (a) On or before May 1, the value of the ~~computers~~ property that ~~are~~ is exempt under s. 70.11 (39) and (39m) in each taxing jurisdiction for which the municipality assesses property.

SECTION 2291n. 79.095 (3) of the statutes is amended to read:

79.095 **(3)** REVIEW BY DEPARTMENT. The department shall adjust each rate reported under sub. (2) (b) to a full−value rate. The department shall review and correct the information submitted under sub. (2) (a), shall determine the full value of all of the ~~computers~~ property reported under sub. (2) (a) and of all the ~~computers~~ property under s. 70.995 (12r) and, on or before October 1, shall notify each taxing jurisdiction of the full value of the ~~computers~~ property that ~~are~~ is exempt under s. 70.11 (39) and (39m) and that ~~are~~ is located in the jurisdiction. The department shall adjust the full value that is reported to taxing jurisdictions under this subsection in the year after an error occurs or a value has been changed due to an appeal. All disputes between the department and municipalities about the value of the property reported under sub. (2) (a) or of the property under s. 70.995 (12r) shall be resolved by using the procedures under s. 70.995 (8).

SECTION 2291p. 79.095 (4) of the statutes is amended to read:

79.095 **(4)** PAYMENT. The department shall calculate the payments due each taxing jurisdiction under this section by multiplying the full value as of the January 1 of the preceding year of the ~~computers~~ property that ~~are~~ is exempt under s. 70.11 (39) and (39m) and that ~~are~~ is located in the jurisdiction by the full−value gross tax rate of the jurisdiction for the preceding year. The department shall certify the amount of the payment due each taxing jurisdiction to the department of administration, which shall make the payments on or before the first Monday in May.

SECTION 2292. 79.10 (6m) of the statutes is renumbered 79.10 (6m) (a) and amended to read:

79.10 **(6m)** (a) ~~If~~ Except as provided in pars. (b) and (c), if the department of administration or the department of revenue determines by October 1 of the year of any distribution under subs. (4) and (5) that there was an overpayment or underpayment made in that year's distribution by the department of administration to municipalities, as determined under subs. (4) and (5), because of an error by the department of administration,

the department of revenue or any municipality, the overpayment or underpayment shall be corrected as provided in this ~~subsection~~ paragraph. Any overpayment shall be corrected by reducing the subsequent year's distribution, as determined under subs. (4) and (5), by an amount equal to the amount of the overpayment. Any underpayment shall be corrected by increasing the subsequent year's distribution, as determined under subs. (4) and (5), by an amount equal to the amount of the underpayment. Corrections shall be made in the distributions to all municipalities affected by the error. Corrections shall be without interest.

SECTION 2293. 79.10 (6m) (b) of the statutes is created to read:

79.10 **(6m)** (b) If, after March 1 of the year of any distribution under sub. (5), a municipality discovers an error in the notice that the municipality furnished under sub. (1m) that resulted in an overpayment of that year's distribution to the municipality, as determined under sub. (5), the municipality shall correct the error and notify the department of revenue of the correction on a form that the department prescribes. If, after March 1 of the year of any distribution under sub. (5), the department of administration or the department of revenue discovers an error in the notice that the municipality furnished under sub. (1m) that resulted in an overpayment of that year's distribution to the municipality, as determined under sub. (5), the department of administration or the department of revenue shall notify the municipality and the municipality shall correct the error. The municipality may pay the amount of the overpayment to the department of revenue and, if the municipality chooses to make such a payment, shall submit the payment with the form prescribed under this paragraph. If the municipality does not pay the amount of the overpayment, the department of administration may collect the amount of the overpayment as a special charge to the municipality or may correct the overpayment as provided under par. (a). Payments under this paragraph shall be without interest and shall be deposited in the lottery fund.

SECTION 2294. 79.10 (6m) (c) of the statutes is created to read:

79.10 **(6m)** (c) If, after March 1 of the year of any distribution under sub. (5), a municipality discovers an error in the notice that the municipality furnished under sub. (1m) that resulted in an underpayment of that year's distribution to the municipality, as determined under sub. (5), the municipality shall correct the error and notify the department of revenue on a form that the department prescribes. If, after March 1 of the year of any distribution under sub. (5), the department of administration or the department of revenue discovers an error in the notice that the municipality furnished under sub. (1m) that resulted in an underpayment of that year's distribution to the municipality, as determined under sub. (5), the department of administration or the department of revenue shall notify the municipality and the municipality shall correct the error. The department of revenue may either pay the amount of the underpayment to the municipality, from the appropriation under s. 20.835 (3) (q), or correct the underpayment as provided under par. (a). Payments under this paragraph shall be without interest.

SECTION 2294ec. 79.10 (10) (bm) of the statutes is renumbered 79.10 (10) (bm) 1. and amended to read:

79.10 **(10)** (bm) 1. A person who is eligible for a credit under sub. (9) (bm) but whose property tax bill does not reflect the credit may claim the credit by applying to the treasurer of the taxation district in which the property is located for the credit under par. (a) by January 31 following the issuance of the person's property tax bill. The treasurer ~~of the taxation district in which the property is located~~ shall compute the amount of the credit; subtract the amount of the credit from the person's property tax bill; notify the person of the reduced amount of the property taxes due; issue a refund to the person if the person has paid the property taxes in full; and enter the person's property on the next tax roll as property that qualifies for a lottery and gaming credit. Claims made under this ~~paragraph~~ subdivision become invalid when claims made under par. (a) become invalid.

SECTION 2294ee. 79.10 (10) (bm) 2. of the statutes is created to read:

79.10 **(10)** (bm) 2. A person who may apply for a credit under subd. 1. but who does not timely apply for the credit under subd. 1. may apply to the department of revenue no later than October 1 following the issuance of the person's property tax bill. Subject to review by the department, the department shall compute the amount of the credit; issue a check to the person in the amount of the credit; and notify the treasurer of the county in which the person's property is located or the treasurer of the taxation district in which the person's property is located, if the taxation district collects taxes under s. 74.87. The treasurer shall enter the person's property on the next tax roll as property that qualifies for a lottery and gaming credit. Claims made under this subdivision become invalid when claims made under par. (a) become invalid.

SECTION 2294eg. 79.10 (10) (bn) of the statutes is renumbered 79.10 (10) (bn) 1. and amended to read:

79.10 **(10)** (bn) 1. 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 to the treasurer of the county in which the property is located or, if the property is located in a city that collects taxes under s. 74.87, to the treasurer of the city in which the property is located 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~~ subdivision is valid for the year in which the property is transferred.

SECTION 2294eh. 79.10 (10) (bn) 2. of the statutes is created to read:

79.10 **(10)** (bn) 2. A person who is eligible for a credit under subd. 1. but whose property tax bill does not reflect the credit may claim the credit by applying to the treasurer of the taxation district in which the property is located for the credit by January 31 following the issuance of the person's property tax bill. Claims made after January 31, but no later than October 1 following the issuance of the person's property tax bill, shall be made to the department of revenue. Paragraph (bm), as it applies to processing claims made under that paragraph, applies to processing claims made under this subdivision, except that a claim that is made under this subdivision is valid for the year in which the person took possession of the transferred property under subd. 1.

Vetoed In Part

SECTION 2294j. 80.05 (2) (b) of the statutes is amended to read:

80.05 **(2)** (b) Give notice by registered mail to the department of natural resources, to the department of forestry and to the county land conservation committee in each county through which the highway may pass.

SECTION 2294m. 80.39 (2) of the statutes is amended to read:

80.39 **(2)** NOTICE. Upon such petition the county board or the commissioners appointed by the board shall give notice of the time and place they will meet to decide on the petition. The notice shall be published as a class 2 notice, under ch. 985. The notice shall also be given to the ~~department~~ secretary of natural resources ~~by serving a copy upon the secretary of natural resources~~ and to the secretary of forestry either by registered mail or personally. If the board appoints a committee to act, the notice shall state the fact and the notice shall be signed by the commissioners, otherwise by the chairperson of the board.

SECTION 2294p. 81.01 (3) (intro.) of the statutes is amended to read:

81.01 **(3)** (intro.) Provide machinery, implements, material, and equipment needed to construct, maintain, and repair said highways and bridges, and for that purpose may acquire by purchase or by condemnation in the manner provided by ch. 32 gravel pits and stone quarries, but the total sum spent under this subsection ~~shall not exceed $10,000~~ in any year for construction, maintenance, and repair of highways and bridges may not exceed the product of $5,000 multiplied by the miles of highway under the jurisdiction of the town measured by the most recent highway mileage for the town, as determined under s. 86.302, unless one of the following occurs:

SECTION 2294pc. 81.01 (3) (b) of the statutes is amended to read:

81.01 **(3)** (b) The town board, by resolution, submits to the electors of the town as a referendum at a general or special town election the question of exceeding the ~~$10,000~~ limit set under this subsection. A copy of the resolution shall be filed as provided in s. 8.37. The board shall abide by the majority vote of the electors of the town on the question. The question shall read as follows:

Shall the town of ~~...~~ ..... spend ~~$...~~ $.... over the annual limit of ~~$10,000~~ the product of $5,000 multiplied by the miles of highway under the jurisdiction of the town measured by the most recent highway mileage for the town, as determined under section 86.302 of the Wisconsin Statutes, for the construction, maintenance, and repair of its highways and bridges?

FOR SPENDING ☐ AGAINST SPENDING ☐

SECTION 2294pe. 84.001 (1r) of the statutes is created to read:

84.001 **(1r)** "Intelligent transportation system" means a specialized computer system or other electronic, information processing, communication, or technical system, including roadway detector loops, closed circuit television, permanent variable message signs, or ramp meters, that is used to improve the efficiency or safety of a surface transportation system.

SECTION 2294pm. 84.01 (17) of the statutes is amended to read: **Vetoed In Part**

84.01 **(17)** IMPROVEMENTS FOR NEXT 6 YEARS. In each odd−numbered year, the department of transportation shall determine, as far as possible, what improvements will be made during the following 6−year period, and shall notify the county clerks prior to February 1 of each even−numbered year, as to the improvements in their respective counties. Such notice shall also be given to the department of natural resources, to the department of forestry and to the department of agriculture, trade and consumer protection.

SECTION 2295. 84.01 (31) of the statutes is created to read:

84.01 **(31)** ACCOMMODATION OF UTILITY FACILITIES WITHIN HIGHWAY RIGHTS−OF−WAY. Notwithstanding ss. 84.06 (4), 84.063, 84.065, and 84.093, the department may, upon finding that it is feasible and advantageous to the state, negotiate and enter into an agreement to accept any plant or equipment used for the conveyance, by wire, optics, radio signal, or other means, of voice, data, or other information at any frequency over any part of the electromagnetic spectrum, or to accept any services associated with the collection, storage, forwarding, switching, and delivery incidental to such communication, as payment for the accommodation of a utility facility, as defined in s. 84.063 (1) (b), within a highway right−of−way. Any agreement under this subsection is exempt from ss. 16.70 to 16.75, 16.755 to 16.82, and 16.85 to

16.89, but ss. 16.528, 16.752, and 16.754 apply to such agreement.

SECTION 2296. 84.01 (32) of the statutes is created to read:

84.01 **(32)** CONFIDENTIALITY OF BIDDER INFORMATION. (a) The department may not disclose to any person any information requested by the department for the purpose of complying with 49 CFR 26, as that section existed on October 1, 1999, that relates to an individual's statement of net worth, a statement of experience, or a company's financial statement, including the gross receipts of a bidder.

(b) This subsection does not prohibit the department from disclosing information to any of the following persons:

1. The person to whom the information relates.

2. Any person who has the written consent of the person to whom the information relates to receive such information.

3. Any person to whom 49 CFR 26, as that section existed on October 1, 1999, requires or specifically authorizes the department to disclose such information.

Vetoed In Part

SECTION 2296m. 84.01 (33) of the statutes is created to read:

84.01 **(33)** TRANSPORTATION FUNDING REPORT. By January 15, 2003, and biennially thereafter, the department shall submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committee dealing with transportation matters in each house of the legislature that shows transportation revenues and the funding for transportation programs for at least 15 years preceding the report, including changes to funding levels following the enactment of biennial budget bills and an explanation of major changes in the funding levels for appropriations included in the most recent biennial budget act.

Vetoed In Part

SECTION 2296p. 84.01 (34) of the statutes is created to read:

84.01 **(34)** STILLWATER BRIDGE PROJECT. (a) Not later than April 1, 2002, the department shall develop and submit to the joint committee on finance a proposal specifying the amount of anticipated expenditures to be made by the department for mitigation in connection with the Stillwater Bridge project across the St. Croix River between Houlton in St. Croix County and Stillwater, Minnesota.

(b) If, after submission of the proposal under par. (a), the department determines that it will exceed the amount of anticipated expenditures specified in the proposal under par. (a), the department shall submit to the joint committee on finance a proposal for the additional amount of anticipated expenditures for mitigation in connection with the project.

Vetoed In Part

SECTION 2297. 84.013 (2) (a) of the statutes is amended to read:

84.013 **(2)** (a) Subject to ~~s.~~ ss. 84.59 (1) and 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).

Vetoed In Part

SECTION 2298. 84.013 (2) (b) of the statutes is amended to read:

84.013 **(2)** (b) ~~Subject~~ Except as provided in ss. 84.014 and 84.03 (3) and 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 2299. 84.013 (3) (a), (b), (c), (d), (e), (em), (f), (g), (h), (i), (j), (k), (L), (m), (n), (o), (p), (q), (r), (s), (t), (tj), (u), (v), (vc), (vg), (vL), (vp), (vt), (vx), (w), (wr), (x), (xf), (xo), (xs), (xw), (xy), (y), (yb), (yf), (yk), (yo), (ys), (yw), (yy) and (z) of the statutes are repealed.

SECTION 2300. 84.013 (3) (pe) of the statutes is created to read:

84.013 **(3)** (pe) STH 17 extending approximately 3.25 miles from the intersection of STH 17 and Birchwood Drive to USH 8 approximately 0.16 miles east of Germond Road, designated as the Rhinelander relocation, in Oneida County.

SECTION 2301. 84.013 (3) (pm) of the statutes is created to read:

84.013 **(3)** (pm) STH 26 extending approximately 48 miles between I 90 in Janesville and STH 60 north of Watertown in Rock, Jefferson, and Dodge counties.

SECTION 2302. 84.013 (3) (ps) of the statutes is created to read:

84.013 **(3)** (ps) I 39/USH 51 extending approximately 8 miles from south of Fox Glove Road to north of Bridge Street, designated as the Wausau beltline, in Marathon County.

SECTION 2302c. 84.013 (3m) (d) of the statutes is created to read:

Vetoed In Part

84.013 **(3m)** (d) In constructing the major highway project specified under sub. (3) (ac), the department shall construct USH 12, as designated on the effective date of this paragraph .... [revisor inserts date], between Fern Dell Road and Old Highway 33 in Sauk County to 5 lanes, and the department may not require a matching fund contribution from any city, village, town, or county for this construction.

SECTION 2302e. 84.013 (3m) (e) of the statutes is created to read:

84.013 **(3m)** (e) The major highway project specified under sub. (3) (tp) shall include an interchange, with grade separation at each interchange ramp, at the intersection of STH 57 and CTH "P" in Brown County.

SECTION 2302g. 84.013 (3m) (f) of the statutes is created to read:

84.013 **(3m)** (f) The major highway project specified under sub. (3) (ai) shall include an interchange, with grade separation at each interchange ramp, at the

Vetoed In Part

intersection of USH 141 and CTH "B" in Marinette County.

SECTION 2302gg. 84.013 (3m) (g) of the statutes is created to read:

84.013 **(3m)** (g) The department shall complete any major highway project involving USH 10 from Marshfield to Stevens Point in Portage and Wood counties by December 31, 2013.

Vetoed In Part

SECTION 2302k. 84.013 (6g) of the statutes is created to read:

84.013 **(6g)** Notwithstanding s. 13.489 (1m) the department shall conduct a study of the STH 11/USH 14 transportation corridor between Janesville and I 43 in Rock and Walworth counties to evaluate alternatives to improve the capacity and safety of transportation in the corridor. The department shall consult with local units of government to determine the design and methodology of the study, and shall cooperate with the city of Janesville and the counties of Rock and Walworth in completing the study. If the department concludes after the study that improvements in the corridor require construction of a major highway project on STH 11 and USH 14, the department shall include the project in its report submitted to the transportation projects commission under s. 13.489 (2) no later than September 15, 2004, for review by the commission under s. 13.489 (4).

Vetoed In Part

SECTION 2302m. 84.013 (10) of the statutes is created to read:

84.013 **(10)** By June 1, 2002, and annually thereafter, the department shall submit a report that shows the current schedule for the construction of major highway projects enumerated under sub. (3), including the projected expenditures in each fiscal year for each major highway project, to the transportation projects commission and to the chief clerk of each house of the legislature for distribution to the appropriate standing committee dealing with transportation matters in each house of the legislature.

SECTION 2303b. 84.014 of the statutes is created to read:

84.014 Southeast Wisconsin freeway rehabilitation; Marquette interchange reconstruction project. **(1)** In this section:

(a) "Interim repair" means any improvement not specified in a notice given under s. 84.01 (17) that is needed to remedy unanticipated roadway deficiencies.

(b) "Marquette interchange" means all highways, including ramps and shoulders, encompassing I 43, I 94, and I 794 in Milwaukee County within the area bordered by 25th Street to the west, North Avenue to the north, the southern end of Burnham Canal to the south, and the Milwaukee River to the east.

(c) "Reconstruction" means the rebuilding of highways and bridges, including improvements to enhance highway safety, design, or capacity. The term includes activities associated with such rebuilding, including design engineering, traffic mitigation, property acquisition, and utility facility relocation. The term does not include interim repairs.

(d) "Rehabilitation" means the reconditioning, reconstruction, or resurfacing, as defined in s. 84.013 (1) (b) to (d), of a freeway or the adding of one or more lanes to the freeway, and includes interim repairs.

(e) "Southeast Wisconsin freeway" means a state trunk highway, located in Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington, or Waukesha county, that has 4 or more lanes of traffic physically separated by a median or barrier and that gives preference to through traffic by limiting access to interchanges only.

(2) Notwithstanding s. 84.013 and subject to s. 86.255, any southeast Wisconsin freeway rehabilitation projects, including the Marquette interchange reconstruction project, may be funded only from the appropriations under s. 20.395 (3) (cr), (cw), and (cy). Vetoed In Part

(3) The department may not expend from the appropriations under s. 20.395 (3) (cr) and (cy) more than $160,643,900 in the 2001−03 fiscal biennium, or more than $45,918,500 in any fiscal year thereafter, for the Marquette interchange reconstruction project, unless the expenditure of more funds is approved or modified and approved by the joint committee on finance under sub. (5). From funds that would otherwise be expended from the appropriations under s. 20.395 (3) (cr) and (cy) for other southeast Wisconsin freeway rehabilitation projects, the department may exceed the expenditure limit for the 2001−03 fiscal biennium or for a fiscal year thereafter to meet project deadlines if the department makes a reduction in subsequent allocations for the Marquette interchange reconstruction project that is equal to the amount by which the applicable expenditure limit was exceeded. Vetoed In Part Vetoed In Part Vetoed In Part

(4) The department may transfer the funding of southeast Wisconsin freeway rehabilitation projects between the appropriations for s. 20.395 (3) (cr) and (cy) to minimize project costs.

(5) The department may not take any of the following actions unless the action is approved or modified and approved by the joint committee on finance under s. 13.101: Vetoed In Part

(a) Transfer any funds from the appropriations under s. 20.395 (3) (cq), (cv), and (cx) to the appropriations under s. 20.395 (3) (cr), (cw), and (cy).

(b) Except as otherwise provided in this section and 2001 Wisconsin Act .... (this act), section 9152 (5w), make any other adjustments to the appropriations under s. 20.395 (3) (cr), (cw), and (cy) or to the allocations for the Marquette interchange reconstruction project.

(6) The department shall submit its proposed relocation assistance agreement with Aldrich Chemical Company, Inc., in the city of Milwaukee that is associated with the Marquette interchange reconstruction project to the joint committee on finance. The proposed relocation

Vetoed In Part

assistance agreement shall include a designation of the relative responsibilities of each party to the agreement with respect to remediation of any environmental contamination on the property. If the cochairpersons of the committee do not notify the department within 14 working days after the date of the department's submission that the committee has scheduled a meeting to review the proposed agreement, the department may enter into the proposed agreement. If, within 14 working days after the date of the department's submission, the cochairpersons of the committee notify the department that the committee has scheduled a meeting to review the proposed agreement, the department may enter into the proposed agreement only upon approval of the committee.

(7) The Marquette interchange reconstruction project shall include an interchange at the intersection of 13th Street and I 94. Notwithstanding ss. 84.29 (6) and 84.295 (7), the department shall keep the 13th Street interchange existing on the effective date of this subsection .... [revisor inserts date], open for travel during the Marquette interchange reconstruction project.

(7fg) The Marquette interchange reconstruction project shall include an exit at the intersection of Plankinton Avenue and I 794. Notwithstanding ss. 84.29 (6) and 84.295 (7), the department shall keep an exit at Plankinton Avenue open for travel during the Marquette interchange reconstruction project.

(7fm) Construction work on the Marquette interchange reconstruction project shall be performed on a 24−hour basis.

(7fr) The department shall design the reconstruction of the Marquette interchange and I 94 in Milwaukee and Waukesha counties to allow for expansion of capacity for vehicular traffic on the Marquette interchange and I 94 in these counties to meet the projected vehicular traffic capacity needs, as determined by the department, for 30 years following the completion of such reconstruction.

Vetoed In Part

SECTION 2304g. 84.02 (3) (a) of the statutes is amended to read:

84.02 **(3)** (a) Changes may be made in the state trunk system by the department, if it deems that the public good is best served by making the changes. The department, in making the changes, may lay out new highways by the procedure under this subsection. Due notice shall be given to the localities concerned of the intention to make changes or discontinuances, and if the change proposes to lay a highway via a new location and the distance along such deviation from the existing location exceeds 2 1/2 miles, then a hearing in or near the region affected by the proposed change shall be held prior to making the change effective. The notice shall also be given to the secretary of natural resources <u>and to the secretary of forestry</u> either by registered mail or personally. Whenever the department decides to thus change more than 2 1/2 miles of the system the change shall not be effective until the decision of the department has been referred to and approved by the county board of each county in which any part of the proposed change is situated. A copy of the decision shall be filed in the office of the clerk of each county in which a change is made or proposed. Where the distance along the deviation from the existing location exceeds 5 miles the change shall constitute an addition to the state trunk highway system. The preexisting route shall continue to be a state trunk highway unless the county board of each county in which any part of the relocation lies and the department mutually agree to its discontinuance as a state trunk highway. Whenever such county board or boards and the department cannot so agree the department shall report the problem to the next ensuing session of the legislature for determination.

Vetoed In Part

SECTION 2304p. 84.02 (5) (a) of the statutes is amended to read:

84.02 **(5)** (a) As often as it deems necessary, the department shall publish highway service maps showing the state trunk highway system and such other main highways and other features as may seem desirable. Such highway service maps shall be sold by the department at a price to be fixed by it, which shall be not less than cost. The department may permit the use of the base plates for other maps and publications in consideration of a fair fee for such use. The department shall make and publish or duplicate such highway service maps as are required for its use, and shall publish folded highway maps of Wisconsin for free distribution to the public. The department shall ensure that the folded highway maps bear information regarding the requirements of s. 347.48 (4) <u>and do not bear information regarding toll−free telephone service under s. 13.205</u>.

SECTION 2305. 84.02 (8) (d) of the statutes is repealed.

Vetoed In Part

SECTION 2305g. 84.02 (16) of the statutes is created to read:

84.02 **(16)** STATE TRUNK HIGHWAY REPORT TO LEGISLATURE. By September 15, 2002, and biennially thereafter, the department shall submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committee dealing with transportation matters in each house of the legislature that provides statistics on the condition and performance of state trunk highways, including pavement smoothness and distress, geometric deficiencies, safety problems, structural and functional bridge deficiencies, and traffic congestion.

Vetoed In Part

SECTION 2305k. 84.02 (17) of the statutes is created to read:

84.02 **(17)** WIDENING OF USH 12; VILLAGE OF CAMBRIDGE. With respect to any reconstruction or repair of the portion of USH 12 in the village of Cambridge in Dane County, the department may not, between the effective date of this subsection .... [revisor inserts date], and December 31, 2011, widen the portion of USH 12

Vetoed In Part

between the intersection of USH 12 and USH 18 and the Koshkonong Creek Bridge.

Vetoed In Part

SECTION 2305m. 84.03 (2) (b) 2. of the statutes is amended to read:

84.03 **(2)** (b) 2. The secretary is required to submit a plan under subd. 1. only if the department's most recent estimate of the amount of federal funds that the department will be appropriated under s. 20.395 in the current state fiscal year is less than ~~95%~~ 97% or more than ~~105%~~ 103% of the amount of federal funds shown in the schedule for the appropriations under s. 20.395 in that fiscal year.

SECTION 2306. 84.03 (3) of the statutes is created to read:

84.03 **(3)** WEST CANAL STREET RECONSTRUCTION PROJECT. (a) Subject to par. (b), the department shall, from the appropriations under s. 20.395 (3) (cr) and (cy), award a grant of $5,000,000 from the amounts allocated for the Marquette interchange reconstruction project under 2001 Wisconsin Act .... (this act), section 9152 (5w), shall award a grant of $2,500,000 under s. 86.31 (3s), and shall award grants totaling $2,500,000 from the appropriation under s. 20.395 (3) (ck), to the city of Milwaukee for reconstruction of West Canal Street in the city of Milwaukee to serve as a transportation corridor for the purpose of mitigating traffic associated with the reconstruction of the Marquette interchange.

(b) No grant may be awarded under par. (a) or s. 86.31 (3s) unless the city of Milwaukee contributes $10,000,000 toward the West Canal Street reconstruction project.

(c) This subsection does not apply after December 31, 2005.

SECTION 2307. 84.03 (4) of the statutes is created to read:

84.03 **(4)** PARK EAST FREEWAY CORRIDOR COST SHARING. (a) The maximum state share of costs for the project for the demolition of the Park East Freeway corridor in Milwaukee County, as provided in an agreement entered into on April 20, 1999, between the city of Milwaukee, Milwaukee County, and the state, shall be $8,000,000, of which $6,800,000 shall be federal interstate cost estimate funds received by the state.

(b) The local share of costs of the project described in par. (a) shall be not less than the amount of $17,000,000 provided for in the agreement specified under par. (a), of which $14,450,000 shall be federal interstate cost estimate funds received by the city or county.

Vetoed In Part

SECTION 2307f. 84.04 (4) of the statutes is created to read:

84.04 **(4)** Notwithstanding sub. (2), after the effective date of this subsection .... [revisor inserts date], the department may not construct any rest area along or in close proximity with a state trunk highway at a location that is within a radius of 5 miles from an exit from the highway that provides access to motorist services described under s. 86.195 (3). This subsection does not apply to any rest area that is located no more than 5 miles from the border of this state or to any rest area that may be located near the village of Belmont in Lafayette County.

Vetoed In Part

SECTION 2307g. 84.06 (1) of the statutes is amended to read:

84.06 **(1)** DEFINITIONS. In this section, "improvement" or "highway improvement" includes construction, reconstruction, rehabilitation, and ~~the activities, operations and~~ processes incidental to building, fabricating, or bettering a highway~~, public mass transportation system~~ or street, but not maintenance. The terms do not include the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, or intelligent transportation systems, unless incidental to building, fabricating, or bettering a highway or street.

SECTION 2307gg. 84.07 (1) of the statutes is amended to read:

84.07 **(1)** STATE EXPENSE; WHEN DONE BY COUNTY OR MUNICIPALITY. The state trunk highway system shall be maintained by the state at state expense. The department shall prescribe by rule specifications for such maintenance and may contract with any county highway committee or municipality to have all or certain parts of the work of maintaining the state trunk highways within or beyond the limits of the county or municipality, including interstate bridges, performed by the county or municipality, and any county or municipality may enter into such contract. General maintenance activities include the application of protective coatings, the removal and control of snow, the removal, treatment and sanding of ice, interim repair of highway surfaces and adjacent structures, and all other operations, activities and processes required on a continuing basis for the preservation of the highways on the state trunk system, and including the care and protection of trees and other roadside vegetation and suitable planting to prevent soil erosion or to beautify highways pursuant to s. 80.01 (3), and all measures deemed necessary to provide adequate traffic service. Special maintenance activities include the restoration, reinforcement, complete repair or other activities which the department deems are necessary on an individual basis for specified portions of the state trunk system. Maintenance activities also include the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, and intelligent transportation systems. The department may contract with a private entity for services or materials or both associated with the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, and intelligent transportation systems.

SECTION 2307gm. 84.072 of the statutes is created to read:

84.072 Unified disadvantaged business certification program. (1) DEFINITIONS. In this section:

(a) "Business" means a sole proprietorship, partnership, limited liability company, joint venture, or corporation that is operated for profit.

(am) "Certifying authority" means the department or, if authorized under sub. (5m), a municipality or county.

(b) "Disadvantaged business" means a business that is all of the following:

1. At least 51% owned by one or more disadvantaged individuals who are U.S. citizens or persons lawfully admitted to the United States for permanent residence, as defined in 8 USC 1101 (a) (20).

2. Controlled in its management and daily business operations by one or more of the disadvantaged individuals who own the business.

3. A small business concern within the meaning given in 49 CFR 26.5.

(c) "Disadvantaged individual" means an individual found by a certifying authority to be socially and economically disadvantaged within the meaning given in 49 CFR 26.5.

(d) "Municipality" means a city, village, or town.

(2) CERTIFICATION. (a) Any business may apply to a certifying authority for certification as a disadvantaged business. All applications shall be sworn and notarized. A certifying authority shall certify as a disadvantaged business any business that meets the requirements under 49 CFR 26, subpart D, for such certification. A certifying authority shall follow all certification procedures and standards provided in 49 CFR 26 and all certification determinations shall strictly conform with 49 CFR 26 and federal guidelines established under that section. A certifying authority shall complete review and issue a decision concerning an application within 90 days after receiving the completed application, except that a certifying authority may extend its review period to not more than 150 days if, within those 90 days, the certifying authority provides written notice to the applicant specifying the reasons for the extension. No person may certify a business as a disadvantaged business for purposes of 49 CFR 26, except as provided in this section. A certifying authority may charge and collect reasonable fees for reviewing an application submitted under this paragraph.

(b) 1. Except as provided in sub. (6), a certifying authority is not required to review an application submitted by a business that has its principal place of business in another state, unless the business is certified as a disadvantaged business under a unified certification program that strictly conforms to 49 CFR 26 and to which that other state is a party.

2. If the department receives an application for a business that is certified as a disadvantaged business under a federally approved unified certification program pursuant to 49 CFR 26, the department may do any of the following:

a. Grant certification in reliance of the certification determination under the federally approved unified certification program.

b. Make an independent certification determination based on material submitted by the other certifying agency, supplemented by whatever additional information the department may request from the applicant.

c. Require the applicant to undergo the application process without regard to the other certification.

3. If a certifying authority that is a municipality or county receives an application for a business that is certified as a disadvantaged business under a federally approved unified certification program pursuant to 49 CFR 26, the certifying authority shall forward the application to the department for purposes of subd. 2.

(c) A certifying authority shall cooperate with any directive from the federal government under authority of 49 CFR 26 concerning certification under this section.

(d) Certification under this section is valid for 3 years, unless the department removes certification under sub. (4) or the certification is removed as provided in 49 CFR 26.87 or 26.89. A certifying authority may not require a business that is certified under this section to reapply during the 3−year period after its certification, unless the factual basis on which the certification is made materially changes.

(e) No certification of a business as a disadvantaged business for purposes of federal transportation assistance programs before the effective date of this paragraph .... [revisor inserts date], is valid for contracts executed after the last day of the 5th month beginning after the effective date of this paragraph .... [revisor inserts date]. Beginning on the first day of the 6th month beginning after the effective date of this paragraph.... [revisor inserts date], only a business certified under this section qualifies as a disadvantaged business enterprise for purposes of 49 CFR 26.

(2m) CONFIDENTIALITY. (a) A certifying authority may not disclose to any person any information that relates to an individual's statement of net worth, a statement of experience, or a company's financial statement, including the gross receipts of a bidder, or to any documentation submitted in support of those statements, if the information was obtained for the purpose of complying with 49 CFR 26, as that section existed on October 1, 1999.

(b) This subsection does not prohibit a certifying authority from disclosing information to any of the following persons:

1. The person to whom the information relates.

2. If the certifying authority is a municipality or county, to the department.

3. If the certifying authority is the department, to a municipality or county authorized under sub. (5m).

4. Any person who has the written consent of the person to whom the information relates to receive such information.

5. Any person to whom 49 CFR 26, as that section existed on October 1, 1999, requires or specifically authorizes the certifying authority to disclose such information.

6. The federal department of transportation, if the certifying authority discloses the information for the purposes of a certification appeal proceeding in which the disadvantaged status of the individual is in question.

(3) IMPLIED CONSENT. Any municipality, county, or other person that accepts federal moneys from the appropriations under s. 20.395 (1) (bx), (2) (ax), (dx), or (fx), or (3) (bx), (cx), or (ex), or accepts other federal moneys for highway, transit, or airport purposes, after the effective date of this subsection .... [revisor inserts date], is considered to have given consent to the unified certification disadvantage business program administered under this section.

(4) REQUIREMENTS OF CERTIFIED BUSINESSES. A business certified as a disadvantaged business shall, within 30 days after a change in the business's size, disadvantaged status, ownership, or control that could preclude its certification as a disadvantaged business under 49 CFR 26, notify the department of such change by sworn and notarized statement. A business certified as a disadvantaged business shall submit annually to the department a sworn, notarized statement attesting that there have been no changes to business's size, disadvantaged status, ownership, or control, or gross receipts, that would preclude its certification as a disadvantaged business under 49 CFR 26. The notice shall include a statement that the business meets the size and gross receipts criteria for certification, and shall include documentary evidence supporting that statement. The department shall remove the certification of any disadvantaged business that fails to provide the statement within 13 months after certification under this section, or within 13 months after it last submitted to the department the information required under this subsection, whichever is later.

(5) DIRECTORY OF CERTIFIED BUSINESSES. The department shall maintain a list of all businesses certified as a disadvantaged business by a certifying authority or by a state that is a party to an agreement under sub. (6). The list shall include the business name, address, telephone number, and types of work that the business is certified to perform as a disadvantaged business. The department shall make the list and any updated information available to any person, at no charge, on the Internet and in printed format. The department shall update the list at least annually, but shall update the electronic list available on the Internet by including additions, deletions, or other changes to the list as soon as the department makes such an addition, deletion, or other change.

(5m) CERTIFICATION BY A MUNICIPALITY OR COUNTY. The department may authorize any municipality or county to certify a business as a disadvantaged business. The authorization shall be in writing and shall require the municipality or county to conform strictly to the standards and processes provided in this section and rules promulgated under this section. The authorization shall be valid for one year. The authorization shall require the municipality or county to provide written notice to the department of any certification decision. The written notice shall include all of the information contained in the directory maintained under sub. (5). The authorization shall require the municipality or county to forward applications to the department under sub. (2) (b) 3. Certification by a municipality or county is valid for 3 years, unless the department removes certification under sub. (4) or the certification is removed as provided in 49 CFR 26.87 or 26.89. No municipality or county authorized under this subsection may hear any appeals or complaints regarding certification decisions.

(6) RECIPROCAL CERTIFICATION AGREEMENTS. Notwithstanding sub. (2) (a), the department may enter into a reciprocal agreement with any other state establishing a joint unified certification program that strictly conforms to 49 CFR 26. The agreement may authorize the other state to certify as a disadvantaged business any business that is based in this state, or may authorize the department to certify as a disadvantaged business any business based in that other state.

(7) CERTIFICATION APPEALS AND COMPLAINTS. (a) Any business whose application for certification is denied, or is not reviewed within the time limits prescribed in sub. (2) (a), or whose certification is removed, may appeal that action as provided in 49 CFR 26.89 to the department.

(b) Any person may file with the department a signed, written complaint that a business that a certifying authority has certified under this section is not eligible for such certification. The department shall investigate complaints that it finds are supported by credible evidence. If, upon investigation, the department finds reasonable cause to believe that a business is not eligible for certification, the department shall notify the business of its findings in writing and shall proceed in the manner provided under 49 CFR 26.87.

(8) APPLICABILITY. This section does not apply if federal law does not require, as a condition of using federal funds, this state to establish goals for the participation of disadvantaged businesses or the employment of disadvantaged individuals in projects using federal funds.

SECTION 2307h. 84.075 (1) of the statutes is amended to read: **Vetoed In Part**

84.075 **(1)** In purchasing services under s. 84.01 (13), in awarding construction contracts under s. 84.06, and in contracting with private contractors and agencies under

Vetoed In Part

s. 84.07, the department of transportation shall attempt to ensure that 5% of the total amount expended in each fiscal year is paid to contractors, subcontractors, and vendors ~~which are minority businesses, as defined under s. 560.036 (1) (e) 1~~ that are minority businesses certified by the department of commerce under s. 560.036 (2). In attempting to meet this goal, the department of transportation may award any contract to a minority business that submits a qualified responsible bid that is no more than 5% higher than the low bid.

SECTION 2307i. 84.075 (2) of the statutes is amended to read:

84.075 **(2)** The contractor shall report to the department of transportation any amount of the contract paid to subcontractors and vendors ~~which~~ that are minority businesses certified by the department of commerce under s. 560.036 (2).

SECTION 2307j. 84.075 (3) of the statutes is amended to read:

84.075 **(3)** The department of transportation shall at least semiannually, or more often if required by the department of administration, report to the department of administration the total amount of money it has paid to contractors, subcontractors, and vendors ~~which~~ that are minority businesses under ss. 84.01 (13), 84.06, and 84.07 and the number of contacts with minority businesses in connection with proposed purchases and contracts. In its reports, the department of transportation shall include only amounts paid to businesses certified by the department of commerce under s. 560.036 (2) as minority businesses.

SECTION 2307je. 84.076 (1) (a) of the statutes is amended to read:

84.076 **(1)** (a) "Disadvantaged individual" means a minority group member, a woman or any other individual found by the department to be socially and economically disadvantaged ~~by the department as provided~~ within the meaning given in 49 CFR ~~23.62~~ 26.5, unless successfully challenged as provided in 49 CFR ~~23.69~~ 26.89.

SECTION 2307jg. 84.076 (1) (b) (intro.) of the statutes is renumbered 84.076 (1) (b) and amended to read:

84.076 **(1)** (b) "Disadvantaged business" ~~means a sole proprietorship, partnership, limited liability company, joint venture or corporation that fulfills all of the following requirements, as certified by the department:~~ has the meaning given in s. 84.072 (1) (b).

SECTION 2307jh. 84.076 (1) (b) 1., 2. and 3. of the statutes are repealed.

Vetoed In Part

SECTION 2307ji. 84.076 (1) (c) of the statutes is amended to read:

84.076 **(1)** (c) "Minority business" ~~has the meaning given under s. 560.036 (1) (e) 1~~ means a business that is certified by the department of commerce under s. 560.036 (2).

SECTION 2307jk. 84.076 (3) (intro.) and (a) of the statutes are consolidated, renumbered 84.076 (3) and amended to read:

84.076 **(3)** BIDS, CONTRACTS. Section 84.06 (2) applies to bids and contracts under this section, except that the secretary shall reject low bids that do not satisfy the requirements under sub. (4). ~~The secretary shall establish a list of disadvantaged businesses that are eligible to submit bids for contracts awarded under this section and subcontractors who meet the requirements under sub. (4) (b).~~ Each bid submitted under this section shall include the agreement specified under sub. (4) and ~~all of the following conditions: (a) A~~, as a condition, a goal that at least 25% of the total number of workers in all construction trades employed on the project will be disadvantaged individuals.

SECTION 2307jL. 84.076 (3) (b) of the statutes is repealed.

SECTION 2307jm. 84.076 (4) (b) of the statutes is amended to read:

84.076 **(4)** (b) Obtain from a subcontractor that has experience in providing training to disadvantaged individuals a program of preapprenticeship training that satisfies the requirements established by the secretary under sub. (2) (b), and assure that the subcontractor has experience in providing a program of management and technical assistance to disadvantaged business contractors, and that the subcontractor's management and technical assistance program satisfies the requirements established by the secretary under sub. (2) (b) and includes all of the requirements of par. (a) 2. A subcontractor under this paragraph need not be a disadvantaged business, but if the subcontractor is not a disadvantaged business, it may not be included within the goal established under sub. (3) ~~(b)~~.

Vetoed In Part

SECTION 2307jn. 84.09 (9) of the statutes is created to read:

84.09 **(9)** Subsections (5), (5m), and (6) do not apply to residual state property subject to s. 20.9145.

SECTION 2307jp. 84.09 (9) of the statutes, as created by 2001 Wisconsin Act .... (this act), is repealed.

Vetoed In Part

SECTION 2307k. 84.1033 of the statutes is created to read:

84.1033 Leo Frigo Memorial Bridge. Not later than June 30, 2003, the department shall designate and mark the bridge on I 43 across the Fox River in the city of Green Bay as the "Leo Frigo Memorial Bridge" in recognition and appreciation of Leo Frigo, a civic and philanthropic leader in the Green Bay area whose legacy includes one of the largest food pantry programs in the nation for feeding the hungry.

SECTION 2307m. 84.1040 of the statutes is created to read:

84.1040 Donald K. "Deke" Slayton Memorial Highway. (1) The department shall designate and, subject to sub. (2), mark STH 27 in Monroe County commencing at Sparta and proceeding southerly to Cashton as the "Donald K. 'Deke' Slayton Memorial Highway" as a living memorial to and in honor of Donald K. "Deke" Slayton, who brought credit to this state and, in particular, Monroe County for his contribution to this country's space program as one of the 7 original astronauts and as a participant in the first joint United States−Soviet space mission.

(2) Upon receipt of sufficient contributions from interested parties, including any county, city, village, or town, to cover the cost of erecting and maintaining markers along the route specified in sub. (1) to clearly identify to motorists the designation of the route as the "Donald K. 'Deke' Slayton Memorial Highway," the department shall erect and maintain the markers. No state funds, other than from the receipt of contributions under this subsection, may be expended for the erection or maintenance of the markers.

Vetoed In Part

SECTION 2307r. 84.1041 of the statutes is created to read:

84.1041 Gateway to the North Bridge. Not later than June 30, 2003, the department shall designate and mark the bridge on USH 45 across the south branch of the Embarrass River in the village of Tigerton in Shawano County as the "Gateway to the North" to serve as a welcome to visitors to the northern part of this state.

Vetoed In Part

SECTION 2308h. 84.185 (6m) of the statutes is amended to read:

84.185 **(6m)** ADMINISTRATION. From the appropriations under s. 20.395 (2) (iq), (iv), and (ix), upon the approval of the secretary under sub. (2), the department may make improvements to or provide other assistance for the improvement of a transportation facility under sub. (1) (d) 1. to 3. or provide other assistance for the improvement of a transportation facility under sub. (1) (d) 4. or 5. The department may not allocate more than 80% of the total funds appropriated under s. 20.395 (2) (iq) and (iw) in fiscal year 2002−03, and in any fiscal year thereafter, for grants under this section. The department may make loans from the appropriations under s. 20.395 (2) (iq) and (iw) for the improvement of a transportation facility. The state share of costs for the improvement of a transportation facility, including any loans made under this subsection for the improvement of the transportation facility, may not exceed 50% of the cost of the improvement. The department shall give priority to funding applications for which the applicant has indicated a willingness to accept a loan made under this subsection for all or part of the state share of costs for the improvement of the transportation facility.

Vetoed In Part

SECTION 2308m. 84.205 of the statutes is created to read:

84.205 Claims arising from repair and maintenance of state trunk highways. (1) In this section, "political subdivision" means a city, village, town, or county.

Vetoed In Part

(2) From funds appropriated and available to the department under s. 20.395 (3), the department shall pay, in whole or in part, any claims submitted to the department by a political subdivision, on a form prescribed by the department, for damage to any gravel road maintained by the political subdivision that is determined by the department to be caused by reason of the road's use as a detour incident to the maintenance, repair, or construction by the department of any state trunk highway, if the gravel road is not part of a detour route designated by the department. The political subdivision shall include with the claim a description of the nature and cause of the alleged damage, the asserted value of the claim, and all known evidence in support of the claim. In making its determination after submittal of the claim, the department shall consider each of the following factors:

(a) The condition of the gravel road at the time the claim was submitted.

(b) The condition of the gravel road, if known, immediately prior to its use as a detour incident to the maintenance, repair, or construction by the department of the state trunk highway.

(c) The proximity and convenience of the gravel road to the state trunk highway and to any applicable detour route.

(d) The extent of motor truck traffic in the vicinity of the state trunk highway and the gravel road.

(e) Any other factors or evidence submitted by the political subdivision with its claim under this subsection.

(3) The department shall promulgate rules to implement and administer this section.

Vetoed In Part

SECTION 2308p. 84.28 (1) of the statutes is amended to read:

84.28 **(1)** Moneys from the appropriation under s. ~~20.370 (7) (mc)~~ 20.375 (3) (b) may be expended for the renovation, marking and maintenance of a town or county highway located within the boundaries of any ~~state park,~~ state forest ~~or other property under the jurisdiction of the department of natural resources~~, other than a southern state forest. Moneys from the appropriation under s. 20.370 (7) (mc) may be expended for the renovation, marking and maintenance of a town or county highway located within the boundaries of any state park or any southern state forest, in the lower Wisconsin state riverway, as defined in s. 30.40 (15), or on other property under the jurisdiction of the department of natural resources. Outside the lower Wisconsin state riverway, as defined in s. 30.40 (15), or outside the boundaries of these parks, forests or other property under the jurisdiction of the department of natural resources, moneys from the appropriation under s. 20.370 (7) (mc)

Vetoed In Part

may be expended for the renovation, marking and maintenance of roads which the department of natural resources certifies are utilized by a substantial number of visitors to these state parks, state forests or other property under the jurisdiction of the department of natural resources. The department of natural resources shall authorize expenditures from the appropriation under s. 20.370 (7) (mc) under this subsection. The department of natural resources shall rank projects eligible for ~~assistance~~ funding from the appropriation under s. 20.370 (7) (mc) under a priority system and funding may be restricted to those projects with highest priority. Outside the boundaries of the state forests under the jurisdiction of the department of forestry, moneys from the appropriation under s. 20.375 (3) (b) may be expended for the renovation, marking, and maintenance of roads which the department of forestry certifies are utilized by a substantial number of visitors to these state forests. The department of forestry shall authorize expenditures from the appropriation under s. 20.375 (3) (b) under this subsection. The department of forestry shall rank projects eligible for funding from the appropriation under s. 20.375 (3) (b) under a priority system and funding may be restricted to those projects with the highest priority.

SECTION 2308sc. 84.28 (2) of the statutes is amended to read:

84.28 **(2)** The department may administer a program for the construction, maintenance, and marking of roads, including fire roads, service areas, trailer, or vehicle parking stalls or parking areas and other facilities consistent with highway construction and for the marking of scenic routes in the state parks, state forests, the lower Wisconsin state riverway as defined under s. 30.40 (15), state fish hatcheries, other public used areas under the jurisdiction of the department of natural resources or the department of forestry, and other public lands as defined in ch. 24, for highways or fire roads leading from the most convenient state trunk highways to such lands, and for the relocation and construction of state trunk highways in or near state parks when required in the interests of public safety. Within the limitations and for the purposes of this section, work may be performed by or under the supervision or authority or with the approval of the department of transportation, upon the request for such work filed by the department ~~of natural resources~~ having jurisdiction as to the lower Wisconsin state riverway, as defined in s. 30.40 (15), or as to state park or forest lands, or by the board of commissioners of the public lands as to other classes of public lands. Outside the lower Wisconsin state riverway, as defined in s. 30.40 (15), and outside the limits of the park, state forest, and public land areas, direct connections to the most convenient state trunk highway may be built or maintained under this section. Roads in unincorporated areas within 5 miles of the boundaries of the Horicon national wildlife refuge or the Horicon marsh wildlife area may be built or maintained under this section upon request of the town board, if the department of transportation certifies that such roads are or will be used by a substantial number of visitors to such area. Costs incurred under this section shall be the responsibility of the department of natural resources, department of forestry, commissioners of public lands or town board, as appropriate.

Vetoed In Part

SECTION 2308sr. 84.30 (10m) of the statutes is renumbered 84.30 (10m) (intro.) and amended to read:

Vetoed In Part

84.30 **(10m)** ANNUAL PERMIT FEE REQUIREMENT. (intro.) 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. This subsection does not apply to any of the following:

SECTION 2308st. 84.30 (10m) (a) and (b) of the statutes are created to read:

84.30 **(10m)** (a) An off−premises advertising sign that is owned by a religious organization.

(b) A sign that has been permanently removed by the owner of the sign, even if the department was not notified of the sign's removal.

SECTION 2309. 84.59 (1) of the statutes is amended to read:

Vetoed In Part

84.59 **(1)** Transportation facilities under s. 84.01 (28) and major highway projects as defined under s. 84.013 (1) (a) for the purposes under ss. 84.06 and 84.09 may be funded with the proceeds of revenue obligations issued subject to and in accordance with subch. II of ch. 18, except that funding for major highway projects with such proceeds may not exceed 55% of the total funds encumbered in any period of 3 consecutive fiscal years, beginning with the 3−year period of 2002−03 to 2004−05, for major highway projects.

SECTION 2310. 84.59 (6) of the statutes is amended to read:

84.59 **(6)** 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. Except as provided in this subsection, the principal amount of revenue obligations issued under this section may not exceed ~~$1,447,085,500 and may~~ $1,753,067,500 , excluding any obligations that have been defeased under a cash optimization program administered by the building commission, to be used for transportation facilities under s. 84.01 (28) and major highway projects for the purposes 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.

Vetoed In Part

SECTION 2310m. 85.027 of the statutes is created to read:

85.027 Highway corridor planning grant program. (1) In this section:

(a) "Highway corridor" means the area up to 10 miles on either side of a state trunk highway that is expected by the department to need additional capacity for vehicular traffic or to have possible safety or operational problems resulting from pressure for development adjacent to the highway.

(b) "Local governmental unit" means a city, village, town, county, regional planning commission, or metropolitan planning organization, as defined in s. 85.243 (1) (c).

(2) The department shall administer a highway corridor planning grant program. From the appropriation under s. 20.395 (3) (bq), the department shall award grants to local governmental units for highway corridor planning activities. In any fiscal year, the department may not expend more than $500,000 for grants under this subsection.

Vetoed In Part

SECTION 2311g. 85.061 (3) (b) of the statutes is renumbered 85.061 (3) (b) 1. and amended to read:

85.061 **(3)** (b) 1. The department may not use any proceeds from the bond issue authorized under s. 20.866 (2) (up) unless ~~the joint committee on finance approves the use of the proceeds and, with~~ state funds are used for not more than 20% of the cost of the project. This subdivision does not apply to the use of any bond proceeds approved by the joint committee on finance before the effective date of this subdivision .... [revisor inserts date].

2. With respect to a route under par. (a) 1. or 2., the department may not use any proceeds from the bond issue authorized under s. 20.866 (2) (up) unless the department submits evidence to the joint committee on finance that Amtrak or the applicable railroad has agreed to provide rail passenger service on that route.

(c) The department may contract with Amtrak, railroads or other persons to perform the activities under the program.

SECTION 2312. 85.107 (title) of the statutes is amended to read:

85.107 (title) **~~Minority civil engineer scholarship~~ Scholarship and loan repayment incentive grant program.**

SECTION 2313. 85.107 (1) of the statutes is amended to read:

85.107 **(1)** PURPOSE. The ~~minority civil engineer~~ scholarship and loan repayment incentive grant program is created to assist in improving the representation of ~~minorities among employees of~~ targeted group members within job classifications in which targeted group members are underutilized in the department ~~who are classified as civil engineers~~.

SECTION 2314. 85.107 (2) of the statutes is repealed.

SECTION 2315. 85.107 (2m) (intro.) of the statutes is created to read:

85.107 **(2m)** DEFINITIONS. (intro.) In this section:

SECTION 2316. 85.107 (2m) (am) of the statutes is created to read:

85.107 **(2m)** (am) "Person with a disability" means any person who has a physical or mental disability that constitutes or results in a substantial barrier to employment.

SECTION 2317. 85.107 (2m) (b) of the statutes is created to read:

85.107 **(2m)** (b) "Targeted group member" means a person with disabilities, or a person who belongs to a class of race, color, or sex, whose percent of the workforce within any job classification in the department is less than that class's percent of the statewide labor market for such job activities.

SECTION 2318. 85.107 (3) (a) (intro.) of the statutes is amended to read:

85.107 **(3)** (a) (intro.) Award scholarships to ~~resident minority students~~ targeted group members who are enrolled ~~fulltime~~ full time and registered as sophomores, juniors or seniors in a ~~civil engineering~~ bachelor ~~of science~~ degree program offered by an accredited institution of higher education in this state. Scholarships under this paragraph shall not exceed the following amounts:

SECTION 2319. 85.107 (3) (am) of the statutes is created to read:

85.107 **(3)** (am) Award scholarships of not more than $2,000 each to any targeted group member who is registered in his or her 2nd year of full−time enrollment in an associate degree program, as defined in s. 38.01 (1), or vocational diploma program, as defined in s. 38.01 (11), at a technical college in this state.

SECTION 2320. 85.107 (3) (b) 1. (intro.) of the statutes is amended to read:

85.107 **(3)** (b) 1. (intro.) Make loan repayment grants to ~~minority civil engineers~~ targeted group members who are employed by the department and have education loans outstanding. Subject to subd. 2., loan repayment grants under this subdivision shall not exceed the following amounts:

SECTION 2321. 85.12 (3) of the statutes is amended to read:

85.12 **(3)** The department may contract with any local governmental unit, as defined in s. ~~16.97~~ 22.01 (7), to provide that local governmental unit with services under this section.

SECTION 2321m. 85.12 (4) of the statutes is created to read: **Vetoed In Part**

Vetoed In Part

85.12 **(4)** Beginning with fiscal year 2001−02, if the department of transportation provides radio services under this section to the department of natural resources in any fiscal year, the department of natural resources shall make quarterly payments from the appropriation under s. 20.370 (8) (mu) of $111,450 to the department of transportation.

SECTION 2321p. 85.12 (5) of the statutes is created to read:

85.12 **(5)** Beginning with fiscal year 2001−02, from the appropriations under s. 20.395 (5) (dk) of moneys received by the department from the department and under s. 20.395 (5) (dq), the amount provided by the department in any fiscal year for the statewide public safety radio management program under this section may not exceed 50% of the costs of the statewide public safety radio management program or $138,000, whichever is less.

SECTION 2323. 85.20 (4m) (a) 6. a. and b. of the statutes are repealed.

SECTION 2324m. 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

85.20 **(4m)** (a) 6. cm. ~~Beginning with aid payable for calendar year 2000~~ For aid payable for calendar years 2000 and 2001, 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. For aid payable for calendar year 2002, from the appropriation under s. 20.395 (1) (ht), the department shall pay $55,697,800 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. Beginning with aid payable for calendar year 2003 and for each calendar year thereafter, from the appropriation under s. 20.395 (1) (ht), the department shall pay $56,811,800 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 2325m. 85.20 (4m) (a) 6. d. of the statutes is amended to read:

85.20 **(4m)** (a) 6. d. ~~Beginning with aid payable for calendar year 2000~~ For aid payable for calendar years 2000 and 2001, 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. For aid payable for calendar year 2002, from the appropriation under s. 20.395 (1) (hu), the department shall pay $14,869,500 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. Beginning with aid payable for calendar year 2003 and for each calendar year thereafter, from the appropriation under s. 20.395 (1) (hu), the department shall pay $15,166,900 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 2326m. 85.20 (4m) (a) 7. of the statutes is amended to read:

85.20 **(4m)** (a) 7. a. From the appropriation under s. 20.395 (1) (hr), for aid payable for calendar year 2001, the uniform percentage for each eligible applicant served by an urban mass transit system operating within an urbanized area having a population as shown in the 1990 federal decennial census of at least 50,000 or receiving federal mass transit aid for such area, and not specified in subd. 6. From the appropriation under s. 20.395 (1) (hr), beginning with aid payable for calendar year 2002 and for each calendar year thereafter, the uniform percentage for each eligible applicant served by an urban mass transit system operating within an urbanized area having a population as shown in the 2000 federal decennial census of at least 50,000 or receiving federal mass transit aid for such area, and not specified in subd. 6.

b. For the purpose of making allocations under subd. 7. a., the amounts for aids are ~~$18,422,500 in calendar year 1999 and~~ $19,804,200 in calendar ~~year 2000 and~~ years 2000 and 2001, $20,596,400 in calendar year 2002, and $21,008,300 in calendar year 2003 and in each calendar year thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

SECTION 2327m. 85.20 (4m) (a) 8. of the statutes is amended to read:

85.20 **(4m)** (a) 8. a. From the appropriation under s. 20.395 (1) (hs), for aid payable for calendar year 2001, the uniform percentage for each eligible applicant served by an urban mass transit system operating within an area having a population as shown in the 1990 federal decennial census of less than 50,000 or receiving federal mass transit aid for such area. From the appropriation under s. 20.395 (1) (hs), beginning with aid payable for calendar year 2002 and for each calendar year thereafter, the uniform percentage for each eligible applicant served by an urban mass transit system operating within an area having a population as shown in the 2000 federal decennial

census of less than 50,000 or receiving federal mass transit aid for such area.

b. For the purpose of making allocations under subd. 8. a., the amounts for aids are ~~$4,975,900 in calendar year 1999 and~~ $5,349,100 in calendar ~~year 2000 and~~ years 2000 and 2001, $5,563,100 in calendar year 2002, and $5,674,400 in calendar year 2003 and in each calendar year thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

SECTION 2330g. 85.205 (title) of the statutes is amended to read:

85.205 (title) **Prohibited expenditures and construction for light rail.**

SECTION 2330h. 85.205 of the statutes is renumbered 85.205 (1) and amended to read:

85.205 **(1)** 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~~ on or after the effective date of this subsection .... [revisor inserts date]. This subsection does not apply to any light rail mass transit system that is being constructed on October 29, 1999. This ~~section~~ 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 ~~section~~ subsection does not apply after June 30, ~~2001~~ 2002.

SECTION 2330j. 85.205 (2) of the statutes is created to read:

85.205 **(2)** A light rail mass transit system may not be constructed in Milwaukee County after the effective date of this subsection .... [revisor inserts date], unless the Milwaukee County board authorizes construction of the light rail mass transit system by resolution and the resolution is ratified by the electors of Milwaukee County at a referendum held at the next general election.

SECTION 2331. 85.24 (title) of the statutes is repealed and recreated to read:

85.24 (title) **Transportation employment and mobility program.**

SECTION 2332. 85.24 (1) of the statutes is amended to read:

85.24 **(1)** PURPOSE. The purpose of this section is to promote the conservation of energy, reduce traffic congestion, improve air quality ~~and~~, enhance the efficient use of existing transportation systems, and enhance the success of welfare−to−work programs by providing efficient and effective transportation services that link low−income workers with jobs, training centers, and child care facilities, by planning and promoting demand management and ride−sharing programs, and by providing technical and financial assistance to public and private organizations for job access and employment transportation assistance programs and for the development and implementation of demand management and ride−sharing programs.

SECTION 2333. 85.24 (2) (ag) of the statutes is created to read:

85.24 **(2)** (ag) "Job access and employment transportation assistance" means policies and programs that are directed at resolving the transportation needs of low−income workers and recipients of public assistance with respect to transportation to−and−from jobs, including welfare−to−work programs, and activities related to their employment.

SECTION 2334. 85.24 (2) (br) of the statutes is created to read:

85.24 **(2)** (br) "Transportation employment and mobility" means policies and programs that encompass demand management, ride sharing, and job access and employment transportation assistance.

SECTION 2335. 85.24 (3) (a) of the statutes is amended to read:

85.24 **(3)** (a) The department of transportation shall be the lead state agency in demand management and ride−sharing activities and shall collaborate with the department of workforce development in job access and employment transportation assistance programs. The department of transportation shall have all powers necessary to develop and implement a state ~~demand management and ride−sharing assistance program which shall include~~ transportation employment and mobility program that includes the coordination of demand management ~~and~~, ride−sharing, and job access and employment transportation assistance activities in this state~~,~~; the promotion and marketing of demand management ~~and~~, ride−sharing, and job access and employment transportation assistance activities~~,~~; the dissemination of technical information~~,~~; the provision of technical and financial assistance to public and private organizations for the planning, development, and implementation of demand management ~~and~~, ride−sharing, and job access and employment transportation assistance programs~~,~~; and the development and distribution of computer and manual ride−matching systems.

SECTION 2336. 85.24 (3) (c) of the statutes is amended to read:

85.24 **(3)** (c) The department may administer a program for the distribution of any federal funds for ride sharing ~~and~~, demand management, and job access and employment transportation assistance that are made available to the state.

SECTION 2337. 85.24 (3) (d) (intro.) of the statutes is amended to read:

85.24 **(3)** (d) (intro.) The department may award grants from the appropriation under s. 20.395 (1) (bs) to public and private organizations for the development and implementation of demand management ~~and~~, ride−sharing, and job access and employment transportation assistance programs. As a condition of obtaining a grant under this paragraph, a public or private organization may be required to provide matching funds at any percentage. ~~The~~ For demand management and ride−sharing purposes, the department shall give priority in the awarding of grants to those programs that provide the greatest reduction in automobile trips, especially during peak hours of traffic congestion. The department shall have all powers necessary and convenient to implement this paragraph, including the following powers:

Vetoed In Part

SECTION 2337k. 85.285 of the statutes is created to read:

85.285 Extrication training grants. From the appropriation under s. 20.395 (5) (ds), the department shall award a grant of $375,000 in fiscal year 2002−03 and in each fiscal year thereafter to a nonprofit corporation that has experience providing training that meets the standards of the National Fire Protection Association and that prepares trained individuals to teach extrication techniques for all types of vehicles to rescue personnel. A grant made under this section may be used to provide training, acquire extrication equipment, or develop extrication training curricula. The department may not award a grant under this section unless the recipient of the grant enters into a written agreement with the department that specifies the conditions for use of the grant proceeds, including the use of any training curriculum developed with grant proceeds.

SECTION 2338. 85.51 (title) of the statutes is amended to read:

85.51 (title) **State traffic patrol services~~; special events fee~~.**

SECTION 2339. 85.51 of the statutes is renumbered 85.51 (1) (a) and amended to read:

Vetoed In Part

85.51 **(1)** (a) ~~The~~ Except as provided in par. (b), the department may charge ~~the~~ an event sponsor, as defined by rule, a fee, in an amount calculated under a uniform method established by rule, for security and traffic enforcement services provided by the state traffic patrol at any public event for which an admission fee is charged for spectators ~~if the event is organized by a private organization~~. The department may not impose a fee for such services except as provided in this ~~section~~ paragraph.

Vetoed In Part

(3) USE OF FEES. All moneys received under this ~~subsection~~ section shall be deposited in the general fund and credited to the appropriation account under s. 20.395 (5) (dg).

SECTION 2339g. 85.51 (1) (title) of the statutes is created to read:

85.51 **(1)** (title) SPECIAL EVENTS FEE.

Vetoed In Part

SECTION 2339m. 85.51 (1) (b) of the statutes is created to read:

85.51 **(1)** (b) Paragraph (a) does not apply to farm progress days subject to s. 85.511.

SECTION 2340. 85.51 (2) of the statutes is created to read:

85.51 **(2)** SECURITY AND TRAFFIC ENFORCEMENT SERVICES FEE. The department may charge any person a fee, in an amount calculated under a uniform method established by rule, for security and traffic enforcement services provided by the state traffic patrol during that person's installation, inspection, removal, relocation, or repair of a utility facility, as defined in s. 30.40 (19), located on a highway, as defined in s. 340.01 (22), if that person requests such services in writing.

Vetoed In Part

SECTION 2340i. 85.511 of the statutes is created to read:

85.511 Farm progress days. (1) The department is prohibited from charging any sponsor of farm progress days for any costs incurred by the department associated with farm progress days.

(2) The department shall promulgate rules specifying eligibility as a sponsor under sub. (1) and determining the conditions that shall be satisfied to qualify as farm progress days under sub. (1).

Vetoed In Part

SECTION 2340k. 85.517 of the statutes is created to read:

85.517 Database redesign; division of motor vehicles. By January 2, 2002, and biennially by January 2 thereafter, the department shall submit to the joint committee on finance, and to the appropriate standing committees of the legislature under s. 13.172 (3), a report on the progress of the division of motor vehicles database redesign. The report shall include all of the following:

(1) The identification of all portions of the database redesign that have been completed and all portions planned for completion within 12 months following the report.

(2) The identification of any change in data processing, administrative, or other process efficiencies realized from those portions of the database redesign that have been completed, or anticipated from those portions of the database redesign that are planned for completion within 12 months following the report.

(3) A timetable for completion of the database redesign, including the identification of all portions of the database redesign that remain to be completed and their projected dates of completion.

(4) Any recommended statutory changes or funding levels to facilitate the database redesign or any data processing, administrative, or other process efficiencies associated with the database redesign.

Vetoed In Part

SECTION 2340q. 85.53 (3) of the statutes is amended to read:

Vetoed In Part

85.53 **(3)** Grants under this section shall be paid from the appropriations under s. 20.395 (5) (jr) and (jt). The amount of a grant may not exceed 80% of the amount expended by an eligible applicant for services related to the program.

Vetoed In Part

SECTION 2340t. 85.56 of the statutes is created to read:

85.56 Joint committee on finance review of transportation safety contracts. The department may not enter into any contract relating to alcohol or traffic enforcement activities to be funded in whole or in part with federal transportation safety funds unless the department first notifies the joint committee on finance in writing of the proposed contract. 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 proposed contract, the department may enter into the proposed contract. If, within 14 working days after the date of the department's notification, the chairpersons of the committee notify the department that the committee has scheduled a meeting to review the proposed contract, the department may enter into the proposed contract only upon approval of the committee.

Vetoed In Part

SECTION 2340vg. 86.03 (5m) of the statutes is created to read:

86.03 **(5m)** TREES AND OTHER VEGETATION BLOCKING VIEW OF BUSINESS OR SIGN. (a) In this subsection, "vegetation" means any tree, shrub, hedge, or other foliage.

(b) Notwithstanding any other provision of this section, if any vegetation located in the right−of−way of any highway under the jurisdiction of the department prevents the operator of a vehicle traveling on a highway at the posted speed limit from viewing for 6 uninterrupted seconds a business premises located adjacent to the highway right−of−way, a sign located on a business premises adjacent to the highway right−of−way that advertises the business to motorists on the adjacent highway, or any sign erected under this chapter or s. 84.30 that is permitted to be located in or adjacent to the highway right−of−way, any person who maintains a majority ownership interest in the business adjacent to the highway right−of−way or in any business advertised on a sign identified in this paragraph may trim or remove any obstructing vegetation located in the highway right−of−way if all of the following requirements are met:

1. The person obtains a permit from the department under par. (c).

2. The person pays for the cost of trimming or removing the obstructing vegetation, including the cost of cleanup and disposal, and for replacing any removed vegetation, including the cost of purchasing and planting the replacement vegetation.

Vetoed In Part

3. If the person has removed vegetation, the person replaces the removed vegetation with comparable vegetation along the same highway right−of−way, provided that the person may not locate replacement vegetation in a manner that obstructs, or will obstruct in the foreseeable future, the view from the highway of another existing business or sign identified in this paragraph.

Vetoed In Part

4. No state funds are expended for the trimming, removal, or replacement of vegetation under this paragraph.

5. With respect to a sign identified in this paragraph, the owner of the land on which the sign is erected does not object to the trimming or removal of vegetation.

(c) The department shall issue permits to eligible applicants for the trimming or removal of vegetation located in a highway right−of−way under par. (b). Any permit issued under this paragraph shall specify the vegetation or the portion of the highway right−of−way to which the permit applies. The department shall grant or deny an application for a permit within 30 days of receipt of the application.

Vetoed In Part

SECTION 2340y. 86.193 of the statutes is created to read:

86.193 Agricultural tourism signs. (1) In this section, "agricultural tourism facility" means a facility located in this state that is open to the public at least 4 days a week for a minimum of 3 months and which does any of the following:

(a) Markets Wisconsin farm products.

(b) Processes and markets agricultural products, of which at least 50% are grown and produced in this state.

(c) Promotes tourism by providing tours and on−site sales or samples of Wisconsin agricultural products.

(2) The department shall develop and, no later than March 1, 2002, implement a plan, consistent with federal and state laws, to promote and maximize the erection of agricultural tourism signs on highways in this state to identify and provide directional information to any agricultural tourism facility.

(3) (a) Except as provided in par. (b), the department may assess and collect from an agricultural tourism facility the actual costs of erection of any agricultural tourism sign that identifies and provides directional information to the facility.

(b) A local authority shall permit erection of a trailblazer sign that identifies and provides directional information to an agricultural tourism facility on a highway under the jurisdiction of the local authority if the facility is located more than 5 miles from the highway and the local authority assesses and collects from the facility the actual costs of erection of the trailblazer sign. The department shall promulgate rules defining "trailblazer sign" for purposes of this paragraph.

Vetoed In Part

(4) In developing and implementing the plan under sub. (2), the department shall consult with the department of agriculture, trade and consumer protection.

SECTION 2341. 86.30 (2) (a) 3. (intro.) of the statutes is renumbered 86.30 (2) (a) 3. and amended to read:

86.30 **(2)** (a) 3. For each mile of road or street under the jurisdiction of a municipality as determined under s. 86.302, the mileage aid payment shall be ~~an amount equal to the following:~~ $1,704 in calendar year 2001, $1,755 in calendar year 2002, and $1,825 in calendar year 2003 and thereafter.

SECTION 2342. 86.30 (2) (a) 3. g. of the statutes is repealed.

SECTION 2343. 86.30 (2) (a) 3. h. of the statutes is repealed.

SECTION 2344. 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 ~~$78,744,300 in calendar years 1998 and 1999, and~~ $84,059,500 in calendar ~~year~~ years 2000 and 2001, $86,581,300 in calendar year 2002, and $90,044,600 in calendar year 2003 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 2345. 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 ~~$247,739,100 in calendar years 1998 and 1999, and~~ $264,461,500 in calendar ~~year~~ years 2000 and 2001, $272,395,300 in calendar year 2002, and $283,291,100 in calendar year 2003 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.

Vetoed In Part

SECTION 2345m. 86.30 (10c) of the statutes is created to read:

86.30 **(10c)** AID PAYMENTS FOR CALENDAR YEAR 2002. (a) 1. For calendar year 2002, the department shall determine the percentage change between the amount of moneys appropriated for distribution under this section to counties for calendar year 2002 and the amount of moneys appropriated for distribution under this section to counties for calendar year 2001.

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 2002 shall be the amount paid to that county for calendar year 2001, plus an amount equal to the percentage determined under subd. 1. of the amount paid to the county for calendar year 2001.

(b) 1. For calendar year 2002, the department shall determine the percentage change between the amount of moneys appropriated for distribution under this section to municipalities for calendar year 2002 and the amount of moneys appropriated for distribution under this section to municipalities for calendar year 2001.

Vetoed In Part

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 2002 shall be the amount paid to that municipality for calendar year 2001, plus an amount equal to the percentage determined under subd. 1. of the amount paid to the municipality for calendar year 2001.

SECTION 2345n. 86.30 (10g) of the statutes is created to read:

86.30 **(10g)** AID PAYMENTS FOR CALENDAR YEAR 2003. (a) 1. For calendar year 2003, the department shall determine the percentage change between the amount of moneys appropriated for distribution under this section to counties for calendar year 2003 and the amount of moneys appropriated for distribution under this section to counties for calendar year 2002.

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 2003 shall be the amount paid to that county for calendar year 2002, plus an amount equal to the percentage determined under subd. 1. of the amount paid to the county for calendar year 2002.

(b) 1. For calendar year 2003, the department shall determine the percentage change between the amount of moneys appropriated for distribution under this section to municipalities for calendar year 2003 and the amount of moneys appropriated for distribution under this section to municipalities for calendar year 2002.

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 2003 shall be the amount paid to that municipality for calendar year 2002, plus an amount equal to the percentage determined under subd. 1. of the amount paid to the municipality for calendar year 2002.

Vetoed In Part

SECTION 2346m. 86.31 (2) (f) of the statutes is created to read:

86.31 **(2)** (f) With respect to town road improvements, the department shall give priority to town road improvements under subs. (3) and (3m) that fund improvements of town roads that have been damaged as a result of heavy motor truck loads.

SECTION 2347f. 86.31 (3g) of the statutes is amended to read:

86.31 **(3g)** COUNTY TRUNK HIGHWAY IMPROVEMENTS. From the appropriation under s. 20.395 (2) (fr), the department shall allocate ~~$5,000,000~~ $5,250,000 in each fiscal year, beginning in fiscal year 2001−02, to fund county trunk highway improvements with eligible costs totaling more than $250,000. The funding of improvements under this subsection is in addition to the allocation of funds for entitlements under sub. (3).

SECTION 2347k. 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~~ $750,000 in each fiscal year, beginning in fiscal year 2001−02, 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 2347r. 86.31 (3r) of the statutes is amended 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~~ $1,000,000 in each fiscal year, beginning in fiscal year 2001−02, 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 2348m. 86.31 (3s) of the statutes is created to read:

86.31 **(3s)** WEST CANAL STREET RECONSTRUCTION. Notwithstanding limitations on the amount and use of aids provided under this section, or on eligibility requirements for receiving aids under this section, and subject to s. 84.03 (3) (b), the department shall award a grant of $2,500,000 to the city of Milwaukee for the purpose specified under s. 84.03 (3) (a). Notwithstanding subs. (3) (b), (3g), (3m), and (3r), payment of the grant under this subsection shall be made from the appropriation under s. 20.395 (2) (fr) before making any other allocation of funds under subs. (3) (b), (3g), (3m), and (3r), and the allocation of funds under subs. (3) (b), (3g), (3m), and (3r) shall be reduced proportionately to reflect the amount of the grant made under this subsection. This subsection does not apply after December 31, 2005.

Vetoed In Part

SECTION 2349m. 86.315 (1) of the statutes is amended to read:

86.315 **(1)** From the appropriation under s. 20.395 (1) (fu), the department shall annually, on March 10, pay to counties having county forests established under ch. 28, for the improvement of public roads within the county forests which are open and used for travel and which are not state or county trunk highways or town roads and for which no aids are paid under s. 86.30, the amount of $336 per mile of road designated in the comprehensive county forest land use plan as approved by the county board and the department of ~~natural resources~~ forestry. If the amount appropriated under s. 20.395 (1) (fu) is insufficient to make the payments required under this subsection, the department shall prorate the amount appropriated in the manner it considers desirable.

Vetoed In Part

SECTION 2351h. 88.15 (2m) of the statutes is created to read:

88.15 **(2m)** The department of agriculture, trade and consumer protection shall create and maintain a secure Internet site on which drainage districts may post engineering projects in order to obtain bids electronically for engineering services. The department shall promulgate rules that specify fees designed to cover the costs of creating and maintaining the Internet site.

SECTION 2380g. 92.14 (5g) of the statutes is renumbered 92.14 (5g) (a) and amended to read:

92.14 **(5g)** (a) ~~If~~ Except as provided in par. (b), 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, as determined by the department by rule, 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 2380i. 92.14 (5g) (b) of the statutes is created to read:

92.14 **(5g)** (b) For a grant awarded for a year before 2010, the department shall require a county to provide matching funds for priority watershed project staff equal to not less than 10% nor more than 30% of the staff funding that was provided to the county for 1997 for a priority watershed that was designated before July 1, 1998. This paragraph does not apply to matching funds for priority watershed project staff after the termination date that was in effect on October 6, 1998, for the priority watershed project.

SECTION 2382. 93.06 (8) of the statutes is amended to read:

93.06 **(8)** PRESCRIBE CONDITIONS OF LICENSES. Except as provided in s. 93.135, issue any permit, certificate, registration or license on a temporary or conditional basis, contingent upon pertinent circumstances or acts. If the temporary or conditional permit, certificate, registration or license is conditioned upon compliance with chs. 93 to 100, ch. ~~127~~ 126, a rule promulgated by the department or a regulation adopted under s. 97.41 (7) within a specified period of time and the condition is not met within the specified period, the permit, certificate, registration or license shall be void.

SECTION 2383. 93.06 (12) of the statutes is created to read:

93.06 **(12)** FEDERAL AGRICULTURAL POLICY REFORM. Provide at least $50,000 in each fiscal year to organizations to seek the reform of federal agricultural policy for the benefit of agricultural producers in this state. This subsection does not apply after June 30, 2005.

SECTION 2385. 93.135 (1) (rm) of the statutes is amended to read:

93.135 **(1)** (rm) A ~~registration certificate~~ license under s. ~~100.03 (2)~~ 126.56.

SECTION 2386. 93.135 (1) (s) of the statutes is amended to read:

93.135 **(1)** (s) A license under s. ~~127.02 (1)~~ 126.26.

SECTION 2387. 93.135 (1) (sm) of the statutes is amended to read:

93.135 **(1)** (sm) A license under s. ~~127.03 (1)~~ 126.11.

SECTION 2388. 93.20 (1) of the statutes is amended to read:

93.20 **(1)** DEFINITION. In this section, "action" means an action that is commenced in court by, or on behalf of, the department of agriculture, trade and consumer protection to enforce chs. 88, 91 to 100 or ~~127~~ 126.

SECTION 2389. 93.21 (5) (a) of the statutes is amended to read:

93.21 **(5)** (a) In this subsection, "license" means a permit, certificate, registration or license issued by the department under chs. 91 to 100 or ch. ~~127~~ 126.

SECTION 2390. 93.23 (1) (h) of the statutes is repealed.

SECTION 2390p. 93.32 of the statutes is created to read:

93.32 Agriculture in the classroom program. From the appropriation account under s. 20.115 (4) (q), the department shall provide grants to the organization that conducts an agriculture in the classroom program in cooperation with the federal department of agriculture to help teachers educate students about agriculture.

SECTION 2392. 93.47 (2) of the statutes is amended to read:

93.47 **(2)** The department may award grants from the appropriation accounts under s. 20.115 (4) (c) and ~~(i)~~ (8) (g) to individuals or organizations to fund demonstration projects designed to encourage the use of sustainable agriculture. The department shall promulgate rules to govern the sustainable agriculture grant program under this section.

SECTION 2393. 93.48 of the statutes is repealed.

SECTION 2394. 93.50 (1) (g) of the statutes is amended to read:

93.50 **(1)** (g) "Procurement contract" has the meaning given for "vegetable procurement contract" in s. ~~100.03 (1) (vm)~~ 126.55 (15).

SECTION 2394p. 93.80 of the statutes is created to read:

Vetoed In Part

93.80 Arsenic in wood. (1) The department, jointly with the department of commerce, shall review scientific evidence to determine whether there is a substantial likelihood that wood treated with copper, chromium, and arsenic is harmful to the environment or to human health. The departments shall report the results of their review to the legislature under s. 13.172 (2) no later than June 30, 2002.

Vetoed In Part

(2) If the department and the department of commerce determine under sub. (1) that there is a substantial likelihood that wood treated with copper, chromium, and arsenic is harmful to the environment or to human health, the departments jointly shall promulgate rules that phase in restrictions on the use of wood treated with copper, chromium, and arsenic. The departments may not prohibit the use of wood treated with copper, chromium, and arsenic for a purpose unless there is a substitute wood preservative that may be used for that purpose and that is less harmful.

Vetoed In Part

(3) Any person who violates a rule promulgated under sub. (2) may be required to forfeit not more than $500 for each violation.

SECTION 2395t. 94.715 of the statutes is created to read:

94.715 Pest management for schools. (1) DEFINITIONS. In this section:

(a) "Active ingredient" has the meaning given in s. 94.67 (1).

Vetoed In Part

(b) "Federal act" has the meaning given in s. 94.67 (13).

(c) "Inert ingredient" has the meaning given in s. 94.67 (16).

(cm) "Integrated pest management" means a comprehensive strategy of pest control with the main objective of achieving desired levels of pest control in an environmentally responsible manner to reduce or eliminate reliance on pesticides by using a combination of nonchemical pest controls, which may include monitoring, increased sanitation, physical barriers, and the use of natural pest enemies, to address conditions that support pests and judiciously using lowest risk pesticides when necessary after all other practical methods have failed.

(d) "Pest" has the meaning given in s. 94.67 (24).

(e) "Pesticide" has the meaning given in s. 94.67 (25), except that "pesticide" does not include a germicide, sanitizer, or disinfectant.

(2) REQUIREMENTS FOR SCHOOL BOARDS. A school board shall do all of the following:

(a) Propose a pest management plan that complies with sub. (4).

Vetoed In Part

(am) Before proposing a plan under par. (a), obtain training under s. 36.25 (43) for at least one member of the school board or school district employee who will be involved in developing the pest management plan.

(b) After public notice and a hearing on the proposed plan under par. (a) and no later than the first day of the 7th month beginning after the effective date of this paragraph .... [revisor inserts date], adopt a pest management plan that complies with sub. (4) and submit a copy of the plan to the department.

(c) No later than the first day of the 13th month beginning after the effective date of this paragraph .... [revisor inserts date], implement the pest management plan adopted under par. (b).

(d) Provide public notice and a hearing before modifying the pest management plan adopted under par.

Vetoed In Part

(b) and notify the department of any modifications to the plan.

(dm) Authorize pesticide application in a school or on school grounds to be conducted only by persons who are certified in the applicable pesticide use categories under s. 94.705.

Vetoed In Part

(e) When the use of a pesticide is determined to be necessary in a school or on school grounds, use pesticide in accordance with integrated pest management practices.

(f) Except as provided in sub. (6), at least 72 hours in advance of each pesticide application in a school or on school grounds, provide written notification, in a font size no smaller than that routinely used for other notices to parents, of the name of the pesticide to be applied, the planned time and location of the application, the potential health effects of exposure to the pesticide, as indicated on its label, and the name and telephone number of a person at the school who can be called for more information or to report health effects from exposure, to all of the following:

1. Each employee of the school district, or of a contractor with the school district, who may be present in the area of application within 72 hours after the application.

2. Each student who may be present in the area of application within 72 hours after the application.

3. The parents or guardians of the students under subd. 2.

(g) Post notice of each pesticide application in a school or on school grounds at the time of the application and for at least 72 hours following the application.

Vetoed In Part

(h) Maintain a record of all of the following for each application of pesticide in a school or on school grounds:

1. The name and certification number of the person applying the pesticide.

2. The type of pesticide applied and its brand name, the name of the pesticide as registered under the federal act, the pesticide registration number assigned to the pesticide under the federal act, the manufacturer of the pesticide, and the pesticide's active ingredients and inert ingredients.

3. The date and time of the application and the amount of pesticide applied.

4. How the pesticide was applied, including any additives used and the type of application device used.

5. The street address of the place at which the pesticide was applied and a description of the area to which the pesticide was applied.

6. The purpose of the application, including the target pest and whether the application was preventive or reactive.

7. For an outdoor application, a description of the weather conditions at the time of the application.

8. The symptoms of acute poisoning from the pesticide, as indicated on its label.

Vetoed In Part

(i) Make the information under par. (h) available to any person upon request and provide the information about pesticide applications to the department quarterly, except as provided in sub. (6m).

(j) Review liability and property insurance maintained by the school board to determine whether coverage is adequate for damage or loss caused by pesticides.

(k) Provide any information concerning pest management that is requested by the department.

(3) PROHIBITIONS. (a) A school district may not routinely use pesticides on a regularly scheduled basis in a school or on school grounds.

(b) A school district may not use pesticide fumigation in a school or on school grounds.

(c) A school district may not use pesticides for aesthetic or cosmetic purposes.

(d) A school district may not use a pesticide in a school or on school grounds unless nonchemical methods of pest control have failed to prevent unacceptable levels of pest activity and damage.

(4) PEST MANAGEMENT PLAN. A school board shall design its pest management plan required under sub. (2) (b) to prevent unacceptable levels of pest activity and damage while minimizing hazards to persons, property, and the environment. In the plan required under sub. (2) (b), a school board shall specify the pest management practices that will be used by the school district and shall include all of the following:

(a) A description of the methods that will be used to identify pest problems, including monitoring to determine whether pests are present in sufficient numbers to require treatment with pesticides.

(b) A description of the nonchemical methods that the school district will use to seek to prevent unacceptable levels of pest activity and damage.

(c) A description of the pesticides and methods of application that the school district may use if the methods under par. (b) fail to prevent unacceptable levels of pest activity and damage.

(d) A description of the other means that the school district will use to ensure compliance with subs. (2) (c) to (k) and (3).

(6) EXEMPTION FROM ADVANCE NOTICE REQUIREMENT. A school board is not required to provide advance notice of a pesticide application if the school district administrator, as defined in s. 115.001 (8), or the school principal declares that a pest emergency exists. If a pesticide is applied in a school or on school grounds without advance notice, the school board shall provide written notification of the name of the pesticide that was applied, the time and location of the application, the potential health effects of exposure to the pesticide, as indicated on its label, and the name and telephone number of a person at the school who can be called for more information or to report health effects from

Vetoed In Part

exposure, to all of the persons identified in sub. (2) (f) 1. to 3., as soon as possible after the application. The school board shall provide the notice in a font size no smaller than that routinely used for other notices to parents.

(6m) EXEMPTION FROM REPORTING REQUIREMENT. A school district is not required to provide quarterly reports to the department under sub. (2) (i) if the school district does not use pesticides and notifies the department that it does not use pesticides. A school district shall begin to make the quarterly reports if it begins to use pesticides.

(7) ASSISTANCE AND COOPERATION. The department shall provide assistance to school districts in complying with subs. (2) to (4). The department shall consult with the department of health and family services and the department of public instruction concerning school pest management issues. The department and the board of regents of the University of Wisconsin System shall enter into a memorandum of understanding concerning school pest management and the provision of training by the University of Wisconsin−Extension to ensure cooperation between the department and the University of Wisconsin−Extension and to avoid duplication of activities. The University of Wisconsin−Extension and the cooperative educational service agencies shall cooperate in providing the training under s. 36.25 (43).

(8) AVAILABILITY OF PLANS. The department shall retain pest management plans submitted under sub. (2) (b) and make the plans available to any person upon request.

(9) REPORT. On or before January 1 of each even−numbered year, the department, in cooperation with the University of Wisconsin−Extension and the department of health and family services, shall submit a report evaluating the program under this section to the legislature under s. 13.172 (2).

SECTION 2397e. 94.73 (3m) (r) of the statutes is amended to read:

94.73 **(3m)** (r) The cost of providing alternative sources of drinking water, except that, subject to sub. (6) (b) to (f), the department may reimburse a responsible person who applies for reimbursement a total of not more than ~~$20,000~~ $50,000 for the replacement or restoration of private wells or for connection to a public or private water source if the department or the department of natural resources orders the well replacement or restoration or the connection in response to a discharge.

SECTION 2398. 95.15 of the statutes is repealed.

SECTION 2399. 95.60 (8) of the statutes is created to read:

95.60 **(8)** The department may provide training to veterinarians and other persons who issue fish health certificates for the purposes of this section. The department may charge fees to recover the cost of providing the training.

SECTION 2400. 97.20 (2) (d) 2. of the statutes is amended to read:

97.20 **(2)** (d) 2. The license applicant has filed all financial information required under s. 126.44 and any security required under s. ~~100.06~~ 126.47. If an applicant has not filed all financial information under s. 126.44 and any security required under s. ~~100.06~~ 126.47, the department may issue a conditional dairy plant license under s. 93.06 (8) which prohibits the licensed operator from purchasing milk or fluid milk products from milk producers or their agents, but allows the operator to purchase milk or fluid milk products from other sources.

SECTION 2401. 97.20 (3m) of the statutes is amended to read:

97.20 **(3m)** CONFIDENTIALITY. Any information kept by the department under this section or s. 97.24 that identifies individual milk producers who deliver milk to a dairy plant licensed under this section and that is a composite list for that dairy plant is not subject to inspection under s. 19.35 unless inspection is required under s. ~~100.06 (4)~~ 126.70 or unless the department determines that inspection is necessary to protect the public health, safety or welfare.

SECTION 2402. 97.22 (10) of the statutes is amended to read:

97.22 **(10)** CONFIDENTIALITY. Any information obtained and kept by the department under this section, under s. 97.24 or 97.52, or under rules promulgated under those sections, that pertains to individual milk producer production, milk fat and other component tests and quality records is not subject to inspection under s. 19.35 except as required under s. ~~100.06 (4)~~ 126.70 or except as the department determines is necessary to protect the public health, safety or welfare.

SECTION 2403. 97.29 (4) of the statutes is amended to read:

97.29 **(4)** FOOD PROCESSING PLANTS BUYING VEGETABLES FROM PRODUCERS. The department may not issue or renew a license to operate a food processing plant to any applicant who is a vegetable contractor, as defined in s. ~~100.03 (1) (f)~~ 126.55 (14), unless the applicant has filed all financial information required under s. 126.58 and any security that is required under s. ~~100.03~~ 126.61. If an applicant has not filed all financial information required under s. 126.58 and any security that is required under s. ~~100.03~~ 126.61, the department may issue a conditional license under s. 93.06 (8) that prohibits the licensed operator from procuring vegetables from a producer or a producer's agent, but allows the operator to procure vegetables from other sources.

Vetoed In Part

SECTION 2403e. 97.60 of the statutes is created to read:

97.60 Food advisory council. The food advisory council shall meet at least quarterly and shall advise the department concerning issues related to providing a safe and wholesome food supply in this state, including all of the following:

(1) Food recalls.

Vetoed In Part

(2) Rules that apply to retail food establishments and food processing plants.

(3) Food safety concerns and communications.

(4) Training.

(5) Partnerships between the department and the food industry.

(6) Enforcement and inspection.

(7) Other issues related to the food industry.

SECTION 2404. 100.03 of the statutes, as affected by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 2404g. 100.03 (1) (bm) of the statutes is amended to read:

100.03 **(1)** (bm) "Audited financial statement" means a financial statement that, in the accompanying opinion of an independent certified public accountant ~~or a public accountant holding a certificate of authority~~ licensed or certified under ch. 442, fairly and in all material respects represents the financial position of the contractor, the results of the contractor's operations and the contractor's cash flows in conformity with generally accepted accounting principles.

SECTION 2404r. 100.03 (1) (ym) 2. of the statutes is amended to read:

100.03 **(1)** (ym) 2. Reviewed according to generally accepted accounting principles by an independent certified public accountant ~~or a public accountant holding a certificate of authority~~ licensed or certified under ch. 442.

SECTION 2405. 100.06 of the statutes, as affected by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 2405m. 100.06 (1g) (c) of the statutes is amended to read:

100.06 **(1g)** (c) The department shall require the applicant to file a financial statement of his or her business operations and financial condition that meets the requirements of par. (d). The licensee, during the term of his or her license, may be required to file such statements periodically. All such statements shall be confidential and shall not be open for public inspection, except that the department shall provide the name and address of an individual, the name and address of the individual's employer and financial information related to the individual contained in such statements if requested under s. 49.22 (2m) by the department of workforce development or a county child support agency under s. 59.53 (5). The department may require such statements to be certified by a certified public accountant licensed or certified under ch. 442. Such statements and audits, when made by the department, shall be paid for at cost.

SECTION 2408. 100.20 (2) (b) of the statutes is amended to read:

100.20 **(2)** (b) Notwithstanding par. (a), the department may not issue any order or promulgate any rule that regulates the provision of water or sewer service by a ~~mobile~~ manufactured home park operator, as defined in s. ~~196.01 (3t)~~ 101.91 (8), or ~~mobile~~ manufactured home park contractor, as defined in s. ~~196.01 (3q)~~ 101.91 (6m), or enforce any rule to the extent that the rule regulates the provision of such water or sewer service.

SECTION 2414. 100.235 (1) (b) of the statutes is amended to read:

100.235 **(1)** (b) "Contractor" has the meaning given for "vegetable contractor" under s. ~~100.03 (1) (f)~~ 126.55 (14).

SECTION 2415. 100.235 (1) (em) of the statutes is renumbered 100.235 (1) (dm) and amended to read:

100.235 **(1)** (dm) "~~Registration~~ License year" has the meaning given under s. ~~100.03 (1) (y)~~ 126.55 (10m).

SECTION 2416. 100.235 (2) of the statutes is amended to read:

100.235 **(2)** CONTRACTOR MAY NOT PAY PRODUCER LESS THAN CONTRACTOR'S COST TO GROW. If a contractor and the contractor's affiliates and subsidiaries collectively grow more than 10% of the acreage of any vegetable species grown and procured by the contractor in any ~~registration~~ license year, the contractor shall pay a producer, for vegetables of that species tendered or delivered under a vegetable procurement contract, a price not less than the contractor's cost to grow that vegetable species in the same growing region. For vegetables contracted on a tonnage basis and for open−market tonnage purchased, acreage under this subsection shall be determined using the state average yield per acre during the preceding ~~registration~~ license year.

SECTION 2417. 100.235 (3) of the statutes is repealed.

SECTION 2418. 100.235 (4) of the statutes is amended to read:

100.235 **(4)** COST TO GROW; REPORT TO DEPARTMENT UPON REQUEST. If the department determines that a contractor and the contractor's affiliates and subsidiaries will collectively grow more than 10% of the acreage of any vegetable species grown and procured by the contractor during a ~~registration~~ license year, the department may require the contractor to file a statement of the contractor's cost to grow that vegetable species. The contractor shall file the report with the department within 30 days after the department makes its request, unless the department grants an extension of time. The department may permit the contractor to report different costs to grow for different growing regions if the contractor can define the growing regions to the department's satisfaction, and can show to the department's satisfaction that the contractor's costs to grow are substantially different between the growing regions.

SECTION 2420. 100.26 (5) of the statutes is amended to read:

100.26 **(5)** Any person violating ~~s. 100.06 or any order or regulation of the department thereunder, or~~ s. 100.18 (9)~~,~~ shall be fined not less than $100 nor more than $1,000 or imprisoned for not more than 2 years or both. Each day of violation constitutes a separate offense.

SECTION 2422. 100.261 (title) of the statutes is amended to read:

100.261 (title) **Consumer ~~information~~ protection assessment.**

SECTION 2423. 100.261 (1) of the statutes is amended to read:

100.261 **(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~~ protection assessment in an amount equal to ~~15%~~ 25% of the fine or forfeiture imposed. If multiple violations are involved, the court shall base the consumer ~~information~~ protection 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.

SECTION 2424. 100.261 (2) of the statutes is amended to read:

100.261 **(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~~ protection assessment required under this section. If the deposit is forfeited, the amount of the consumer ~~information~~ protection assessment shall be transmitted to the state treasurer under sub. (3). If the deposit is returned, the consumer ~~information~~ protection assessment shall also be returned.

SECTION 2425. 100.261 (3) (a) of the statutes is amended to read:

100.261 **(3)** (a) The clerk of court shall collect and transmit the consumer ~~information~~ protection 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.

SECTION 2426. 100.261 (3) (b) 1. of the statutes is renumbered 100.261 (3) (b) and amended to read:

100.261 **(3)** (b) The state treasurer shall deposit the consumer protection 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~~ par. (c).

SECTION 2427. 100.261 (3) (b) 2. of the statutes is renumbered 100.261 (3) (c) and amended to read:

100.261 **(3)** (c) The amount credited to the appropriation account under s. 20.115 (1) (jb) may not exceed ~~$85,000~~ $185,000 in each fiscal year.

Vetoed In Part

SECTION 2429d. 100.264 (2) (intro.) of the statutes is amended to read:

100.264 **(2)** SUPPLEMENTAL FORFEITURE. (intro.) If a fine or a forfeiture is imposed on a person for a violation under s. 100.16, 100.17, 100.18, 100.182, 100.183, 100.20, 100.205, 100.207, 100.21, 100.30 (3), 100.35, 100.44 ~~or~~, 100.46, or 100.52 (10) (b) or a rule promulgated under one of those sections, 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 violation was imposed, was perpetrated against an elderly person or disabled person and if the court finds that any of the following factors is present:

Vetoed In Part

SECTION 2430L. 100.30 (5r) of the statutes is created to read:

100.30 **(5r)** PRIVATE CAUSE OF ACTION; SALE OF TOBACCO PRODUCTS. Any person who is injured or threatened with injury as a result of a sale or purchase of cigarettes or other tobacco products in violation of this section may bring an action against the person who violated this section for temporary or permanent injunctive relief or an action against the person for 3 times the amount of any monetary loss sustained or an amount equal to $2,000, whichever is greater, multiplied by each day of continued violation, together with costs, including accounting fees and reasonable attorney fees, notwithstanding s. 814.04 (1). An association of cigarette wholesalers may bring the action on behalf of the person injured or threatened with injury and be entitled to the same relief as the person injured or threatened with injury.

Vetoed In Part

SECTION 2434. 100.45 (1) (dm) of the statutes is amended to read:

100.45 **(1)** (dm) "State agency" means any office, department, agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law which is entitled to expend moneys appropriated by law, including the legislature and the courts, the Wisconsin Housing and Economic Development Authority, the Bradley Center Sports and Entertainment Corporation, the University of Wisconsin Hospitals and Clinics Authority ~~and~~, the Wisconsin Health and Educational Facilities Authority, and the Fox River Navigational System Authority.

SECTION 2435. 100.52 (title) of the statutes is created to read:

100.52 (title) **Telephone solicitations.**

SECTION 2436. 100.52 (1) (title) of the statutes is created to read:

100.52 **(1)** (title) DEFINITIONS.

SECTION 2437b. 100.52 (1) (a) of the statutes is created to read:

Vetoed In Part

100.52 **(1)** (a) "Affiliate," when used in relation to any person, means another person who owns or controls, is owned or controlled by, or is under common ownership or control with such person.

SECTION 2438b. 100.52 (1) (b) of the statutes is created to read:

100.52 **(1)** (b) "Basic local exchange service" has the meaning in s. 196.01 (1g).

SECTION 2439b. 100.52 (1) (c) of the statutes is created to read:

Vetoed In Part

100.52 **(1)** (c) "Nonprofit organization" means a corporation, association, or organization described in section 501 (c) (3), (4), (5), or (19) of the Internal

Vetoed In Part

Revenue Code that is exempt from taxation under section 501 (a) of the Internal Revenue Code.

SECTION 2440b. 100.52 (1) (d) of the statutes is created to read:

100.52 **(1)** (d) "Nonresidential customer" means a person, other than a residential customer, who is furnished with telecommunications service by a telecommunications utility.

SECTION 2440d. 100.52 (1) (e) of the statutes is created to read:

100.52 **(1)** (e) "Nonsolicitation directory" means the directory established in rules promulgated by the department under sub. (2) (b).

SECTION 2440f. 100.52 (1) (f) of the statutes is created to read:

100.52 **(1)** (f) "Residential customer" means an individual who is furnished with basic local exchange service by a telecommunications utility, but does not include an individual who operates a business at his or her residence.

SECTION 2440h. 100.52 (1) (g) of the statutes is created to read:

100.52 **(1)** (g) "Telecommunications service" has the meaning given in s. 196.01 (9m).

SECTION 2440j. 100.52 (1) (h) of the statutes is created to read:

100.52 **(1)** (h) "Telecommunications utility" has the meaning given in s. 196.01 (10).

SECTION 2440L. 100.52 (1) (j) of the statutes is created to read:

100.52 **(1)** (j) "Telephone solicitor" means a person, other than a nonprofit organization or an employee or contractor of a nonprofit organization, that employs or contracts with an individual to make a telephone solicitation.

SECTION 2440n. 100.52 (2) of the statutes is created to read:

100.52 **(2)** NONSOLICITATION DIRECTORY LISTING. (a) Upon a request by a residential customer, the department shall include in the nonsolicitation directory a listing indicating that the residential customer does not want to receive any telephone solicitation made on behalf of a telephone solicitor.

(b) The department shall promulgate rules for establishing, maintaining, and semiannually updating a directory that includes listings of residential customers who do not wish to receive telephone solicitations made on behalf of telephone solicitors. The rules promulgated under this paragraph shall establish requirements and procedures for a residential customer to request a listing in the directory. The rules shall also require a residential customer who requests a listing in the directory to notify the department on a biennial basis if the residential customer wishes to continue to be included in the directory. The department shall eliminate a residential customer from the directory if the customer does not make the biennial notification.

(c) Except for copies of the nonsolicitation directory that are provided to registered telephone solicitors under par. (d), the nonsolicitation directory is not subject to inspection, copying, or receipt under s. 19.35 (1) and may not be released by the department.

(d) The department shall, on a semiannual basis, make the nonsolicitation directory available by electronic transmission only to telephone solicitors who are registered under sub. (3). Upon the request of a telephone solicitor registered under sub. (3), the department shall also provide a printed copy of the nonsolicitation directory to the telephone solicitor. A telephone solicitor who receives a copy of the directory, or to whom the directory is made available by electronic transmission, under this paragraph may not solicit or accept from any person, directly or indirectly, anything of value in exchange for providing the person with any information included in the copy.

SECTION 2441b. 100.52 (3) of the statutes is created to read:

100.52 **(3)** REGISTRATION OF TELEPHONE SOLICITORS. (a) The department shall promulgate rules that require any telephone solicitor who requires an employee or contractor to make a telephone solicitation to a residential customer in this state to register with the department, obtain a registration number from the department, and pay a registration fee to the department. The amount of the registration fee shall be based on the cost of establishing the nonsolicitation directory, and the amount that an individual telephone solicitor is required to pay shall be based on the number of telephone lines used by the telephone solicitor to make telephone solicitations. The rules shall also require a telephone solicitor that registers with the department to pay an annual registration renewal fee to the department. The amount of the registration renewal fee shall be based on the cost of maintaining the nonsolicitation directory.

(b) The department shall promulgate rules that require an individual who makes a telephone solicitation on behalf of a telephone solicitor to identify at the beginning of the telephone conversation each of the following:

1. The telephone solicitor.

2. If different than the telephone solicitor, the person selling the property, goods, or services, or receiving the contribution, donation, grant, or pledge of money, credit, property, or other thing of any kind, that is the reason for the telephone solicitation.

SECTION 2442b. 100.52 (4) (title) of the statutes is created to read:

100.52 **(4)** (title) TELEPHONE SOLICITOR REQUIREMENTS.

SECTION 2442d. 100.52 (4) (a) 2. and 3. of the statutes are created to read:

100.52 **(4)** (a) 2. Make a telephone solicitation to a residential customer if the nonsolicitation directory that is provided or made available to the telephone solicitor

under sub. (2) (d) includes a listing for the residential customer.

3. Make a telephone solicitation to a nonresidential customer if the nonresidential customer has provided notice by mail to the telephone solicitor that the nonresidential customer does not wish to receive telephone solicitations.

SECTION 2442f. 100.52 (4) (b) of the statutes is created to read:

100.52 **(4)** (b) A telephone solicitor may not do any of the following:

1. Require an employee or contractor to make a telephone solicitation to a person in this state unless the telephone solicitor is registered with the department under the rules promulgated under sub. (3) (a).

2. Require an employee or contractor to make a telephone solicitation that violates par. (a).

SECTION 2442h. 100.52 (4) (c) of the statutes is created to read:

100.52 **(4)** (c) A telephone solicitor or employee or contractor of a telephone solicitor that makes a telephone solicitation to a nonresidential customer shall, upon the request of the nonresidential customer, provide the mailing address for notifying the telephone solicitor that the nonresidential customer does not wish to receive telephone solicitations.

Vetoed In Part

SECTION 2443b. 100.52 (5) of the statutes is created to read:

100.52 **(5)** NONPROFIT ORGANIZATION REQUIREMENTS. A nonprofit organization or an employee or contractor of a nonprofit organization may not make a telephone solicitation to a residential customer if the residential customer has provided notice by telephone, mail, or facsimile transmission to the nonprofit organization that the residential customer does not wish to receive telephone solicitations. A nonprofit organization may not require an employee or contractor to make a telephone solicitation that violates this subsection.

SECTION 2444b. 100.52 (6) of the statutes is created to read:

100.52 **(6)** EXCEPTIONS. Subsections (4) (a) 2. and 3. and (5) do not apply to a telephone solicitation that satisfies any of the following:

Vetoed In Part

(a) The telephone solicitation is made to a recipient in response to the recipient's express written request for the telephone solicitation.

Vetoed In Part

(b) The telephone solicitation is made to a recipient who is a current client of the person selling the property, goods, or services, or receiving the contribution, donation, grant, or pledge of money, credit, property, or other thing of any kind, that is the reason for the telephone solicitation. This paragraph does not apply if the recipient is a current client of an affiliate of such a person, but is not a current client of such a person.

Vetoed In Part

SECTION 2445b. 100.52 (7) of the statutes is created to read:

100.52 **(7)** TERRITORIAL APPLICATION. This section applies to any interstate telephone solicitation received by a person in this state and to any intrastate telephone solicitation.

SECTION 2446b. 100.52 (8) of the statutes is created to read:

Vetoed In Part

100.52 **(8)** PRIVATE CAUSE OF ACTION. Any person who suffers damages as the result of another person violating this section may bring an action against the person who violated this section to recover the amount of those damages.

SECTION 2446d. 100.52 (9) of the statutes is created to read:

100.52 **(9)** ENFORCEMENT. The department shall investigate violations of this section and may bring an action for temporary or permanent injunctive or other relief for any violation of this section.

SECTION 2446f. 100.52 (10) of the statutes is created to read:

100.52 **(10)** PENALTIES. (a) Except as provided in par. (b), a person who violates this section may be required to forfeit not less than $100 nor more than $500 for each violation.

Vetoed In Part

(b) A telephone solicitor that violates sub. (4) or a nonprofit organization that violates sub. (5) may be required to forfeit not less than $1,000 nor more than $10,000 for each violation.

Vetoed In Part

SECTION 2446r. 101.01 (11) of the statutes is amended to read:

101.01 **(11)** "Place of employment" includes every place, whether indoors or out or underground and the premises appurtenant thereto where either temporarily or permanently any industry, trade, or business is carried on, or where any process or operation, directly or indirectly related to any industry, trade, or business, is carried on, and where any person is, directly or indirectly, employed by another for direct or indirect gain or profit, but does not include any place where persons are employed in private domestic service which does not involve the use of mechanical power or in farming. "Farming" includes those activities specified in s. 102.04 (3)~~, and also includes~~; the transportation of farm products, supplies, or equipment directly to the farm by the operator of ~~said~~ the farm or employees for use thereon, if such activities are directly or indirectly for the purpose of producing commodities for market, or as an accessory to such production; and the operation of a horse boarding facility or horse training facility that does not contain an area for the public to view a horse show and that is first operated on or after August 1, 2000. When used with relation to building codes, "place of employment" does not include an adult family home, as defined in s. 50.01 (1), or, except for the purposes of s. 101.11, a previously constructed building used as a community−based residential facility, as defined in s. 50.01 (1g), which serves 20 or fewer residents who are not related to the operator or administrator.

SECTION 2446rb. 101.01 (11) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

101.01 **(11)** "Place of employment" includes every place, whether indoors or out or underground and the premises appurtenant thereto where either temporarily or permanently any industry, trade, or business is carried on, or where any process or operation, directly or indirectly related to any industry, trade, or business, is carried on, and where any person is, directly or indirectly, employed by another for direct or indirect gain or profit, but does not include any place where persons are employed in private domestic service which does not involve the use of mechanical power or in farming. "Farming" includes those activities specified in s. 102.04 (3)~~;~~, and also includes the transportation of farm products, supplies, or equipment directly to the farm by the operator of the farm or employees for use thereon, if such activities are directly or indirectly for the purpose of producing commodities for market, or as an accessory to such production~~; and the operation of a horse boarding facility or horse training facility that does not contain an area for the public to view a horse show and that is first operated on or after August 1, 2000~~. When used with relation to building codes, "place of employment" does not include an adult family home, as defined in s. 50.01 (1), or, except for the purposes of s. 101.11, a previously constructed building used as a community−based residential facility, as defined in s. 50.01 (1g), which serves 20 or fewer residents who are not related to the operator or administrator.

SECTION 2447d. 101.01 (12) of the statutes is amended to read:

101.01 **(12)** "Public building" means any structure, including exterior parts of such building, such as a porch, exterior platform, or steps providing means of ingress or egress, used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation to building codes, "public building" does not include a horse boarding facility or horse training facility that does not contain an area for the public to view a horse show, the initial construction of which was begun on or after August 1, 2000, or a previously constructed building used as a community−based residential facility as defined in s. 50.01 (1g) which serves 20 or fewer residents who are not related to the operator or administrator or an adult family home, as defined in s. 50.01 (1).

SECTION 2447db. 101.01 (12) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

101.01 **(12)** "Public building" means any structure, including exterior parts of such building, such as a porch, exterior platform, or steps providing means of ingress or egress, used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation to building codes, "public building" does not include ~~a horse boarding facility or horse training facility that does not contain an area for the public to view a horse show, the initial construction of which was begun on or after August 1, 2000, or~~ a previously constructed building used as a community−based residential facility as defined in s. 50.01 (1g) which serves 20 or fewer residents who are not related to the operator or administrator or an adult family home, as defined in s. 50.01 (1).

SECTION 2447x. 101.02 (15) (a) of the statutes is amended to read: **Vetoed In Part**

101.02 **(15)** (a) The department has such supervision of every employment, place of employment and public building in this state as is necessary adequately to enforce and administer all laws and all lawful orders requiring such employment, place of employment or public building to be safe, and requiring the protection of the life, health, safety and welfare of every employe in such employment or place of employment and every frequenter of such place of employment, and the safety of the public or tenants in any such public building. ~~This~~ Except for the purposes of enforcing and administering s. 101.22, this paragraph does not apply to occupational safety and health issues covered by standards established and enforced by the federal occupational safety and health administration.

SECTION 2449. 101.09 (3) (d) of the statutes is created to read:

101.09 **(3)** (d) The department shall promulgate a rule specifying fees for plan review and inspection of tanks for the storage, handling, or use of flammable or combustible liquids and for any certification or registration required under par. (c).

SECTION 2449d. 101.10 (2) of the statutes, as created by 2001 Wisconsin Act 3, is amended to read:

101.10 **(2)** RULES. The department shall promulgate rules that prescribe reasonable standards relating to the safe storage and handling of anhydrous ammonia. The rules shall prescribe standards for the design, construction, repair, alteration, location, installation, inspection, and operation of anhydrous ammonia equipment. ~~The~~ Except as otherwise provided in this subsection, the rules promulgated under this subsection do not apply to ~~ammonia manufacturing plants,~~ refrigeration plants where ammonia is used solely as a refrigerant, facilities where ammonia is used in pollution control devices or is manufactured, electric generating or cogenerating facilities where ammonia is used as a refrigerant, and ammonia transportation pipelines. If ammonia is used on the premises of a facility or plant described under this subsection for a purpose or in a manner that is not related to the applicable exemption from the rules promulgated under this subsection, the exemption does not apply to that use. **Vetoed In Part**

SECTION 2449f. 101.123 (title) of the statutes is repealed and recreated to read:

101.123 (title) **Smoking prohibited.**

SECTION 2449h. 101.123 (1) (i) of the statutes is amended to read:

101.123 **(1)** (i) "State institution" means a prison, ~~a secured correctional facility,~~ a mental health institute as defined in s. 51.01 (12) or a center for the developmentally disabled as defined in s. 51.01 (3)~~, except that "state institution" does not include a Type 2 secured correctional facility, as defined in s. 938.02 (20)~~.

SECTION 2449j. 101.123 (1) (j) of the statutes is created to read:

101.123 **(1)** (j) "Type 1 secured correctional facility" has the meaning given in s. 938.02 (19).

SECTION 2449L. 101.123 (2) (br) of the statutes is created to read:

101.123 **(2)** (br) Notwithstanding par. (a) and sub. (3), no person may smoke in any enclosed, indoor area of a Type 1 secured correctional facility or on the grounds of a Type 1 secured correctional facility.

SECTION 2449n. 101.123 (4) (a) 2. of the statutes is amended to read:

101.123 **(4)** (a) 2. A person in charge or his or her agent may not designate an entire building as a smoking area or designate any smoking areas in the state capitol building, in the immediate vicinity of the state capitol, in a Type 1 secured correctional facility, on the grounds of a Type 1 secured correctional facility, in a motor bus, hospital or physician's office or on the premises, indoors or outdoors, of a day care center when children who are receiving day care services are present, except that in a hospital or a unit of a hospital that has as its primary purpose the care and treatment of mental illness, alcoholism or drug abuse a person in charge or his or her agent may designate one or more enclosed rooms with outside ventilation as smoking areas for the use of adult patients who have the written permission of a physician. Subject to this subdivision and sub. (3) (b), a person in charge or his or her agent may not designate an entire room as a smoking area.

SECTION 2449p. 101.123 (4) (am) 3. of the statutes is amended to read:

101.123 **(4)** (am) 3. Except in a prison, ~~secured correctional facility,~~ jail, or lockup facility, an entire building may not be designated as a smoking area.

SECTION 2449r. 101.123 (4) (bm) of the statutes is amended to read:

101.123 **(4)** (bm) The person in charge of a state institution, jail or lockup facility, or his or her agent, shall post notice of the designation of a smoking area under par. (am) in or near the area designated. If an entire room is designated a smoking area, the person in charge or his or her agent shall post notice of the designation conspicuously on or near all normally used entrances to the room. If an entire building in a prison, ~~secured correctional facility,~~ jail, or lockup facility is designated a smoking area, the person in charge, or his or her agent, shall post notice of the designation on or near all normally used entrances to the building, but need not post notice of the designation on or near entrances to rooms within the building.

SECTION 2449t. 101.123 (8) (a) of the statutes is amended to read:

101.123 **(8)** (a) Any person who wilfully violates sub. (2) (a), (am) 1. ~~or~~, (bm), or (br) after being advised by an employee of the facility that smoking in the area is prohibited or any person in charge or his or her agent who wilfully fails to comply with sub. (5) shall forfeit not more than $10.

SECTION 2464f. 101.143 (1) (e) 3. of the statutes is created to read:

101.143 **(1)** (e) 3. A person who formerly owned a farm tank and who satisfies the criteria in sub. (4) (ei) 1m. b.

SECTION 2468p. 101.143 (4) (a) 2. of the statutes is renumbered 101.143 (4) (a) 2. (intro.) and amended to read:

101.143 **(4)** (a) 2. (intro.) The department may not issue an award before all eligible costs have been incurred and written approval is received under sub. (3) (c) 4., ~~unless~~ except as follows:

a. The department may issue an award before all eligible costs have been incurred and written approval is received under sub. (3) (c) 4. if the department determines that the delay in issuing the award would cause a financial hardship to the owner or operator or the person.

SECTION 2468r. 101.143 (4) (a) 2. b. of the statutes is created to read:

101.143 **(4)** (a) 2. b. The department shall issue an award if the owner or operator or the person has incurred at least $50,000 in unreimbursed eligible costs and has not submitted a claim during the preceding 12 months.

SECTION 2469. 101.143 (4) (a) 6. of the statutes is amended to read:

101.143 **(4)** (a) 6. In any fiscal year, the department may not award more than 5% of the amount appropriated under s. 20.143 (3) (v) as awards for petroleum product storage systems described in par. (ei) ~~1~~.

SECTION 2470. 101.143 (4) (b) (intro.) of the statutes is amended to read:

101.143 **(4)** (b) *Eligible costs.* (intro.) Except as provided in par. (c) or (cc), eligible costs for an award under par. (a) include actual costs or, if the department establishes a usual and customary cost under par. (cm) for an item, usual and customary costs for the following items:

Vetoed In Part

SECTION 2470p. 101.143 (4) (c) 8. (intro.) and a. of the statutes are consolidated, renumbered 101.143 (4) (c) 8. and amended to read:

101.143 **(4)** (c) 8. Interest costs incurred by an applicant that exceed interest at ~~the following rate: a. If the applicant has gross revenues of 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

SECTION 2470r. 101.143 (4) (c) 8. d. of the statutes is repealed.

SECTION 2471. 101.143 (4) (cc) of the statutes is created to read:

101.143 **(4)** (cc) *Ineligibility for interest reimbursement.* 1. a. Except as provided in subd. 1m. or 2., if an applicant's final claim is submitted more than 120 days after receiving written notification that no further remedial action is necessary with respect to the discharge, interest costs incurred by the applicant after the 60th day after receiving that notification are not eligible costs.

c. Except as provided in subd. 2., if an applicant does not complete the investigation of the petroleum product discharge by the first day of the 61st month after the month in which the applicant notified the department under sub. (3) (a) 3. or the first day of the 25th month beginning after the effective date of subd. 1. a., whichever is later, interest costs incurred by the applicant after the later of those days are not eligible costs.

1m. If an applicant received written notification that no further remedial action is necessary with respect to a discharge before the effective date of this subdivision .... [revisor inserts date], and the applicant's final claim is submitted more than 120 days after the effective date of this subdivision .... [revisor inserts date], interest costs incurred by the applicant after the 120th day after the effective date of this subdivision .... [revisor inserts date], are not eligible costs.

2. Subdivision 1. does not apply to any of the following:

a. An applicant that is a local unit of government, if federal or state financial assistance other than under this section, has been provided for that expansion or redevelopment.

b. An applicant that is engaged in the expansion or redevelopment of brownfields, as defined in s. 560.13 (1) (a), if federal or state financial assistance other than under this section, has been provided for that expansion or redevelopment.

SECTION 2472. 101.143 (4) (d) 2. c. of the statutes is amended to read:

101.143 **(4)** (d) 2. c. For an owner or operator of a petroleum product storage system described in par. (ei) ~~1.~~, $100,000.

SECTION 2473. 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 per occurrence.

SECTION 2474. 101.143 (4) (dm) 3. c. of the statutes is amended to read:

101.143 **(4)** (dm) 3. c. For an owner or operator of a petroleum product storage system described in par. (ei) ~~1.~~, $100,000.

SECTION 2475. 101.143 (4) (e) 2. of the statutes is amended to read:

101.143 **(4)** (e) 2. 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 deductible amount of $10,000, 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 where stored is 25% of eligible costs and except that the deductible for a petroleum product storage system that is described in par. (ei) ~~1.~~ is $2,500 plus 5% of the eligible costs, but not more than $7,500 per occurrence without regard to when the eligible costs are incurred.

SECTION 2476. 101.143 (4) (e) 2m. of the statutes is amended to read:

101.143 **(4)** (e) 2m. An award issued under this paragraph may not exceed $190,000 for each occurrence, except that an award under this paragraph to the owner or operator of a petroleum product storage system described in par. (ei) ~~1.~~ may not exceed $100,000 per occurrence.

SECTION 2477. 101.143 (4) (ei) 1. (intro.) of the statutes is renumbered 101.143 (4) (ei) (intro.).

SECTION 2478. 101.143 (4) (ei) 1. a. of the statutes is renumbered 101.143 (4) (ei) 1m. a. and amended to read:

101.143 **(4)** (ei) 1m. a. The owner or operator of the farm tank owns a parcel of 35 or more acres of contiguous land, on which the farm tank is located, which is devoted primarily to agricultural use, as defined in s. 91.01 (1), including land designated by the department of natural resources as part of the ice age trail under s. 23.17, which during the year preceding submission of a first claim under sub. (3) produced gross farm profits, as defined in s. 71.58 (4), of not less than $6,000 or which, during the 3 years preceding that submission produced gross farm profits, as defined in s. 71.58 (4), of not less than $18,000, or a parcel of 35 or more acres, on which the farm tank is located, of which at least 35 acres, during part or all of the year preceding that submission, were enrolled in the conservation reserve program under 16 USC 3831 to 3836.

SECTION 2479. 101.143 (4) (ei) 1. b. of the statutes is renumbered 101.143 (4) (ei) 2m.

SECTION 2480. 101.143 (4) (ei) 1m. (intro.) of the statutes is created to read:

101.143 **(4)** (ei) 1m. (intro.) One of the following conditions is satisfied:

SECTION 2481b. 101.143 (4) (ei) 1m. b. of the statutes is created to read:

101.143 **(4)** (ei) 1m. b. The claim is submitted by a person who, at the time that the notification was made under sub. (3) (a) 3., was the owner of the farm tank and owned a parcel of 35 or more acres of contiguous land,

on which the farm tank is or was located, which was devoted primarily to agricultural use, as defined in s. 91.01 (1), including land designated by the department of natural resources as part of the ice age trail under s. 23.17, which during the year preceding that notification produced gross farm profits, as defined in s. 71.58 (4), of not less than $6,000 or which, during the 3 years preceding that notification, produced gross farm profits, as defined in s. 71.58 (4), of not less than $18,000, or a parcel of 35 or more acres, on which the farm tank is located, of which at least 35 acres, during part or all of the year preceding that notification, were enrolled in the conservation reserve program under 16 USC 3831 to 3836.

SECTION 2482. 101.143 (4) (ei) 2. of the statutes is renumbered 101.143 (4) (a) 5m. and amended to read:

101.143 **(4)** (a) 5m. The department shall review claims related to discharges from farm tanks described in ~~subd. 1.~~ par. (ei) 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.~~ par. (ei) as soon as it completes the review of the claim.

SECTION 2483k. 101.143 (6s) of the statutes is amended to read:

101.143 **(6s)** ARBITRATION. Upon the request of a person who files an appeal of a decision of the department under this section, if the amount at issue is ~~$20,000~~ $100,000 or less, the appeal shall be heard by one or more individuals designated by the department to serve as arbitrator under rules promulgated for this purpose by the department. In such an arbitration, the arbitrator shall render a decision at the conclusion of the hearing, or within 5 business days after the conclusion of the hearing if the arbitrator determines that additional time is needed to review materials submitted during the hearing, affirming, modifying or rejecting the decision of the department. The arbitrator shall promptly file his or her decision with the department. The decision of the arbitrator is final and shall stand as the decision of the department. An arbitrator's decision may not be cited as precedent in any other proceeding before the department or before any court. A decision under this subsection is subject to review under ss. 227.53 to 227.57 only on the ground that the decision was procured by corruption, fraud or undue means. The record of a proceeding under this subsection shall be transcribed as provided in s. 227.44 (8).

SECTION 2485. 101.143 (9m) (g) 2. of the statutes is amended to read:

101.143 **(9m)** (g) 2. Revenue obligations issued under this subsection may not exceed ~~$270,000,000~~ $342,000,000 in principal amount, excluding any obligations that have been defeased under a cash optimization program administered by the building commission. 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.

SECTION 2490. 101.19 (1) (b) of the statutes is amended to read:

101.19 **(1)** (b) The required inspection of boilers, pressure vessels, refrigeration plants, ~~petroleum and~~ liquefied petroleum gas vessels, anhydrous ammonia tanks and containers, elevators, ski towing and lift devices, escalators, dumbwaiters, and amusement or thrill rides but not of amusement attractions.

SECTION 2490b. 101.19 (1) (ig) of the statutes is created to read: **Vetoed In Part**

101.19 **(1)** (ig) Authorizing crane operator certification programs under s. 101.22 (2).

SECTION 2490f. 101.22 of the statutes is created to read:

101.22 Crane operators. (1) DEFINITION. In this section, "crane" means a power−operated hoisting machine that is used in construction, demolition, or excavation work, that has a power−operated winch and load line, and that has a power−operated boom that moves laterally by the rotation of the machine on a carrier. "Crane" does not include a forklift, a digger derrick truck, a bucket truck, a boom truck used for sign erection, or a machine with a movable bridge carrying a movable or fixed hoisting mechanism and traveling on an overhead, fixed, runway structure.

(2) CERTIFICATION. (a) *Certification required.* Except as provided in sub. (5), no individual may operate a crane with a lifting capacity of 15 tons or more in this state without a valid crane operator certificate, received from a crane operator certification program authorized by the department under sub. (3).

(b) *Employer liability.* No employer may permit an employee to perform work in violation of par. (a).

(c) *Contractor and subcontractor liability.* No person who is under a contract to construct an improvement to land may permit an agent of the person, or an independent contractor under contract with the person, to perform work on the improvement in violation of par. (a).

(3) CERTIFICATION PROGRAMS. (a) *Generally.* Except as provided in sub. (4), the department shall administer a program under which the department authorizes crane operator certification programs to grant certificates that satisfy sub. (2) (a).

(b) *Required components of certification programs.* The department may authorize a crane operator certification program only if all of the following are satisfied:

1. The program requires an individual who is applying for a certificate to satisfactorily complete a written examination regarding safe crane operation.

2. The program requires an individual who is applying for a certificate to meet physical standards

necessary for safe crane operation, consistent with any national standard that the department determines is appropriate.

Vetoed In Part

3. The program requires an individual who is applying for a certificate to satisfactorily complete a practical examination regarding safe crane operation, unless the individual is applying for recertification and provides sufficient evidence that the individual has safely completed at least 1,000 hours of crane operation during the 5−year period before the date of the application for recertification.

4. The program is consistent with any applicable certification and recertification requirements established by the federal occupational safety and health administration and, to the extent feasible, the National Commission for the Certification of Crane Operators.

5. The program issues a crane operator certificate that has a term of 5 years.

(c) *Rules*. The department shall promulgate rules to administer the program established under par. (a).

(d) *List*. The department shall maintain a list of crane operator certification programs authorized by the department.

(4) FEDERAL APPROVAL. The department shall submit to the federal secretary of labor a plan for the certification of crane operators under this section, if required to do so under 29 USC 667 (b), and shall request the federal secretary of labor to approve the plan. The plan submitted by the department shall be consistent with all of the provisions of this section. If no approval is required under 29 USC 667 (b) or if an approval that is consistent with all of the provisions of this section is granted and in effect, the department shall implement the program under this section. If approval is required under 29 USC 667 (b), the department may not implement the program under this section unless an approval that is consistent with all of the provisions of this section is granted and in effect.

(5) EXCEPTIONS. (a) *Lack of federal approval*. Subsection (2) (a) does not apply if approval of the department's plan for the certification of crane operators is required under 29 USC 667 (b) but is not granted and in effect.

(b) *Other exceptions*. Subsection (2) (a) does not apply to any of the following:

1. An individual who is receiving training as a crane operator, if the individual is under the direct supervision of a crane operator who holds a valid crane operator certificate, received from a crane operator certification program authorized by the department under sub. (3).

2. An individual who is a member of a uniformed service, as defined in s. 6.22 (1) (c), or who is a member of the U.S. merchant marine, if the individual is performing work for the uniformed service of which the individual is a member or for the U.S. merchant marine, respectively.

Vetoed In Part

3. An individual who is operating a crane for personal use on a premises that is owned or leased by the individual.

4. An individual who is operating a crane in an attempt to remedy an emergency.

5. An individual who is an employee or subcontractor of a public utility, as defined in s. 196.01 (5), a cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, power, or water to its members only, a telecommunications carrier, as defined in s. 196.01 (8m), a commercial mobile radio service provider, as defined in s. 196.01 (2g), or an alternative telecommunications utility under s. 196.01 (1d) (f), and who is operating a crane within the scope of his or her employment or contract.

6. An individual who is operating a crane in the construction, operation, or maintenance of an electric substation.

7. An individual who is affected by a collective bargaining agreement that contains provisions that are inconsistent with sub. (2) (a).

(6) PENALTIES. Any person who violates sub. (2) may be fined not more than $500 or imprisoned for not more than 3 months or both.

Vetoed In Part

SECTION 2490r. 101.563 of the statutes is created to read:

101.563 Administration of fire dues program pending rule changes. (1) ENTITLEMENT TO DUES. Notwithstanding ss. 101.573 (3) (a) and 101.575 (1) and (3) to (5) and except as provided in sub. (3), the department may not withhold payment of fire department dues under ss. 101.573 and 101.575 to a city, village, or town based upon the failure of that city, village, or town to satisfy all eligibility requirements under s. 101.575 (1) and (3) to (5) or to demonstrate to the department that the city, village, or town is eligible under s. 101.575 (1) and (3) to (5) to receive fire department dues.

(2) DISTRIBUTION OF DUES. Notwithstanding s. 101.573 (3) (a) and except as provided in sub. (3), on or before May 1 in each year, the department shall compile the fire department dues paid by all insurers under s. 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), withhold 0.5% and certify to the state treasurer the proper amount to be paid from the appropriation under s. 20.143 (3) (L) to each city, village, and town entitled to fire department dues as provided under sub. (1) and s. 101.575. Annually, on or before August 1, the state treasurer shall pay the amounts certified by the department to each city, village, and town that is entitled to fire department dues as provided under sub. (1) and s. 101.575.

(3) SUNSET PROVISION. (a) This section does not apply on or after the date on which changes to the rules of the department of commerce relating to eligibility to

receive payments of fire department dues first take effect, if all of the following are satisfied:

Vetoed In Part

1. The changes are promulgated in consultation with the representatives of the Wisconsin fire service and volunteer fire departments in this state.

2. The changes are based on recommendations of the joint legislative audit committee that are derived from a legislative audit bureau performance evaluation audit of the department that relates to the payment of fire department dues and that is conducted at the direction of the joint legislative audit committee.

3. The changes are approved by the joint legislative audit committee before the date on which the changes take effect.

(b) When filing rules that are promulgated and approved in satisfaction of par. (a) 1. to 3. with the revisor of statutes under s. 227.20, the department shall include a separate statement indicating that the rules were promulgated and approved in satisfaction of par. (a) 1. to 3.

SECTION 2495m. 101.573 (4) of the statutes is amended to read:

101.573 **(4)** The department shall transmit to the treasurer of each city, village, and town entitled to fire department dues, a statement of the amount of dues payable to it ~~under this section~~, and the commissioner of insurance shall furnish to the state treasurer, upon request, a list of the insurers paying dues under s. 601.93 and the amount paid by each.

SECTION 2497m. 101.575 (1) (am) of the statutes is amended to read:

101.575 **(1)** (am) If the department determines that a city, village, or town fire department has failed to satisfy the requirements of this subsection or subs. (3) to (6), the department shall notify the chief of the fire department, the governing body, and the highest elected official of the city, village, or town, in writing, that the fire department has 30 days to demonstrate to the department that the failure has been corrected. If the fire department makes this demonstration within the 30−day period, the department shall pay dues for that calendar year to the city, village, or town. If the fire department fails to make this demonstration within the 30−day period, the department shall nonetheless pay dues for that calendar year to that city, village, or town~~. The department~~ and shall issue a notice of noncompliance to the chief of the fire department, the governing body, and the highest elected official of the city, village, or town. If the fire department cannot demonstrate to the department that the fire department has met all requirements within one year after receipt of the notice of noncompliance or prior to the next audit by the department, whichever is later, the city, village, or town shall not be entitled to dues under par. (a) for that year in which the city, village, or town becomes not entitled to dues and for all subsequent calendar years until the requirements are met.

SECTION 2532. Subchapter V (title) of chapter 101 [precedes 101.91] of the statutes is amended to read:

CHAPTER 101

SUBCHAPTER V

MANUFACTURED HOMES AND MOBILE HOMES~~;~~

~~REGULATION OF MANUFACTURERS~~

SECTION 2533. 101.91 (2b) of the statutes is renumbered 101.91 (3).

SECTION 2534. 101.91 (2d) of the statutes is renumbered 101.91 (4).

SECTION 2535. 101.91 (2f) of the statutes is renumbered 101.91 (5m).

SECTION 2536. 101.91 (2h) of the statutes is renumbered 101.91 (9).

SECTION 2537. 101.91 (2k) of the statutes is renumbered 101.91 (10).

SECTION 2538. 101.91 (5) of the statutes is renumbered 101.91 (11).

SECTION 2539. 101.91 (6) of the statutes is renumbered 101.91 (12).

SECTION 2539c. 101.9203 (1) of the statutes is amended to read:

101.9203 **(1)** ~~The~~ Except as provided in subs. (3) and (4), the owner of a manufactured 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 manufactured home if the owner has newly acquired the manufactured home.

SECTION 2539d. 101.9203 (4) of the statutes is created to read:

101.9203 **(4)** The owner of a manufactured home that is situated in this state or intended to be situated in this state is not required to make application for a certificate of title under s. 101.9209 if the owner of the manufactured home intends, upon acquiring the manufactured home, to permanently affix the manufactured home to land that the owner of the manufactured home owns.

SECTION 2539k. 101.9208 (1) (b) of the statutes is amended to read:

101.9208 **(1)** (b) ~~Upon filing an application under par. (a) or (d) before the first day of the 2nd month beginning after September 1, 2000, an environmental impact fee of $5, by the person filing the application.~~ Upon filing an application under par. (a) or (d) ~~on or after September 1, 2000~~, an environmental impact fee of ~~$6~~ $9, by the person filing the application. All moneys collected under this subsection shall be credited to the environmental fund for environmental management. This paragraph does not apply after December 31, 2003.

SECTION 2539n. 101.9209 (1) (a) of the statutes is amended to read:

101.9209 **(1)** (a) If an owner transfers an interest in a manufactured home, other than by the creation of a security interest, the owner shall, at the time of the delivery of the manufactured 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. This paragraph does not apply if the owner has no certificate of title as a result of the exemption under s. 101.9203 (4).

SECTION 2539nc. 101.9209 (2) of the statutes is amended to read:

101.9209 **(2)** ~~Promptly~~ Except as otherwise provided in this subsection, promptly after delivery to him or her of the manufactured 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. This subsection does not apply to a transferee who is exempt from making application for a certificate of title under s. 101.9203 (4).

SECTION 2539nf. 101.9209 (3) of the statutes is amended to read:

101.9209 **(3)** A transfer by an owner is not effective until the applicable provisions of this section have been complied with. An owner who has delivered possession of the manufactured 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.

SECTION 2539nh. 101.9209 (5) (a) and (b) of the statutes are amended to read:

101.9209 **(5)** (a) Any transferee of a ~~mobile~~ manufactured home who fails to make application for a new certificate of title immediately upon transfer to him or her of a manufactured home as required under sub. (2) may be required to forfeit not more than $200.

(b) Any transferee of a manufactured 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 manufactured home as required under sub. (2) may be fined not more than $1,000 or imprisoned for not more than 30 days or both.

SECTION 2539nj. 101.921 (1) (a) of the statutes is amended to read:

101.921 **(1)** (a) Except as provided in par. (b), if a manufactured home dealer acquires a manufactured home and holds it for resale or accepts a manufactured home for sale on consignment, the manufactured home dealer may not submit to the department the certificate of title or application for certificate of title naming the manufactured home dealer as owner of the manufactured home. Upon transferring the manufactured home to another person, the manufactured 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 manufactured home dealer for transmittal to the department when required. ~~The~~ Unless the manufactured home has no certificate of title as a result of the exemption under s. 101.9203 (4), the manufactured 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 manufactured home dealer shall mail or deliver the certificate or application for certificate to the department with the transferee's application for a new certificate, unless the transferee is exempt from making application for a certificate of title under s. 101.9203 (4). A nonresident who purchases a manufactured home from a manufactured home dealer in this state may not, unless otherwise authorized by rule of the department, apply for a certificate of title issued for the manufactured home in this state unless the manufactured home dealer determines that a certificate of title is necessary to protect the interests of a secured party. The manufactured home dealer is responsible for determining whether a certificate of title and perfection of security interest is required. The manufactured home dealer is liable for any damages incurred by the department or any secured party for the manufactured home dealer's failure to perfect a security interest that the manufactured home dealer had knowledge of at the time of sale.

SECTION 2539nL. 101.9211 (1) of the statutes is amended to read:

101.9211 **(1)** If the interest of an owner in a manufactured 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~~ any documents required by the department to legally effect such transfer~~, and~~. The transferee shall also promptly mail or deliver to the department an application for a new certificate in the form that the department prescribes, unless the transferee is exempt from making application for a certificate of title under s. 101.9203 (4).

SECTION 2539nn. 101.9211 (2) of the statutes is amended to read:

101.9211 **(2)** If the interest of the owner is terminated or the manufactured 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, unless there is no certificate of title as a result of the exemption under s. 101.9203 (4), an application for a new certificate in the form that the department prescribes, unless the transferee is exempt from making application for a certificate of title under s. 101.9203 (4), and a statement made by or on behalf of the secured party that the manufactured home was repossessed and that the interest of the owner was lawfully terminated or sold under the terms of the security agreement.

SECTION 2539np. 101.9211 (4) (a) 2. of the statutes is amended to read:

101.9211 **(4)** (a) 2. The title executed by such administrator, executor, guardian or trustee, except that this subdivision does not apply if there is no certificate of title as a result of the exemption under s. 101.9203 (4).

SECTION 2539nr. 101.9211 (4) (b) 1. (intro.) of the statutes is amended to read:

101.9211 **(4)** (b) 1. (intro.) ~~The~~ Except as provided under subd. 1m., the department shall transfer the decedent's interest in any manufactured home to his or her surviving spouse upon receipt of the title executed by the surviving spouse and a statement by the spouse that states all of the following:

SECTION 2539nt. 101.9211 (4) (b) 1m. of the statutes is created to read:

101.9211 **(4)** (b) 1m. The department may not require a surviving spouse to provide an executed title to a manufactured home under subd. 1. if the manufactured home has no certificate of title as a result of the exemption under s. 101.9203 (4).

SECTION 2539nv. 101.9211 (4) (b) 2. of the statutes is amended to read:

101.9211 **(4)** (b) 2. The transfer of a manufactured home under this paragraph shall not affect any liens upon the manufactured home.

SECTION 2539nw. 101.9212 (1) and (2) of the statutes are amended to read:

101.9212 **(1)** ~~The~~ Except as otherwise provided in this subsection, 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. The department may not require a person to provide a properly assigned certificate of title if the manufactured home for which the new certificate of title is requested has no certificate of title as a result of the exemption under s. 101.9203 (4).

SECTION 2539ny. 101.9218 (2) of the statutes is amended to read:

101.9218 **(2)** FIXTURES EXCLUDED. Notwithstanding ss. 101.921 to 101.9217, the method provided in ss. 101.921 to 101.9217 of perfecting and giving notice of security interests does not apply to a manufactured home that is a fixture to real estate or to a manufactured home that the owner intends, upon acquiring, to permanently affix to land that the owner of the manufactured home owns.

SECTION 2540. 101.93 (title) of the statutes is repealed and recreated to read:

101.93 (title) **Plumbing in manufactured homes.**

SECTION 2540m. 101.935 (2) (c) 2. of the statutes is amended to read:

101.935 **(2)** (c) 2. The department shall establish by rule the permit fee and renewal fee for a permit issued under this subsection. Beginning in fiscal year 2002−03, the department may increase the fees to recover the cost of administering s. 101.937. An additional penalty fee, as established by the department by rule, is required for each permit if the biennial renewal fee is not paid before the permit expires.

SECTION 2541. 101.937 (title) of the statutes is created to read:

101.937 (title) **Water and sewer service to manufactured home parks.**

SECTION 2544m. 102.29 (8r) of the statutes is amended to read:

102.29 **(8r)** No participant in a food stamp employment and training program under s. ~~49.124 (1m)~~ 49.13 who, under s. ~~49.124 (1m)~~ 49.13 (2) (d), is provided worker's compensation coverage by the department or by a Wisconsin works agency, as defined in s. 49.001 (9), 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 employment and training from which the claim arose.

SECTION 2557. 103.49 (1) (f) of the statutes is amended to read:

103.49 **(1)** (f) "State agency" means any office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, including the legislature and the courts. "State agency" also includes the University of Wisconsin Hospitals and Clinics Authority and the Fox River Navigational System Authority.

SECTION 2558. 103.49 (2) of the statutes is amended to read:

103.49 **(2)** PREVAILING WAGE RATES AND HOURS OF LABOR. Any contract hereafter made for the erection, construction, remodeling, repairing, or demolition of any project of public works, except contracts for the construction or maintenance of public highways, streets, and bridges, to which the state~~,~~ or any state agency ~~or the University of Wisconsin Hospitals and Clinics Authority~~ is a party shall contain a stipulation that no person performing the work described in sub. (2m) may be permitted to work a greater number of hours per day or per week than the prevailing hours of labor, except that any such person may be permitted or required to work more than such prevailing hours of labor per day and per week if he or she is paid for all hours worked in excess of the prevailing hours of labor at a rate of at least 1.5 times his or her hourly basic rate of pay; nor may he or she be paid less than the prevailing wage rate determined under sub. (3) in the same or most similar trade or occupation in the area wherein such project of public works is situated. A reference to the prevailing wage rates determined under sub. (3) and the prevailing hours of labor shall be published in the notice issued for the purpose of securing bids for the project. If any contract or subcontract for a project that is subject to this section is entered into, the prevailing wage rates determined under sub. (3) and the prevailing

hours of labor shall be physically incorporated into and made a part of the contract or subcontract, except that for a minor subcontract, as determined by the department, the department shall prescribe by rule the method of notifying the minor subcontractor of the prevailing wage rates and prevailing hours of labor applicable to the minor subcontract. The prevailing wage rates and prevailing hours of labor applicable to a contract or subcontract may not be changed during the time that the contract or subcontract is in force.

Vetoed In Part

SECTION 2558i. 103.49 (3) (ag) of the statutes is created to read:

103.49 **(3)** (ag) In defining under par. (a) the trades or occupations that are commonly employed on projects that are subject to this section, the department:

1. May not define swimming pool installer as a separate trade or occupation for purposes of determining the prevailing wage rates for the trades or occupations that are commonly employed in the construction of swimming pools.

2. Shall define metal building assembler as a separate trade or occupation for purposes of determining the prevailing wage rates for that trade or occupation and shall include among the typical duties of the trade or occupation reroofing and repairing existing prefabricated, packaged metal buildings and constructing prefabricated, packaged metal additions to existing prefabricated, packaged metal buildings.

SECTION 2558j. 103.49 (3) (ar) of the statutes is amended to read:

103.49 **(3)** (ar) In determining prevailing wage rates under par. (a) or (am), the department may not use data from projects that are subject to this section, s. 66.0903, 103.50, or 229.8275, or 40 USC 276a unless the department determines that there is insufficient wage data in the area to determine those prevailing wage rates, in which case the department may use data from projects that are subject to this section, s. 66.0903, 103.50, or 229.8275, or 40 USC 276a. The department may also use data from a project that is subject to this section, s. 66.0903, 103.50, or 229.8275, or 40 USC 276a in determining prevailing wage rates under par. (a) or (am) if the department determines that the wage rate paid on that project is higher than the prevailing wage rate determined for that project.

SECTION 2558m. 103.49 (5) (a) of the statutes is amended to read:

103.49 **(5)** (a) Each contractor, subcontractor, or contractor's or subcontractor's agent 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 performing the work described in sub. (2m) and an accurate record of the number of hours worked by each of those persons and the actual wages paid for the hours worked. If requested by any person, a contractor, subcontractor, or contractor's or subcontractor's agent 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 if the record were maintained by the department, except that s. 19.36 (3) does not limit the duty of a subcontractor or a contractor's or subcontractor's agent to permit inspection and copying of a record under this paragraph. Before permitting the inspection and copying of a record under this paragraph, a contractor, subcontractor, or contractor's or subcontractor's agent shall delete from the record any personally identifiable information, as defined in s. 19.62 (5), contained in the record about any person performing the work described in sub. (2m).

Vetoed In Part

SECTION 2559. 103.49 (7) (a) of the statutes is amended to read:

103.49 **(7)** (a) Except as provided under pars. (b) and (c), the department shall distribute to all state agencies ~~and to the University of Wisconsin Hospitals and Clinics Authority~~ a list of all persons whom the department has found to have failed to pay the prevailing wage rate determined under sub. (3) or has found to have paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor at any time in the preceding 3 years. The department shall include with any name the address of the person and shall specify when the person failed to pay the prevailing wage rate and when the person paid less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor. A state agency ~~or the University of Wisconsin Hospitals and Clinics Authority~~ may not award any contract to the person unless otherwise recommended by the department or unless 3 years have elapsed from the date the department issued its findings or date of final determination by a court of competent jurisdiction, whichever is later.

Vetoed In Part

SECTION 2559d. 103.50 (6m) of the statutes is created to read:

103.50 **(6m)** RECORDS; INSPECTION. Each contractor, subcontractor, or contractor's or subcontractor's agent 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 performing the work described in sub. (2m) and an accurate record of the number of hours worked by each of those persons and the actual wages paid for the hours worked. If requested by any person, a contractor, subcontractor, or contractor's or subcontractor's agent 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 if the record were maintained by the department, except that s. 19.36 (3) does not limit the duty of a subcontractor or a contractor's or subcontractor's agent to permit inspection and copying of a record under this subsection. Before permitting the inspection and copying of a record under this subsection, a contractor, subcontractor, or contractor's or

Vetoed In Part

subcontractor's agent shall delete from the record any personally identifiable information, as defined in s. 19.62 (5), contained in the record about any person performing the work described in sub. (2m).

SECTION 2559g. 103.64 (1m) of the statutes is created to read:

103.64 **(1m)** "Farming" has the meaning given in s. 102.04 (3).

SECTION 2559j. 103.67 (2) (e) of the statutes is amended to read:

103.67 **(2)** (e) Minors 12 years of age or older may be employed in ~~agricultural pursuits~~ farming.

SECTION 2559k. 103.67 (2) (j) of the statutes is amended to read:

103.67 **(2)** (j) Minors under 14 years of age may be employed as participants in a restitution project under s. 938.245 (2) (a) 5., 938.32 (1t) (a), 938.34 (5), or 938.345 ~~or~~, in a supervised work program or other community service work under s. 938.245 (2) (a) 6., 938.32 (1t) (b), 938.34 (5g), 938.343 (3), or 938.345, or in the community service component of a youth report center program under s. 938.245 (2) (a) 9m., 938.32 (1p), 938.34 (7j), 938.342 (1d) (c) or (1g) (k), 938.343 (3m), 938.344 (2g) (a) 5., 938.345, or 938.355 (6) (d) 5. or (6m) (a) 4.

SECTION 2559m. 103.70 (1) of the statutes is amended to read:

103.70 **(1)** Except as otherwise provided in sub. (2) and in ss. 103.21 to 103.31, 103.78, 938.245 (2) (a) 5. b., 938.32 (1t) (a) 2. and 938.34 (5) (b) and (5g) (c), and as may be provided under s. 103.79, a minor, unless indentured as an apprentice in accordance with s. 106.01, or unless 12 years and over and engaged in ~~agricultural pursuits~~ farming, or unless 14 years and over and enrolled in a youth apprenticeship program under s. 106.13, shall not be employed or permitted to work at any gainful occupation or employment unless there is first obtained from the department or a permit officer a written permit authorizing the employment of the minor within those periods of time stated in the permit, which shall not exceed the maximum hours prescribed by law.

SECTION 2560r. 106.01 (11) of the statutes is created to read:

106.01 **(11)** From the appropriation under s. 20.445 (1) (kt), the department shall provide a trade masters pilot program to recognize advanced training and postapprenticeship achievements in 3 trades, crafts, or businesses, one of which shall be in the industrial sector, one in the construction sector, and one in the service sector of the economy. By July 1, 2010, the department shall submit to the legislature under s. 13.172 (2) an evaluation of the effectiveness of the program.

Vetoed In Part

SECTION 2562. 106.12 (4) of the statutes is created to read:

106.12 **(4)** PUBLICATIONS AND SEMINARS. The board may provide publications and seminars relating to the employment and education programs administered by the board and may establish a schedule of fees for those publications and seminars. Fees established under this subsection for publications and seminars provided by the board may not exceed the actual cost incurred in providing those publications and seminars. The fees collected under this subsection shall be credited to the appropriation account under s. 20.445 (7) (ga).

SECTION 2562m. 106.13 (1) (a) of the statutes is amended to read:

106.13 **(1)** (a) A youth apprenticeship program that includes the grant programs under subs. ~~(3)~~ (3m) and (4).

SECTION 2564. 106.13 (3m) (a) of the statutes is amended 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.~~ 1r., individuals or other persons, who have agreed to be responsible for implementing and coordinating a local youth apprenticeship program.

SECTION 2564m. 106.13 (3m) (b) (intro.) of the statutes is amended to read:

106.13 **(3m)** (b) (intro.) 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~~ Subject to par. (c), 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:

SECTION 2564p. 106.13 (3m) (c) of the statutes is created to read:

106.13 **(3m)** (c) A local partnership that is awarded a grant under par. (b) may not use any of the grant moneys awarded to provide funding to a business that is operated for profit or to a nonprofit organization that represents business interests.

SECTION 2565. 106.13 (4) (a) 1. of the statutes is renumbered 106.13 (4) (a) 1r.

SECTION 2566. 106.13 (4) (a) 1d. of the statutes is created to read:

106.13 **(4)** (a) 1d. "Eligible employer" means an employer that is eligible to receive a grant under this subsection according to the criteria established by the board under par. (d).

SECTION 2567. 106.13 (4) (b) of the statutes is amended to read:

106.13 **(4)** (b) From the appropriation under s. 20.445 (7) (em), the board may award a grant to a public agency or a nonprofit organization, or to an eligible employer that is responsible for the on−the−job training and supervision of a youth apprentice. A public agency or ~~non−profit~~ nonprofit organization that receives a grant under this subsection shall use the funds awarded under the grant to award training grants to eligible 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 eligible employer for each youth apprentice who receives at least 180 hours of paid on−the−job training from the eligible 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 2568. 106.13 (4) (c) of the statutes is amended to read:

106.13 **(4)** (c) Notwithstanding par. (b), the board may award a training grant under this subsection to an eligible 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 board determines that it would be beneficial for the youth apprentice to receive on−the−job training from more than one eligible employer.

SECTION 2569. 106.13 (4) (d) of the statutes is created to read:

106.13 **(4)** (d) The board shall establish eligibility criteria for a grant under this subsection. That criteria shall specify that eligibility for a grant shall be limited to small employers, as determined by the board, and to employers providing on−the−job training in employment areas determined by the board. Notwithstanding sub. (5), those criteria need not be promulgated as rules.

SECTION 2570. 106.14 (1) of the statutes is renumbered 106.14 and amended to read:

106.14 Job centers ~~and career counseling centers~~. The department 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 at which youths may receive the services specified in sub. (2).~~

SECTION 2571d. 106.14 (2) of the statutes is repealed.

SECTION 2575. 106.215 (1) (e) of the statutes is amended to read:

106.215 **(1)** (e) "Local unit of government" means the governing body of any city, town, village, county, county utility district, town sanitary district, public inland lake protection and rehabilitation district, metropolitan sewerage district or school district, ~~the Fox−Winnebago regional management commission~~ or the elected tribal governing body of a federally recognized American Indian tribe or band.

SECTION 2585t. 106.215 (7) (am) of the statutes is amended to read:

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

SECTION 2586r. 106.215 (7) (c) of the statutes is repealed. **Vetoed In Part**

SECTION 2593. 106.215 (10) (fm) 1. of the statutes is amended to read:

106.215 **(10)** (fm) 1. Corps enrollees who have been crew leaders, regional crew leaders or a combination thereof for at least ~~2 years~~ 6 months.

SECTION 2599. 106.215 (10) (g) 3. of the statutes is amended to read:

106.215 **(10)** (g) 3. The education voucher is valid for ~~3~~ 4 years after the date of issuance for the payment of tuition and required program activity fees at any institution of higher education, as defined ~~under s. 39.32 (1) (a), which~~ in 20 USC 1002, that accepts the voucher, and the board shall authorize payment to the institution of face value of the voucher upon presentment.

SECTION 2599m. 110.07 (1) (a) 1. of the statutes is amended to read: **Vetoed In Part**

110.07 **(1)** (a) 1. Enforce and assist in the administration of this chapter and chs. 166, 194, 218, 341 to 349, and 351, and ss. 23.33, 125.07 (4) (b), 125.085 (3) (b), 167.10 (3) (a), 167.31 (2) (b) to (d), and 287.81 and ch. 350 where applicable to highways, or orders or rules issued pursuant thereto.

SECTION 2599mg. 110.07 (1) (b) of the statutes is amended to read:

110.07 **(1)** (b) All municipal judges, judges, district attorneys, and law enforcement officers shall assist in enforcing this chapter, ss. 167.10 (3) (a), 167.31 (2) (b) to (d), and 287.81 and chs. 194, 218, and 341 to 351, and orders or rules issued pursuant thereto and shall report to the department the disposition of every uniform traffic citation issued for cases involving those chapters.

SECTION 2605. 110.20 (6) (a) 1. of the statutes is amended to read:

110.20 **(6)** (a) 1. For a nonexempt vehicle required to be registered on an annual or other periodic basis in this state, within ~~90 days~~ the period of time specified by the department under sub. (9) (d) prior to renewal of registration in the 2nd year after the nonexempt vehicle's model year and every 2 years thereafter, except as provided in sub. (9) (j).

SECTION 2606. 110.20 (9) (d) of the statutes is amended to read:

110.20 **(9)** (d) Specify a period of time during which an emissions inspection must be performed for a nonexempt vehicle subject to sub. (6) (a) 1. or 2.

SECTION 2606m. 111.335 (1) (cv) of the statutes is created to read:

111.335 **(1)** (cv) Notwithstanding s. 111.322, it is not employment discrimination because of conviction record to refuse to employ in a position in the classified service, in a position described in s. 230.08 (2) (k), or as a corps enrollee with the Wisconsin conservation corps under s. 106.215 (1) (c) a person who has been convicted under 50 USC, Appendix, section 462 for refusing to register with the selective service system and who has not been pardoned.

SECTION 2609j. 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, or instrumentality of one or more political subdivisions of the state, that engages the services of an employee and includes any person acting on behalf of a municipal employer within the scope of the person's authority, express or implied, but specifically does not include a local cultural arts district created under subch. V of ch. 229.

Vetoed In Part

SECTION 2609L. 111.70 (1) (nc) 1. d. of the statutes is created to read:

111.70 **(1)** (nc) 1. d. A proposal to maintain all conditions of employment as the conditions existed on the 90th day prior to the expiration of the previous collective bargaining agreement between the parties or the 90th day prior to commencement of negotiations if there is no previous collective bargaining agreement between the parties.

SECTION 2609m. 111.70 (1) (nc) 1. e. of the statutes is created to read:

111.70 **(1)** (nc) 1. e. A proposal to maintain any provision relating to a subject of collective bargaining on which the municipal employer was not required to bargain that existed in the previous collective bargaining agreement between the parties or that existed on the 90th day prior to the expiration of the previous collective bargaining agreement between the parties.

SECTION 2609p. 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 employees, the municipal employer or the labor organization may petition the commission to determine whether the municipal employer has submitted a timely qualified economic offer. The commission shall appoint an investigator for that purpose. If the investigator, using the methodology prescribed under subd. 8t., finds that the municipal employer has submitted a timely 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 timely 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 employees 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 employees 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 employees 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 timely 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. If the investigator determines that the municipal employer has not submitted a timely qualified economic offer, either the municipal employer or the labor organization may petition for arbitration under subd. 6. to resolve any dispute relating to economic issues.

Vetoed In Part

Vetoed In Part

SECTION 2609t. 111.70 (4) (cm) 8t. of the statutes is created to read:

111.70 **(4)** (cm) 8t. 'Methodology for determining qualified economic offers.' The commission shall prescribe by rule a methodology to be used in determining whether a collective bargaining proposal submitted by a municipal employer to a labor organization constitutes a qualified economic offer and whether such an offer is timely.

SECTION 2610. 111.70 (4) (jm) 4. k. of the statutes is created to read:

111.70 **(4)** (jm) 4. k. Establish a system for conducting interrogations of members of the police department that is limited to the hours between 7 a.m. and 5 p.m. on working days, as defined in s. 227.01 (14), if the interrogations could lead to disciplinary action, demotion, or dismissal, but one that does not apply if the interrogation is part of a criminal investigation.

SECTION 2615ag. 111.81 (7) (f) of the statutes is created to read:

111.81 **(7)** (f) Instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) (cm).

SECTION 2615b. 111.81 (9m) of the statutes is created to read:

111.81 **(9m)** "Instructional staff" has the meaning given in rules promulgated by the department of public instruction under s. 121.02 (1) (a) 2.

SECTION 2615bm. 111.815 (1) of the statutes is amended to read:

111.815 **(1)** In the furtherance of this subchapter, the state shall be considered as a single employer and employment relations policies and practices throughout the state service shall be as consistent as practicable. The department shall negotiate and administer collective bargaining agreements. To coordinate the employer position in the negotiation of agreements, the department shall maintain close liaison with the legislature relative to the negotiation of agreements and the fiscal ramifications thereof. Except with respect to the collective bargaining units specified in s. 111.825 (1m) and (2) (f), the department is responsible for the employer functions of the executive branch under this subchapter, and shall coordinate its collective bargaining activities with operating state agencies on matters of agency concern. The legislative branch shall act upon those portions of tentative agreements negotiated by the department which require legislative action. With respect to the collective bargaining units specified in s. 111.825 (1m), the University of Wisconsin Hospitals and Clinics Board is responsible for the employer functions under this subchapter. With respect to the collective bargaining unit specified in s. 111.825 (2) (f), the governing board of the charter school established by contract under s. 118.40 (2r) (cm) 1. is responsible for the employer functions under this subchapter.

SECTION 2615h. 111.815 (2) of the statutes is amended to read:

111.815 **(2)** In the furtherance of the policy under s. 111.80 (4), the secretary of the department shall establish a collective bargaining capability within the department outside of the division of merit recruitment and selection and shall, together with the appointing authorities or their representatives, represent the state in its responsibility as an employer under this subchapter except with respect to negotiations in the collective bargaining units specified in s. 111.825 (1m) and (2) (f). The secretary of the department shall establish and maintain, wherever practicable, consistent employment relations policies and practices throughout the state service.

SECTION 2615j. 111.825 (2) (f) of the statutes is created to read:

111.825 **(2)** (f) Instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) (cm).

SECTION 2615L. 111.84 (2) (c) of the statutes is amended to read:

111.84 **(2)** (c) To refuse to bargain collectively on matters set forth in s. 111.91 (1) with the duly authorized officer or agent of the employer which is the recognized or certified exclusive collective bargaining representative of employees specified in s. 111.81 (7) (a) in an appropriate collective bargaining unit or with the certified exclusive collective bargaining representative of employees specified in s. 111.81 (7) (b) ~~or (c)~~ to (f) in an appropriate collective bargaining unit. Such refusal to bargain shall include, but not be limited to, the refusal to execute a collective bargaining agreement previously orally agreed upon.

SECTION 2615n. 111.91 (4) of the statutes is amended to read:

111.91 **(4)** The secretary of the department, in connection with the development of tentative collective bargaining agreements to be submitted under s. 111.92 (1) (a), shall endeavor to obtain tentative agreements with each recognized or certified labor organization representing employees or supervisors of employees specified in s. 111.81 (7) (a) and with each certified labor organization representing employees specified in s. 111.81 (7) (b) ~~or (c)~~ to (e) which do not contain any provision for the payment to any employee of a cumulative or noncumulative amount of compensation in recognition of or based on the period of time an employee has been employed by the state.

SECTION 2615p. 111.92 (1) (a) of the statutes is amended to read:

111.92 **(1)** (a) Any tentative agreement reached between the department, acting for the state, and any

labor organization representing a collective bargaining unit specified in s. 111.825 (1) or (2) (a) to (e) shall, after official ratification by the labor organization, be submitted by the department to the joint committee on employment relations, which shall hold a public hearing before determining its approval or disapproval. If the committee approves the tentative agreement, it shall introduce in a bill or companion bills, to be put on the calendar or referred to the appropriate scheduling committee of each house, that portion of the tentative agreement which requires legislative action for implementation, such as salary and wage adjustments, changes in fringe benefits, and any proposed amendments, deletions or additions to existing law. Such bill or companion bills are not subject to ss. 13.093 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may, however, submit suitable portions of the tentative agreement to appropriate legislative committees for advisory recommendations on the proposed terms. The committee shall accompany the introduction of such proposed legislation with a message that informs the legislature of the committee's concurrence with the matters under consideration and which recommends the passage of such legislation without change. If the joint committee on employment relations does not approve the tentative agreement, it shall be returned to the parties for renegotiation. If the legislature does not adopt without change that portion of the tentative agreement introduced by the joint committee on employment relations, the tentative agreement shall be returned to the parties for renegotiation.

SECTION 2615r. 111.92 (1) (c) of the statutes is created to read:

111.92 **(1)** (c) Any tentative agreement reached between the governing board of the charter school established by contract under s. 118.40 (2r) (cm), acting for the state, and any labor organization representing a collective bargaining unit specified in s. 111.825 (2) (f) shall, after official ratification by the labor organization and approval by the chancellor of the University of Wisconsin−Parkside, be executed by the parties.

SECTION 2615t. 111.93 (2) of the statutes is amended to read:

111.93 **(2)** All civil service and other applicable statutes concerning wages, fringe benefits, hours and conditions of employment apply to employees specified in s. 111.81 (7) (a) who are not included in collective bargaining units for which a representative is recognized or certified and to employees specified in s. 111.81 (7) (b) ~~or (c)~~ to (f) who are not included in a collective bargaining unit for which a representative is certified.

SECTION 2615v. 111.93 (3) of the statutes is amended to read:

111.93 **(3)** Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1) (cm), 230.35 (2d), 230.35 (3) (e) 6., and 230.88 (2) (b), if a collective bargaining agreement exists between the employer and a labor organization representing employees in a collective bargaining unit, the provisions of that agreement shall supersede the provisions of civil service and other applicable statutes, as well as rules and policies of the board of regents of the University of Wisconsin System, related to wages, fringe benefits, hours, and conditions of employment whether or not the matters contained in those statutes, rules, and policies are set forth in the collective bargaining agreement.

SECTION 2615x. 114.31 (3) (b) of the statutes is amended to read: **Vetoed In Part**

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. If there are interested and eligible participants for the program in the city of Green Bay, the department shall offer the program in the city of Green Bay.

SECTION 2622. 115.28 (27) of the statutes is repealed.

SECTION 2623g. 115.28 (30) (title), (a), and (b) (intro.) of the statutes are amended to read:

115.28 **(30)** (title) ~~VOCATIONAL~~ CAREER AND TECHNICAL STUDENT ORGANIZATIONS. (a) Give priority to assisting school boards to operate ~~vocational~~ career and technical student organizations ~~for pupils pursuing related instruction~~ and related career and technical education programs.

(b) (intro.) Provide in the department administrative leadership for career and technical student organizations and the following ~~vocational education consultants and administrative, leadership and vocational~~ career and technical student organization educational consultants:

SECTION 2623i. 115.28 (30) (b) 3. of the statutes is amended to read:

115.28 **(30)** (b) 3. Two full−time consultants in ~~technical~~ technology education.

SECTION 2623k. 115.28 (30) (b) 4. of the statutes is amended to read:

115.28 **(30)** (b) 4. Two full−time consultants in family and consumer sciences education.

SECTION 2623m. 115.28 (30) (b) 5. of the statutes is amended to read:

115.28 **(30)** (b) 5. ~~One~~ Two full−time ~~consultant and one half−time consultant~~ consultants in marketing education.

SECTION 2623p. 115.28 (30) (b) 6. of the statutes is created to read:

115.28 **(30)** (b) 6. One full−time consultant in health science education.

SECTION 2623r. 115.28 (30) (d) of the statutes is amended to read:

115.28 (30) (d) Provide in the department~~, within the integrated and applied curricula team,~~ a ~~vocational~~ career and technical education and ~~vocational~~ career and techni-

cal student organizations ~~subteam~~ team consisting of those educational consultants specified in par. (b).

SECTION 2625. 115.28 (42) of the statutes is created to read:

115.28 **(42)** WISCONSIN GEOGRAPHIC EDUCATION PROGRAM. Enter into an agreement with the National Geographic Society Education Foundation to establish a geographical education program in this state. The agreement shall require each of the following:

(a) That the National Geographic Society Education Foundation shall establish and manage a trust fund consisting of any grant made under 2001 Wisconsin Act .... (this act), section 9101 (10) (b), and $500,000 in matching funds provided by the Foundation.

(b) That, from the trust fund established under par. (a) and any income thereon, the National Geographic Society Education Foundation shall award grants and support programs for improving geographical education in this state, with an emphasis on improving student use of geographic information systems technology.

(c) That the National Geographic Society Education Foundation annually submit to the department an audited financial statement of the trust fund established under par. (a) that is prepared by an independent auditor and a report listing the names of grant recipients and the amounts and purposes of awards and other expenditures made from the trust fund.

(d) That, if the trust fund established under par. (a) is dissolved, the National Geographic Society Education Foundation shall return to the department the grant made under 2001 Wisconsin Act .... (this act), section 9101 (10) (b), and unexpended income thereon.

(e) That the agreement is not effective unless the secretary of administration determines that the transfer between the appropriation accounts described under 2001 Wisconsin Act .... (this act), section 9101 (10) (b), has occurred and that the National Geographic Society Education Foundation has provided the matching funds described in par. (a).

SECTION 2625m. 115.28 (45) of the statutes is created to read:

115.28 **(45)** SPECIAL COUNSELOR GRANTS. From the appropriation under s. 20.255 (2) (kL), award grants to school districts, cooperative educational service agencies, consortia consisting of 2 or more school districts or cooperative educational service agencies, or an educational organization that serves pupils in any grade from kindergarten to 12, if the school district, cooperative educational service agency, or educational organization serves American Indian pupils or borders on an American Indian reservation, for the purpose of employing counselors to help American Indian pupils adjust to the school districts in which they are enrolled.

SECTION 2625w. 115.28 (47) of the statutes is created to read:

115.28 **(47)** GRANT TO BELOIT COLLEGE. Annually award the amount appropriated under s. 20.255 (2) (kj) to Beloit College to educate children and adults in southern Wisconsin about Native American cultures.

SECTION 2635L. 115.28 (48) of the statutes is created to read:

115.28 **(48)** VETERANS. Encourage school boards to invite armed forces veterans to school to discuss their experiences as veterans.

SECTION 2635m. 115.28 (49) of the statutes is created to read:

115.28 **(49)** CHARTER SCHOOL REPORT. Annually report to the legislature, in the manner provided under s. 13.172 (2), on the status of existing charter schools, the number of petitions for new charter schools, and school board and departmental action on petitions for new charter schools.

SECTION 2638m. 115.28 (50) of the statutes is created to read: **Vetoed In Part**

115.28 **(50)** SPECIAL EDUCATION STUDY. Distribute a summary of study under s. 36.11 (49) to each school district.

SECTION 2639m. 115.31 (1) (b) of the statutes is amended to read: **Vetoed In Part**

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 Center for the Blind and Visually Impaired, the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing, 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 2640g. 115.343 (title) and (1) of the statutes are amended to read:

115.343 (title) **Wisconsin ~~morning~~ school day milk program. (1)** The department shall establish a ~~morning~~ school day milk program. A school participating in the program shall offer each eligible child ~~a~~ one half−pint of Wisconsin−produced whole milk, 2% milk, 1.5% milk, one percent milk, 0.5% milk, skim milk or chocolate milk on each day in which school is in session. If a child is allergic to milk or has metabolic disorders or other conditions which prohibit him or her from drinking milk, the child shall be offered juice as a substitute. Any school that participates in the program is encouraged to consider bids from local milk suppliers. The school shall keep all information related to the identity of the pupils who receive a beverage under the program confidential. In this subsection, "Wisconsin−produced" means that all

or part of the raw milk used by the milk processor was produced in this state.

SECTION 2640h. 115.343 (2) (c) of the statutes is created to read:

115.343 **(2)** (c) The child does not receive the beverage during the school's breakfast or lunch period.

SECTION 2641m. 115.38 (2) of the statutes is amended to read:

115.38 **(2)** ~~By January 1, 1993, and annually thereafter~~ Annually by January 1, each school board shall distribute to the parent or guardian of each pupil enrolled in the school district, including pupils enrolled in charter schools located in the school district, or give to each pupil to bring home to his or her parent or guardian, a school and school district performance report that includes the information specified by the state superintendent under sub. (1). The report shall also include a comparison of the school district's performance under sub. (1) (a) and (b) with the performance of other school districts in the same athletic conference under sub. (1) (a) and (b).

SECTION 2649. 115.42 (1) (a) 3. of the statutes is repealed.

SECTION 2650. 115.42 (1) (b) of the statutes is amended 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 2651. 115.42 (2) (intro.) of the statutes is renumbered 115.42 (2) (a) (intro.) and amended to read:

115.42 **(2)** (a) (intro.) The department shall award ~~a~~ 9 grants of $2,500 ~~grant~~ each 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 2652. 115.42 (2) (a) and (b) of the statutes are renumbered 115.42 (2) (a) 1. and 2.

SECTION 2653. 115.42 (2) (bL) of the statutes is created to read:

115.42 **(2)** (bL) The department shall award the grants under this subsection annually, one grant in each of the school years following the school year in which the grant under sub. (1) was awarded and in which the person satisfies the requirements under par. (a).

SECTION 2654. 115.42 (2) (c) of the statutes is repealed.

SECTION 2655. 115.42 (2) (d) of the statutes is renumbered 115.42 (2) (a) 4.

SECTION 2657m. 115.435 (1) (c) of the statutes is amended to read:

115.435 **(1)** (c) At least ~~65%~~ 80% of the real property in the school district is exempt from taxation under s. 70.11, taxed as forest croplands under subch. I of ch. 77, owned by or held in trust for a federally recognized American Indian tribe, or owned by the federal government.

SECTION 2660m. Subchapter III (title) of chapter 115 [precedes 115.51] of the statutes is amended to read: **Vetoed In Part**

CHAPTER 115
SUBCHAPTER III
~~STATE SCHOOL~~ WISCONSIN
EDUCATIONAL SERVICES PROGRAM
FOR THE DEAF AND HARD OF HEARING
AND ~~STATE~~ WISCONSIN CENTER
FOR THE BLIND AND
VISUALLY IMPAIRED

SECTION 2660r. 115.51 (2) of the statutes is repealed and recreated to read:

115.51 **(2)** "Hearing impaired" has the meaning given in the rules promulgated by the state superintendent to define "hearing impairments" under s. 115.76 (5) (a) 2.

SECTION 2660t. 115.52 of the statutes is repealed and recreated to read:

115.52 Wisconsin Educational Services Program for the Deaf and Hard of Hearing. (1) DEFINITION. In this section, "program" means the Wisconsin Educational Services Program for the Deaf and Hard of Hearing.

(1m) PURPOSE. The purpose of the program is to serve as a statewide educational resource relating to hearing impairments to benefit all Wisconsin children who are hearing impaired.

(2) GOVERNANCE. The state superintendent shall maintain and govern the program's facilities. The state superintendent shall appoint an individual who has training and experience in educating pupils who are hearing impaired to serve as the director of the program.

(3) SERVICES. The program shall provide services that benefit children throughout the state who are hearing impaired.

(a) *School.* 1. 'Residents 3 to 20 years old.' The program shall operate a school at which any resident of this state 3 to 20 years old who is hearing impaired, and for the duration of a school term any resident of this state who is hearing 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 program as the appropriate placement.

2. 'Residents 21 years old or older.' The state superintendent may admit to the school operated by the

Vetoed In Part

program a resident of the state who is hearing 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 program.

3. 'Nonresidents.' A nonresident of this state, who is hearing 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 program 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 program shall make the residential facilities of the program available to all pupils received at the school operated by the program.

5. 'School term.' The state superintendent shall fix the period of the school term at the school operated by the program 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 program may provide transportation for resident pupils at the school operated by the program.

(b) *Other statewide services.* The program may do any of the following:

1. Provide evaluation services to assist local educational agencies, cooperative educational service agencies, county children with disabilities education boards, private schools, and others.

2. Provide technical assistance and consultation services to local educational agencies, cooperative educational service agencies, county children with disabilities education boards, private schools, and others.

3. Develop and disseminate curriculum and instructional materials.

4. Provide in−service and other training to teachers and other staff serving pupils who are hearing impaired.

5. Provide training, technical assistance, and consultation services for parents of children who are hearing impaired and for professionals who work with children who are hearing impaired.

6. Provide access to educational materials to children who are hearing impaired.

7. Loan books and other materials from the library described in par. (c) 2.

8. Serve as a clearinghouse for information about children who are hearing impaired.

9. Teach American sign language, and teach other subjects using American sign language, through the use of distance education technology.

10. Rent or lease technological materials and assistive technology devices, as defined in s. 115.76 (1), to local educational agencies, cooperative educational service agencies, county children with disabilities education boards, and private schools.

11. Facilitate the preparation of teachers of pupils who are hearing impaired by providing assistance to teacher preparation programs.

12. Provide other statewide services that relate to the education of children who are hearing impaired.

(c) *Additional services.* 1. 'Birth−to−3 services.' The program may provide instruction or services, or both, for children who are under the age of 3 and are hearing 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.' Educational media and materials acquired by the program constitute a circulating collection for persons who are hearing impaired. The collection shall be kept at the program's facility and be under the supervision of its director. All school age children of the state who are hearing impaired may use the media and materials upon compliance with criteria established by the director of the program and approved by the state superintendent.

3. 'Summer programs.' The program shall provide summer programs each year for children who are hearing impaired.

4. 'Independent living skills.' With the approval of the state superintendent, the program may allow individuals to receive instruction in and practice independent living skills in state−owned housing at the program's facility in Delavan.

(d) *Provision of services.* In addition to providing services at the program's facility in Delavan, the program 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 in the program may equally and freely enjoy the benefits and privileges of the program, have the use of the library and books of instruction, and receive board, lodging, and linens, without discrimination, except that the director of the program may determine that board, lodging, and linens may not be provided to an individual because appropriate services are not available for that individual at the program's residential facilities.

(5) CHARGES. The state superintendent may charge for meals, living quarters, laundry, and other services furnished to employees of the program and their families. The state superintendent may charge for services

Vetoed In Part

furnished to visitors to the program's facilities and participants in training programs and institutes.

(6) LEASING OF SPACE. The state superintendent may lease space at the program's facilities in Delavan that is not required by the program to any person if the state superintendent determines that the use will not be inconsistent with the operation of the program.

(7) AUDIT. In the 2004−05 fiscal year, the legislative audit bureau shall perform a performance evaluation audit of the program. 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, 2005.

SECTION 2661m. 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 the school operated by the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing 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 2661p. 115.53 (3) (a) of the statutes is amended to read:

115.53 **(3)** (a) Arrange for otological or ophthalmic examination of any pupil or prospective pupil of the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing. The examination shall be paid for from the appropriation in s. 20.255 (1) (b), (gh) or (gs).

SECTION 2661r. 115.53 (4) of the statutes is 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 at the school operated by the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing 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 ~~superintendent~~ director of the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing 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 paid from the appropriation under s. 20.255 (1) (b), (gh) or (gs) if the patient is a pupil at the school operated by the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing 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 credited to the appropriation under s. 20.255 (1) (gh) for the school or center concerned.

Vetoed In Part

SECTION 2661t. 115.53 (5) of the statutes is amended to read:

115.53 **(5)** Arrange for visits by members of the staff of either the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing or the Wisconsin Center for the Blind and Visually Impaired to other public schools or to families of ~~deaf~~ children who are hearing impaired or children who are visually impaired, whenever it appears to the state superintendent that such visits will be of advantage to such children.

SECTION 2662g. 115.54 of the statutes is amended to read:

115.54 Compulsory education. If it appears, by affidavit, to any circuit judge that any ~~deaf~~ child who is either hearing impaired or ~~child who is~~ visually impaired and who is 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 operated by the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing, 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 may not make a direct charge for the class or school against any county.

SECTION 2666m. 115.817 (5) (b) 1. of the statutes is amended to read:

115.817 **(5)** (b) 1. At the close of each fiscal year, the board shall employ a ~~licensed~~ certified public accountant licensed or certified under ch. 442 to audit its accounts and certify the audit. The cost of the audit shall be paid from board funds.

SECTION 2667. 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 an amount equal to the amount expended for such transportation as costs eligible for reimbursement from the ~~appropriations~~ appropriation 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). 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 2670m. 118.019 (2) (intro.) of the statutes is amended to read:

118.019 **(2)** SUBJECTS. (intro.) A school board may provide an instructional program in human growth and development in grades kindergarten to 12. If provided, the program shall offer information and instruction appropriate to each grade level and the age and level of maturity of the pupils. ~~The~~ Except as provided in sub. (2m), the program may include instruction in any of the following areas:

SECTION 2670p. 118.019 (2) (e) of the statutes is amended to read:

118.019 **(2)** (e) Human sexuality; reproduction; family planning, as defined in s. 253.07 (1) (a), including natural family planning; human immunodeficiency virus and acquired immunodeficiency syndrome; prenatal development; childbirth; adoption; available prenatal and postnatal support; and male and female responsibility.

SECTION 2670q. 118.019 (2m) of the statutes is created to read:

118.019 **(2m)** MARRIAGE AND PARENTAL RESPONSIBILITY. If a school board provides instruction in any of the areas under sub. (2) (e), the school board shall also provide instruction in marriage and parental responsibility.

SECTION 2671m. 118.02 (2) of the statutes is amended to read:

118.02 **(2)** February 12, Abraham Lincoln's birthday.

SECTION 2671n. 118.02 (4) of the statutes is amended to read:

118.02 **(4)** February 22, George Washington's birthday.

SECTION 2671p. 118.02 (12) of the statutes is amended to read:

118.02 **(12)** October 12, Christopher Columbus' birthday.

SECTION 2671q. 118.02 (13) of the statutes is amended to read:

118.02 **(13)** November 11, Veterans Day.

SECTION 2671r. 118.02 (17) of the statutes is created to read:

118.02 **(17)** April 19, Patriots' Day.

SECTION 2672m. 118.025 of the statutes is amended to read: **Vetoed In Part**

118.025 Arbor day observance. A school principal may request one free tree provided from state forest nurseries by the department of ~~natural resources~~ forestry under s. 28.06 for each 4th grade pupil in the school for planting in conjunction with an annual observance and celebration of arbor day.

SECTION 2673m. 118.035 of the statutes is created to read:

118.035 School uniforms. (1) In this section, "school" means a public school and includes a charter school other than a charter school under s. 118.40 (2r).

(2) A school board may adopt a policy that requires all pupils enrolled in school in the school district, or all pupils enrolled in one or more schools in the school district, to wear a uniform while in school or while under the supervision of a school authority.

(3) If a school board adopts a policy under sub. (2), it shall do all of the following:

(a) Establish a method whereby the parent or guardian of a pupil enrolled in a school in which the policy is in effect may exempt his or her child from complying with the policy.

(b) Ensure that no pupil is penalized academically or otherwise discriminated against because the pupil's parent or guardian has chosen to exempt the pupil from complying with the policy.

(c) Notify each parent or guardian of a pupil enrolled in a school in which the policy will be implemented of the policy at least 3 months before the school board implements the policy.

(d) Assist economically disadvantaged pupils to obtain the uniforms.

(4) The requirements under sub. (3) do not apply to any school board that has in effect on the effective date of this subsection .... [revisor inserts date], a school uniform policy for pupils enrolled in a school in the school district and has had such a policy in effect continuously since that date.

(5) By July 1, 2005, the department shall submit a report to the appropriate standing committees of the legislature under s. 13.172 (3). The report shall address all of the following issues relating to the imposition of school uniforms by school boards:

(a) Methods of encouraging the involvement of the parents or guardians of pupils enrolled in a school district in a school board's decision to require school uniforms.

(b) The ability of pupils to obtain the uniforms.

(c) The effect of the imposition of the requirement on crime in the school, including weapons possession, assault, battery, and vandalism, and on pupil suspensions and expulsions.

(6) Nothing in this section affects the authority of a school board to require pupils to wear uniforms for extra-

curricular activities, and the provisions of sub. (3) do not apply to such a requirement.

SECTION 2673p. 118.045 (3) of the statutes is amended to read:

118.045 **(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~~ the school board requests the department to allow it to commence the school term before September 1 and the school board includes reasons with its request. The department may grant a request only if it determines that there are extraordinary reasons for granting it. The department shall promulgate rules to implement and administer this subsection.

SECTION 2674d. 118.06 (title) of the statutes is amended to read:

118.06 (title) **Flag ~~and~~, pledge of allegiance, and national anthem.**

SECTION 2674j. 118.06 (2) of the statutes is amended to read:

118.06 **(2)** Every public ~~and private~~ school shall offer the pledge of allegiance or the national anthem in grades one to ~~8 at the beginning of~~ 12 each school ~~at least one~~ day ~~per week~~. Every private school shall offer the pledge of allegiance or the national anthem in grades one to 12 each school day unless the governing body of the private school determines that the requirement conflicts with the school's religious doctrines. No pupil may be compelled, against the pupil's objections or those of the pupil's parents or guardian, to recite the pledge or to sing the anthem.

SECTION 2679m. 118.135 of the statutes is created to read:

118.135 Eye examinations and evaluations. (1) Beginning in the 2002−03 school year, each school board and each charter school shall request each pupil entering kindergarten to provide evidence that the pupil has had his or her eyes examined by an optometrist licensed under ch. 449 or evaluated by a physician licensed under ch. 448.

(2) A pupil who complies with a request under sub. (1) shall provide evidence of an eye examination or evaluation by December 31 following the pupil's enrollment in kindergarten. The school board or charter school shall provide pupils with the form distributed by the department of regulation and licensing under s. 440.03 (16) for that purpose.

(3) To the extent feasible, the medical examining board and the optometry examining board shall encourage physicians and optometrists, for the purpose of this section, to conduct free eye examinations or evaluations of pupils who are in financial need and do not have insurance coverage for eye examinations or evaluations.

SECTION 2679t. 118.163 (1m) (c) of the statutes is created to read:

118.163 **(1m)** (c) An order for the person to report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the person is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center as described in s. 938.342 (1d) (c).

SECTION 2679u. 118.163 (2) (L) of the statutes is created to read:

118.163 **(2)** (L) An order for the person to report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the person is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center as described in s. 938.342 (1g) (k).

SECTION 2695e. 118.29 (2) (a) 2r. of the statutes is created to read:

118.29 **(2)** (a) 2r. Except for glucagon administered under subd. 2., may administer glucagon to any pupil who appears to be experiencing a severe hypoglycemic event if, as soon as practicable, the school bus operator, employee, or volunteer reports the event to an emergency medical service provider.

SECTION 2695m. 118.29 (2) (a) 3. of the statutes is amended to read:

118.29 **(2)** (a) 3. Is immune from civil liability for his or her acts or omissions in administering a drug or prescription drug to a pupil under subd. 1., 2. ~~or~~, 2m., or 2r. unless the act or omission constitutes a high degree of negligence. This subdivision does not apply to health care professionals.

SECTION 2700. 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) 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 take the examination administered under this subdivision.~~

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 take the examination administered under this subdivision.~~

SECTION 2702. 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) 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 take the examination administered under this subdivision.~~

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 take the examination administered under this subdivision.~~

Vetoed In Part

SECTION 2703m. 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 ~~2002−03~~ 2004−05 school year administer the high school graduation examination adopted by the school board under sub. (1g) (b) to all pupils enrolled in the school district, including pupils enrolled in charter schools located in the school district, in the 11th and 12th grades. The school board shall administer the examination at least twice each school year and may administer the examination only to pupils enrolled in the 11th and 12th grades.

SECTION 2704. 118.30 (1r) (a) of the statutes is amended to read:

118.30 **(1r)** (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.~~

SECTION 2706. 118.30 (1r) (am) of the statutes is amended to read:

118.30 **(1r)** (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.~~

Vetoed In Part

SECTION 2707m. 118.30 (1r) (d) of the statutes is amended to read:

118.30 **(1r)** (d) If the charter school operates high school grades, beginning in the ~~2002−03~~ 2004−05 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.

Vetoed In Part

SECTION 2709m. 118.30 (2) (f) of the statutes is created to read:

118.30 **(2)** (f) Each school board, and each operator of a charter school under s. 118.40 (2r), shall ensure that no pupil uses a calculator while taking the 4th grade examination under sub. (1m) or (1r).

SECTION 2712m. 118.30 (3) of the statutes is renumbered 118.30 (3) (a) and amended to read:

118.30 **(3)** (a) The state superintendent shall ~~make available upon request,~~ allow a person to view an examination required to be administered under this section if the person submits to the state superintendent a written request to do so within 90 days after the date of administration~~, any~~ of the examination ~~required to be administered under this section~~. This ~~subsection~~ paragraph does not apply while ~~the~~ an examination is being developed or validated.

SECTION 2714m. 118.30 (3) (b) of the statutes is created to read:

118.30 **(3)** (b) The state superintendent shall promulgate rules establishing procedures to administer par. (a). To the extent feasible, the rules shall protect the security and confidentiality of the examinations required to be administered under this section.

Vetoed In Part

SECTION 2718m. 118.33 (1) (f) of the statutes is amended to read:

118.33 **(1)** (f) 1. By September 1, ~~2002~~ 2004, 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 (1m) (d), the pupil's academic performance and the recommendations of teachers. Except as provided in

Vetoed In Part

subd. 2., the criteria apply to pupils enrolled in charter schools located in the school district.

2. By September 1, ~~2002~~ 2004, 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 and the recommendations of teachers.

3. Beginning September 1, ~~2003~~ 2005, 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 2725m. 118.38 (1) (a) 8. of the statutes is created to read:

118.38 **(1)** (a) 8. The commencement of the school term under s. 118.045.

SECTION 2725mb. 118.40 (2r) (a) of the statutes is repealed and recreated to read:

118.40 **(2r)** (a) In this subsection, "instructional staff" has the meaning given in the rules promulgated by the department under s. 121.02 (1) (a) 2.

SECTION 2725md. 118.40 (2r) (b) of the statutes is renumbered 118.40 (2r) (b) 1. (intro.) and amended to read:

118.40 **(2r)** (b) 1. (intro.) ~~The common council of the city of Milwaukee, the chancellor of the University of Wisconsin−Milwaukee and the Milwaukee area technical college district board~~ All of the following entities may establish by charter and operate a charter school or, on behalf of their respective entities, may initiate a contract with an individual or group to operate a school as a charter school~~.~~:

2. A charter shall include all of the provisions specified under sub. (1m) (b) 3. to 14. A contract shall include all of the provisions specified under sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter school on the liability of the contracting entity under this paragraph. The contract may include other provisions agreed to by the parties. The chancellor of the University of Wisconsin−Milwaukee or of the University of Wisconsin−Parkside may not establish or enter into a contract for the establishment of a charter school under this paragraph without the approval of the board of regents of the University of Wisconsin System.

SECTION 2725mf. 118.40 (2r) (b) 1. a. to d. of the statutes are created to read:

118.40 **(2r)** (b) 1. a. The common council of the city of Milwaukee.

b. The chancellor of the University of Wisconsin−Milwaukee.

c. On a pilot basis, the chancellor of the University of Wisconsin−Parkside.

d. The Milwaukee area technical college district board.

SECTION 2725mg. 118.40 (2r) (b) 3. of the statutes is created to read:

118.40 **(2r)** (b) 3. If the chancellor of the University of Wisconsin−Parkside contracts for the establishment of a charter school, the contract shall also provide that the charter school must be operated by a governing board and that the chancellor or his or her designee must be a member of the governing board. In addition, if the contract provides that the instructional staff of the charter school shall consist of employees of the board of regents of the University of Wisconsin System, the contract shall also include provisions that do all of the following:

a. Delegate to the governing board of the charter school the board of regents' authority to establish and adjust all compensation and fringe benefits of instructional staff, subject to the terms of any collective bargaining agreement under subch. V of ch. 111 that covers the instructional staff. In the absence of a collective bargaining agreement, the governing board may establish and adjust all compensation and fringe benefits of the instructional staff only with the approval of the chancellor of the University of Wisconsin−Parkside.

b. Authorize the governing board of the charter school to perform specified duties for the board of regents with respect to the instructional staff. This authorization may include duties related to supervising the instructional staff, taking disciplinary actions with respect to the instructional staff, recommending new hires or layoffs, collective bargaining, claims, complaints, or benefits and records administration.

SECTION 2725mh. 118.40 (2r) (bm) of the statutes is created to read:

118.40 **(2r)** (bm) The common council of the city of Milwaukee, the chancellor of the University of Wisconsin−Milwaukee, and the Milwaukee area technical college district board may only establish or enter into a contract for the establishment of a charter school located in the school district operating under ch. 119. The chancellor of the University of Wisconsin−Parkside may only establish or enter into a contract for the establishment of a charter school located in a unified school district that is located in the county in which the University of Wisconsin−Parkside is situated or in an adjacent county.

SECTION 2725mi. 118.40 (2r) (c) of the statutes is renumbered 118.40 (2r) (c) 2., and 118.40 (2r) (c) 2. (intro.), as renumbered, is amended to read:

118.40 **(2r)** (c) 2. (intro.) ~~An entity under par. (b) may not establish or enter into a contract for the establishment of a charter school located outside of the school district operating under ch. 119.~~ A pupil ~~residing within the school district operating under ch. 119~~ may attend a charter school established in the school district operating under ch. 119 under this subsection only if one of the following applies:

SECTION 2725mk. 118.40 (2r) (c) 1. of the statutes is created to read:

118.40 **(2r)** (c) 1. Only pupils who reside in the school district in which a charter school established under this subsection is located may attend the charter school.

SECTION 2725mL. 118.40 (2r) (cm) of the statutes is created to read:

118.40 **(2r)** (cm) The chancellor of the University of Wisconsin−Parkside may establish or enter into a contract for the establishment of only one charter school under this subsection, which may not operate high school grades and which may not accommodate more than 400 pupils.

SECTION 2725mn. 118.40 (2r) (e) of the statutes is renumbered 118.40 (2r) (e) 1. and amended to read:

118.40 **(2r)** (e) 1. 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 sum of the amount paid per pupil under this ~~paragraph~~ subdivision 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 2725mp. 118.40 (2r) (e) 2. of the statutes is created to read:

118.40 **(2r)** (e) 2. If the chancellor of the University of Wisconsin−Parkside establishes or contracts for the establishment of a charter school under this subsection, in March the department shall pay to the unified school district in which the charter school is located, from the appropriation under s. 20.255 (2) (fm), an amount equal to the amount of school aid per pupil to which the unified school district is eligible in the current school year multiplied by the number of pupils attending the charter school who were previously enrolled in the unified school district.

SECTION 2725mq. 118.40 (2r) (f) of the statutes is created to read:

118.40 **(2r)** (f) If the chancellor of the University of Wisconsin−Parkside establishes or contracts for the establishment of a charter school under this subsection, biennially the chancellor shall submit a report to the legislature under s. 13.172 (2). The report shall include information on the academic performance of the pupils who attend the charter school and on the success of the governance structure of the charter school.

SECTION 2725t. 118.40 (7) (am) 2. of the statutes is amended to read:

118.40 **(7)** (am) 2. A charter school established under sub. (2r) or a private school located in the school district operating under ch. 119 that is converted to a charter school is not an instrumentality of ~~the~~ any school district ~~operating under ch. 119~~ and ~~the~~ no school board ~~of that school district~~ may ~~not~~ employ any personnel for the charter school. If the chancellor of the University of Wisconsin−Parkside contracts for the establishment of a charter school under sub. (2r), the board of regents of the University of Wisconsin System may employ instructional staff for the charter school.

SECTION 2729. 118.43 (2) (f) of the statutes is repealed.

SECTION 2730. 118.43 (2) (g) of the statutes is created to read:

118.43 **(2)** (g) The department may renew an achievement guarantee contract under pars. (b), (bg), and (br) for one or more terms of 5 school years. As a condition of receiving payments under a renewal of an achievement guarantee contract, a school board shall maintain the reduction of class size achieved during the last school year of the original achievement guarantee contract for the grades specified for the last school year of the contract.

SECTION 2734. 118.43 (6) (b) 7. of the statutes is amended to read:

118.43 **(6)** (b) 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) and by renewals of contracts under sub. (2) (g). 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).

SECTION 2735. 118.43 (6) (b) 8. of the statutes is amended to read:

118.43 **(6)** (b) 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) and by renewals of contracts under sub. (2) (g).

SECTION 2738. 118.51 (3) (a) 2. of the statutes is amended to read:

118.51 **(3)** (a) 2. A nonresident school board may not act on any application received under subd. 1. until after the 3rd Friday following the first Monday in February. If a nonresident school board receives more applications for a particular grade or program than there are spaces available in the grade or program, the nonresident school board shall determine which pupils to accept on a random basis, after giving preference to pupils and to siblings of pupils who are already attending public school in the nonresident school district. If a nonresident school board determines that space is not otherwise available for open

enrollment pupils in the grade or program to which an individual has applied, the school board may nevertheless accept an applicant who is already attending school in the nonresident school district or a sibling of the applicant.

SECTION 2739. 118.51 (4) (a) 3. of the statutes is amended to read:

118.51 **(4)** (a) 3. A statement of the preference required under sub. ~~(5) (c)~~ (3) (a) 2.

SECTION 2740. 118.51 (5) (a) (intro.) of the statutes is amended to read:

118.51 **(5)** (a) *Permissible criteria.* (intro.) Except as provided in ~~par. (c)~~ sub. (3) (a) 2., the criteria for accepting and rejecting applications from nonresident pupils under sub. (3) (a) may include only the following:

SECTION 2741. 118.51 (5) (a) 1. of the statutes is amended to read:

118.51 **(5)** (a) 1. The availability of space in the schools, programs, classes, or grades within the nonresident school district~~, including any~~. In determining the availability of space, the nonresident school board may consider criteria such as class size limits, pupil–teacher ratios, ~~pupils attending the school district for whom tuition is paid under s. 121.78 (1) (a)~~ or enrollment projections established by the nonresident school board and may include in its count of occupied spaces pupils attending the school district for whom tuition is paid under s. 121.78 (1) (a) and pupils and siblings of pupils who have applied under sub. (3) (a) and are already attending public school in the nonresident school district.

SECTION 2742. 118.51 (5) (c) of the statutes is repealed.

SECTION 2744. 118.52 (11) (b) of the statutes is amended to read:

118.52 **(11)** (b) *Low–income assistance.* The parent of a pupil who is attending a course in a public school in a nonresident school district under this section may apply to the department for reimbursement of the costs incurred by the parent for the transportation of the pupil to and from the pupil's residence or school in which the pupil is enrolled and the school at which the pupil is attending the course if the pupil and parent are unable to pay the cost of such transportation. The department shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) ~~(cw)~~ (cy). The department shall give preference under this paragraph to those pupils who are eligible for a free or reduced–price lunch under 42 USC 1758 (b).

Vetoed In Part

SECTION 2744m. 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. 66.0235 (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, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to ~~(26)~~ (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), and (37), 120.14, and 120.25 are applicable to a 1st class city school district and board.

Vetoed In Part

SECTION 2748i. 119.23 (2) (a) 3. of the statutes is amended to read:

119.23 **(2)** (a) 3. The private school notified the state superintendent of its intent to participate in the program under this section by ~~May~~ February 1 of the previous school year. The notice shall specify the number of pupils participating in the program under this section for which the school has space.

SECTION 2749m. 119.23 (4) (bm) of the statutes is created to read:

Vetoed In Part

119.23 **(4)** (bm) A pupil enrolled in a 4–year–old kindergarten program shall be counted under par. (b) as provided in s. 121.004 (7) (c) and (cm).

SECTION 2752r. 119.23 (4m) of the statutes is amended to read:

119.23 **(4m)** ~~Beginning in the 1999–2000 school year, in~~ 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 40% of 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 2760k. 120.08 (1) (a) of the statutes is amended to read:

120.08 **(1)** (a) Common school districts shall hold an annual meeting on the 4th Monday in July at 8 p.m. and union high school districts shall hold an annual meeting on the 3rd Monday in July at 8 p.m. unless the electors at one annual meeting determine to thereafter hold the annual meeting on a different date or hour, or authorize the school board to establish a different date or hour. No annual meeting may be held before May 15 or after ~~September 30~~ October 31. The first school district meeting in a common or union high school district created under s. 117.08, 117.09, or 117.27 shall be considered an annual meeting.

SECTION 2760m. 120.12 (27) of the statutes is created to read:

Vetoed In Part

120.12 **(27)** MINORITY CONTRACTING. If the school board adopts a policy that authorizes preferences or set–asides to minority businesses in the awarding of a public contract, as defined in s. 60.47 (1) (a), ensure that the policy requires that the minority business be certified by the department of commerce under s. 560.036 (2).

SECTION 2760p. 120.14 (3) of the statutes is amended to read:

120.14 **(3)** The annual meeting may authorize and direct an audit of the school district accounts by a ~~licensed~~ certified public accountant licensed or certified under ch. 442.

SECTION 2760r. 120.18 (1) (gm) of the statutes is amended to read:

120.18 **(1)** (gm) Payroll and related benefit costs for all school district employees in the previous school year. Costs for represented employees shall be based upon the costs of any collective bargaining agreements covering such employees for the previous school year. If, as of the time specified by the department for filing the report, the school district has not entered into a collective bargaining agreement for any portion of the previous school year with the recognized or certified representative of any of its employees and the school district and the representative have been required to submit final offers under s. 111.70 (4) (cm) 6., increased costs limited to the lower of the school district's offer or the representative's offer shall be reflected in the report. The school district shall amend the annual report to reflect any change in such costs as a result of any award or settlement under s. 111.70 (4) (cm) 6. between the date of filing the report and October 1. Any such amendment shall be concurred in by the ~~licensed~~ certified public accountant licensed or certified under ch. 442 certifying the school district audit.

SECTION 2761. 121.004 (6) of the statutes is amended to read:

121.004 **(6)** NET COST. The "net cost" of a fund means the gross cost of that fund minus all nonduplicative revenues and other financing sources of that fund except property taxes ~~and~~, general aid, and aid received under s. 79.095 (4). In this subsection, "nonduplicative revenues" includes federal financial assistance under 20 USC 236 to 245, to the extent permitted under federal law and regulations.

Vetoed In Part

SECTION 2761d. 121.004 (7) (c) 1. c. of the statutes is created to read:

121.004 **(7)** (c) 1. c. A pupil enrolled in a 4−year−old kindergarten program who is not a child with a disability, as defined in s. 115.76 (5), shall be counted as 0.3 pupil.

SECTION 2761g. 121.004 (7) (cm) of the statutes is amended to read:

121.004 **(7)** (cm) ~~A~~ Notwithstanding par. (c) (intro.) and 1. c., a pupil enrolled in a 4−year−old kindergarten program that provides the required number of hours of direct pupil instruction under s. 121.02 (1) (f) 2. ~~shall be counted as 0.6 pupil if the program~~ and that annually provides at least 87.5 additional hours of outreach activities shall be counted as 0.4 pupil if the child is not a child with a disability, as defined in s. 115.76 (5), and as 0.6 pupil if the pupil is a child with a disability.

SECTION 2762. 121.007 of the statutes is amended to read:

121.007 Use of state aid; exemption from execution. All moneys paid to a school district under s. 20.255 (2) (ac), (bc), (cg), and (cr) ~~and (q)~~ shall be used by the school district solely for the purposes for which paid. Such moneys are exempt from execution, attachment, garnishment, or other process in favor of creditors, except as to claims for salaries or wages of teachers and other school employees and as to claims for school materials, supplies, fuel, and current repairs.

SECTION 2762d. 121.02 (1) (a) 2. of the statutes is amended to read:

121.02 **(1)** (a) 2. Ensure that all instructional staff of charter schools located in the school district hold a license or permit to teach issued by the department. The state superintendent shall promulgate rules defining "instructional staff" for purposes of this subdivision ~~and s. 118.40 (2r) (d) 1~~.

SECTION 2763m. 121.02 (1) (o) of the statutes is amended to read:

121.02 **(1)** (o) Annually ~~distribute the performance disclosure report under~~ comply with the requirements of s. 115.38 (2). The school board may include additional information in the report under s. 115.38 (2).

Vetoed In Part

SECTION 2764c. 121.05 (1) (a) 8. of the statutes is amended to read:

121.05 **(1)** (a) 8. Pupils enrolled in the school operated by the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing 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 2764L. 121.06 (4) of the statutes is amended to read:

121.06 **(4)** For purposes of computing state aid under s. 121.08, equalized valuations calculated under sub. (1) and certified under sub. (2) shall include the full value of ~~computers~~ property that ~~are~~ is exempt under s. 70.11 (39) and (39m) as determined under s. 79.095 (3).

Vetoed In Part

SECTION 2764m. 121.07 (6) (a) (intro.) of the statutes is amended to read:

121.07 **(6)** (a) (intro.) "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, excludes any expenditures made as a result of the revenue limit increase under s. 121.91 (4) (L), and excludes the costs of transporting those transfer pupils for whom the school district operating under ch. 119 does not receive

Vetoed In Part

intradistrict transfer aid under s. 121.85 (6) as a result of s. 121.85 (6) (am). In this paragraph, "net cost of the debt service fund" includes all of the following amounts:

SECTION 2765z. 121.07 (6) (d) of the statutes is repealed and recreated to read:

121.07 **(6)** (d) The "secondary ceiling cost per member" in the 2001−02 school year and in each school year thereafter is an amount determined by dividing the state total shared cost in the previous school year by the state total membership in the previous school year and multiplying the result by 0.90.

Vetoed In Part

SECTION 2767f. 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 and 121.85 (6) (b) 2. and 3. and (c), 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~~ $115,000,000 in the 2002−03 school year for payments under ss. 121.08, 121.105, 121.85 (6) (a) and (g) and 121.86.

SECTION 2767h. 121.08 (4) (a) 2. of the statutes is amended to read:

121.08 **(4)** (a) 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)~~ (b) had not occurred.

SECTION 2767j. 121.08 (4) (a) 3. of the statutes is amended to read:

121.08 **(4)** (a) 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)~~ (b) had not occurred, by the quotient under subd. 2.

SECTION 2767k. 121.08 (4) (b) of the statutes is amended to read:

121.08 **(4)** (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%~~ 45% of the amounts paid under s. 119.23 (4) and (4m) in the current school year.

SECTION 2767L. 121.08 (4) (c) of the statutes is repealed.

SECTION 2767Lm. 121.08 (4) (d) of the statutes is amended to read:

121.08 **(4)** (d) The state superintendent shall ensure that the total amount of aid reduction under pars. (a) ~~to (c)~~ and (b) lapses to the general fund.

Vetoed In Part

SECTION 2767m. 121.085 of the statutes is created to read:

121.085 Interest on delayed payment. Beginning in 2003, annually on the 3rd Monday in June, from the appropriation under s. 20.255 (2) (am), the department shall pay to each school district an amount equal to the interest that the school district would have earned on its portion of the delayed school aid payment under s. 121.15 (1m) (a) 4. if the school aid payment had been made on the 3rd Monday in June instead of on the 4th Monday in July. Interest shall be calculated using the annualized rate of return on investments in the state investment fund for April.

Vetoed In Part

SECTION 2768. 121.09 (1) of the statutes is amended to read:

121.09 **(1)** If, on or after July 1, 1980, the tax appeals commission or a court makes a final redetermination on the assessment of property subject to taxation under s. 70.995 that is lower than the previous assessment, or if, on or after January 1, 1982, the state board of assessors makes a final redetermination on the assessment of property subject to taxation under s. 70.995 that is lower than the previous assessment, the school board of the school district in which the property is located may, within 4 years after the date of the determination, decision, or judgment, file the determination of the state board of assessors, the decision of the tax appeals commission, or the judgment of the court with the state superintendent, requesting an adjustment in state aid to the school district. If the state superintendent determines that the determination, decision, or judgment is final and that it has been filed within the 4−year period, the state shall pay to the school district in the subsequent fiscal year, from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and (q)~~, an amount equal to the difference between the state aid computed under s. 121.08 for the school year commencing after the year subject to the valuation recertification, using the school district's equalized valuation as originally certified, and the state aid computed under s. 121.08 for that school year using the school district's equalized valuation as recertified under s. 70.57 (2).

SECTION 2769. 121.105 (2) (a) 1. of the statutes is renumbered 121.105 (2) (am) and amended to read:

121.105 **(2)** (am) If a school district would receive less in state aid in the current year before any adjustment is made under s. 121.15 (4) (b) than an amount equal to 85% of the sum of the state aid that it received in the previous school year and the adjustment, if any, made under s. 121.15 (4) (b) in the current 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 2770. 121.105 (2) (a) 2. of the statutes is repealed.

SECTION 2771. 121.105 (2) (a) 3. of the statutes is repealed.

SECTION 2772. 121.105 (3) of the statutes is amended to read:

121.105 **(3)** In the school year in which a school district consolidation takes effect under s. 117.08 or 117.09 and in each of the subsequent 4 school years, the consoli-

dated school district's state aid shall be an amount that is not less than the aggregate state aid received by the consolidating school districts in the school year prior to the school year in which the consolidation takes effect. The additional state aid shall be paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and (q)~~.

SECTION 2776. 121.15 (1m) (a) 1. of the statutes is repealed.

SECTION 2777. 121.15 (1m) (a) 2. of the statutes is repealed.

Vetoed In Part

SECTION 2777g. 121.15 (1m) (a) 4. of the statutes is created to read:

121.15 **(1m)** (a) 4. Beginning in the 2002−03 school year, from the appropriation under s. 20.255 (2) (ac), annually the state shall pay to school districts an amount determined as follows on the 4th Monday in July of the following school year:

a. Subtract the amount transferred to the tax relief fund under s. 16. 518 (4) from the amount calculated by the secretary of administration under s. 16.518 (4).

b. Subtract the remainder under subd. 4. a. from $115,000,000.

SECTION 2777r. 121.15 (1m) (b) of the statutes is amended to read:

121.15 **(1m)** (b) The percentages under subs. (1) (a) and (1g) (a) shall be reduced proportionally to reflect the payments made under par. (a) 3. The percentage for June under subs. (1) (a) and (1g) (a) shall also be reduced to reflect the payment made under par. (a) 4. School districts shall treat the payments made in July under par. (a) as if they had been received in the previous school year.

SECTION 2779. 121.15 (3m) (a) 1. of the statutes is amended to read:

Vetoed In Part

Vetoed In Part

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)~~ (am) and (cv)~~,~~; 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) (L) , 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, 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) (j), less the amount of any revenue limit increase under s. 121.91 (4) (h), less the amount of any property taxes levied for the purpose of s. 120.13 (19), and less an amount equal to 45% of the amount estimated to be paid under s. 119.23 (4) and (4m).

SECTION 2779m. 121.15 (3m) (a) 2. of the statutes is amended to read:

Vetoed In Part

Vetoed In Part

121.15 **(3m)** (a) 2. "State school aids" means those aids appropriated under s. 20.255 (1) (b) and (2), other than s. 20.255 (2) (am), (fm), (fu), (k), (kn), and (m), and under ss. 20.275 (1) (d), (es), (et) and (f) 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. 44.73.

SECTION 2779s. 121.54 (3) of the statutes is amended to read: **Vetoed In Part**

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 school operated by the Wisconsin Center for the Blind and Visually Impaired or the school operated by the Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing 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 2780. 121.79 (1) (d) (intro.) of the statutes is amended to read:

121.79 **(1)** (d) (intro.) For pupils in foster homes, treatment foster homes, or group homes, if the foster home, treatment foster home, or group home is located outside the school district in which the pupil's parent or guardian resides and either of the following applies:

SECTION 2781. 121.79 (1) (d) 1. of the statutes is repealed.

SECTION 2782. 121.79 (1) (d) 3. of the statutes is created to read:

121.79 **(1)** (d) 3. The pupil is a child with a disability, as defined in s. 115.76 (5), and at least 4% of the pupils enrolled in the school district reside in foster homes, treatment foster homes, or group homes that are not exempt under s. 70.11. Notwithstanding s. 121.83 (1) (d), the annual tuition rate for pupils under this subdivision is the special annual tuition rate only, as described in s. 121.83 (1) (c).

SECTION 2783. 121.85 (6) (e) of the statutes is amended to read:

121.85 **(6)** (e) *Sources of aid payments.* State aid under this section shall be paid from the ~~appropriations~~ appropriation under s. 20.255 (2) (ac) ~~and (q)~~.

SECTION 2784. 121.85 (8) of the statutes is amended to read:

121.85 **(8)** TRANSFERRED PUPILS. Pupils transferring schools under this section shall be subject to the same rules and regulations as resident pupils and shall have the responsibilities, privileges, and rights of resident pupils in the school district or attendance area. Subject to this subsection, a pupil transferring schools under either sub. (3) (a) or (b) has the right to complete his or her education

at the elementary, middle, or high school to which he or she transfers so long as full funding therefor is available under s. 20.255 (2) (ac) ~~and (q)~~.

SECTION 2785. 121.85 (9) (c) of the statutes is amended to read:

121.85 **(9)** (c) The obligation under par. (a) to organize planning councils shall apply only with regard to school terms for which full pupil transfer aids are appropriated under s. 20.255 (2) (ac) ~~and (q)~~ and planning council assistance funds are appropriated under s. 20.255 (1) (a).

Vetoed In Part

SECTION 2788m. 121.90 (1) (f) of the statutes is created to read:

121.90 **(1)** (f) In determining a school district's revenue limit for the 2002−03 school year or for any school year thereafter, the department shall calculate the number of pupils enrolled in each school year prior to the 2002−03 school year under s. 121.004 (7) (c) (intro.), s. 121.004 (7) (c) 1. c., as created by 2001 Wisconsin Act .... (this act), and s. 121.004 (7) (cm), as affected by 2001 Wisconsin Act .... (this act).

SECTION 2789. 121.905 (1) of the statutes is amended to read:

121.905 **(1)** In this section, "revenue ceiling" means ~~$6,300~~ $6,700 in the ~~1999−2000~~ 2001−02 school year and in any subsequent school year means ~~$6,500~~ $6,900.

SECTION 2789m. 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 in the previous school year and property taxes levied for the previous school year, excluding property taxes levied for the purpose of s. 120.13 (19) and 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 2791m. 121.91 (2m) (e) 1. of the statutes is amended to read:

121.91 **(2m)** (e) 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 property taxes levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4) (c), by the average of the number of pupils enrolled in the 3 previous school years.

SECTION 2797. 121.91 (4) (dg) of the statutes is created to read:

121.91 **(4)** (dg) Notwithstanding par. (d), if a school district's revenue in the preceding school year was less than the limit under sub. (2m) in the preceding school year, the school district received an increase in aid under s. 121.15 (4) (b) in the current school year, and the increase in aid was less than the amount determined under subd. 2., the limit otherwise applicable to the school district's revenue in the current school year under sub. (2m) is increased by an amount determined as follows:

1. Determine the increase in aid under s. 121.15 (4) (b).

2. Subtract the school district's revenue in the preceding school year from the school district's limit under sub. (2m) in the preceding school year.

3. Subtract from subd. 2. the amount determined under subd. 1. and multiply the remainder by 0.75.

4. Add the results under subds. 1. and 3.

SECTION 2798. 121.91 (4) (dr) of the statutes is created to read:

121.91 **(4)** (dr) Notwithstanding par. (d), if a school district's revenue in the preceding school year was less than the limit under sub. (2m) in the preceding school year, the school district received an increase in aid under s. 121.15 (4) (b) in the current school year, and the increase in aid was equal to or greater than the amount determined under par. (dg) 2., the limit otherwise applicable to the school district's revenue in the current school year under sub. (2m) is increased by the difference between the amount of its revenue in the preceding school year and the amount of the limit in the preceding school year under sub. (2m).

SECTION 2798f. 121.91 (4) (i) of the statutes is created to read:

121.91 **(4)** (i) The limit otherwise applicable to a school district under sub. (2m) in any school year is increased by an amount equal to the amount of property taxes levied for the purpose of s. 120.13 (19) for that school year.

SECTION 2798g. 121.91 (4) (j) of the statutes is created to read:

121.91 **(4)** (j) If a school board implemented an intradistrict pupil transfer program to reduce racial imbalance in the school district after June 30, 1993, but before the effective date of this paragraph .... [revisor inserts date], the limit otherwise applicable to the school district under sub. (2m) in the 2001−02, 2002−03, and 2003−04 school years is increased by an amount equal to one−third of the amount received in the 1994−95 school year under s. 121.85 as a result of implementing the program.

SECTION 2798j. 121.91 (4) (k) of the statutes is created to read:

121.91 **(4)** (k) The limit otherwise applicable under sub. (2m) to a school district that is at least 275 square miles in area and in which the number of pupils enrolled in the 2000−01 school year was less than 450 is increased for the 2001−02 school year by the following amount:

1. If the number of pupils enrolled in the school district declined between the 1996−97 school year and the 2000−01 school year, but the decline was less than 10%, $100,000.

2. If the decline in the number of pupils enrolled between the 1996−97 school year and the 2000−01 school year was at least 10% but not more than 20%, $175,000.

3. If the decline in the number of pupils enrolled between the 1996−97 school year and the 2000−01 school year was more than 20%, $250,000.

Vetoed In Part

SECTION 2798L. 121.91 (4) (L) of the statutes is created to read:

121.91 **(4)** (L) The limit otherwise applicable to a school district under sub. (2m) in any school year is increased by an amount calculated as follows:

1. Multiply the number of pupils who are not children with disabilities, as defined in s. 115.76 (5), and who are enrolled in a 4−year−old kindergarten program in the school district in the current school year, counting each pupil as 1.0 pupil, by 0.2.

2. Multiply the result under subd. 1. by the school district's allowable revenue per pupil in the current school year.

Vetoed In Part

SECTION 2798s. 121.91 (4) (m) of the statutes is created to read:

121.91 **(4)** (m) 1. In this paragraph, "equalized valuation per member" means equalized valuation divided by membership, except as follows:

a. For a school district operating only high school grades, "equalized valuation per member" means equalized valuation divided by the result obtained by multiplying membership by 3.

b. For a school district operating only elementary grades, "equalized valuation per member" means equalized valuation divided by the result obtained by multiplying membership by 1.5.

2. The limit otherwise applicable to a school district under sub. (2m) in any school year is increased by the amount calculated as follows if the school board adopts a resolution approving the increase by a two−thirds vote of the members elect:

a. Multiply the statewide average allowable revenue per member in the previous school year by 0.78%.

b. Divide the statewide average equalized valuation per member by the school district's equalized valuation per member or by $120,000, whichever is greater.

c. Multiply the product under subd. 2. a. by the quotient under subd. 2. b.

d. Multiply the product under subd. 2. c. by the average of the number of pupils enrolled in the school district in the current and the 2 preceding school years.

3. The amount of the revenue limit adjustment approved under subd. 2. shall not be included in the base for determining the school district's revenue limit for the following school year.

SECTION 2799. 121.92 (2) (c) of the statutes is amended to read:

121.92 **(2)** (c) If the amount of the deductions under pars. (a) and (b) is insufficient to cover the excess revenue, order the school board to reduce the property tax obligations of its taxpayers by an amount that represents the remainder of the excess revenue. The school district's refunds to taxpayers who have already paid their taxes shall be increased by interest at the rate of 0.5% per month. If the school board violates the order, any resident of the school district may seek injunctive relief. <u>This paragraph does not apply to property taxes levied for the purpose of paying the principal and interest on valid bonds or notes issued by the school board.</u>

SECTION 2802. 125.06 (8) of the statutes is amended to read:

125.06 **(8)** SALE BY SECURED PARTY. The sale of alcohol beverages by a secured party in good faith under the terms of a security agreement, if the sale is not for the purpose of avoiding this chapter or ch. 139. The sale must be in the ordinary course of the business of lending money secured by a security interest in alcohol beverages or warehouse receipts or other evidence of ownership. <u>A sale of fermented malt beverages must be made within 15 days after the secured party takes possession of the fermented malt beverages unless the secured party demonstrates good cause why a sale in compliance with s. 409.610 (2) or the security agreement cannot be made within this time period.</u>

SECTION 2802m. 125.06 (13) of the statutes is created to read:

125.06 **(13)** WINE SAMPLING ON "CLASS A" PREMISES. (a) The provision of wine taste samples of not more than 3 fluid ounces each, free of charge, by a "Class A" licensee to customers and visitors for consumption on the premises. No "Class A" licensee may provide more than 2 taste samples per day to any one person. This subsection applies only between the hours of 10 a.m. and 6 p.m. Notwithstanding s. 125.07 (1) (a) 1., no "Class A" licensee may provide taste samples under this subsection to any underage person. No "Class A" licensee may provide as taste samples under this subsection wine that the "Class A" licensee did not purchase from a wholesaler.

(b) Notwithstanding par. (a) and s. 125.10 (1), a municipality may prohibit the provision of wine under this subsection.

SECTION 2804. 125.17 (6) (a) (intro.) of the statutes is amended to read:

125.17 **(6)** (a) (intro.) Except as provided in par. (b), no municipal governing body may issue an operator's license unless the applicant has successfully completed a responsible beverage server training course at any location that is offered by a technical college district and that conforms to curriculum guidelines specified by the technical college system board or a comparable training course<u>, which may include computer−based training and testing,</u> that is approved by the department or the educational approval board, or unless the applicant fulfills one of the following requirements:

SECTION 2805g. 125.31 (1) (a) 2. of the statutes is amended to read:

125.31 **(1)** (a) 2. Notwithstanding ss. 125.29 (2) and 125.33 (1), a brewer may maintain and operate one place on brewery premises and one place on real estate owned by the brewer or a subsidiary or affiliate corporation or limited liability company for the sale of fermented malt beverages for which a Class "B" license is required for each place, but, except as provided in ~~subd.~~ subds. 3. and 4., not more than 2 such Class "B" licenses shall be issued to any brewer.

SECTION 2805h. 125.31 (1) (a) 4. of the statutes is created to read:

125.31 **(1)** (a) 4. Notwithstanding ss. 125.29 (2) and 125.33 (1), in addition to places authorized under subd. 2., a brewer may possess or hold an indirect interest in a Class "B" license for not more than 20 restaurants in each of which the sale of alcohol beverages accounts for less than 60% of the restaurant's gross receipts if no fermented malt beverages manufactured by the brewer are offered for sale in any of these restaurants. No brewer may possess Class "B" licenses under both this subdivision and subd. 3.

SECTION 2806. 125.33 (2) (a) of the statutes is amended to read:

125.33 **(2)** (a) Give to any campus or Class "B" licensee or permittee, at any given time, for placement inside the premises, signs, clocks, or menu boards with an aggregate value of not more than ~~$150~~ $2,500. If a gift of any item would cause the ~~$150~~ $2,500 limit to be exceeded, the recipient shall pay the brewer or wholesaler the amount of the item's value in excess of ~~$150~~ $2,500. Each recipient shall keep an invoice or credit memo containing the name of the donor and the number and value of items received under this paragraph. The value of an item is its cost to the donor. Each recipient shall make the records kept under this paragraph available to the department for inspection upon request.

SECTION 2807. 125.33 (2) (b) 2. of the statutes is amended to read:

125.33 **(2)** (b) 2. Signs made from paper ~~or~~, cardboard, plastic, vinyl, or other like material for placement inside the premises, notwithstanding the aggregate value limitation of par. (a).

SECTION 2808. 125.33 (2) (L) of the statutes is renumbered 125.33 (2) (L) 1.

SECTION 2809. 125.33 (2) (L) 2. of the statutes is created to read:

125.33 **(2)** (L) 2. Purchase advertising from a person who does not hold a license under this chapter and who conducts national or regional sweepstakes, contests, or promotions on the premises of Class "B" licensees or permittees that sell the brewer's or wholesaler's products. The person may promote an event or activity in connection with a sweepstakes, contest, or promotion, including promoting the location of the event or activity, if the Class "B" licensee or permittee on whose premises the event or activity will occur does not receive money for hosting the event or activity and, except as provided in subd. 4., if the advertising for the event or activity identifies at least 4 unaffiliated Class "B" licensees or permittees.

SECTION 2810. 125.33 (2) (L) 3. of the statutes is created to read:

125.33 **(2)** (L) 3. Conduct national or regional sweepstakes, contests, or promotions on the premises of Class "B" licensees or permittees that sell the brewer's or wholesaler's products. The brewer or wholesaler may promote an event or activity in connection with a sweepstakes, contest, or promotion, including promoting the location of the event or activity, if the Class "B" licensee or permittee on whose premises the event or activity will occur does not receive money for hosting the event or activity and, except as provided in subd. 4., if the advertising for the event or activity identifies at least 4 unaffiliated Class "B" licensees or permittees.

SECTION 2810m. 125.33 (2) (L) 4. of the statutes is created to read:

125.33 **(2)** (L) 4. A brewer that manufactures less than 30,000 barrels of fermented malt beverages annually may purchase advertising under subd. 2, and may promote sweepstakes, contests, or promotions through advertising under subd. 3., if the advertising identifies at least one Class "B" licensee or permittee.

SECTION 2811. 125.33 (2) (n) 2. of the statutes is amended to read:

125.33 **(2)** (n) 2. Notwithstanding subd. 1., no brewer or wholesaler may provide business entertainment to a Class "B" licensee or permittee under subd. 1. in one day that has a value exceeding ~~$75~~ $500, and no brewer or wholesaler may provide business entertainment to a Class "B" licensee or permittee under subd. 1. on more than 8 days in any calendar year.

SECTION 2812. 125.33 (2s) of the statutes is amended to read:

125.33 **(2s)** EXCEPTION FOR RETAIL TRADE ASSOCIATION CONTRIBUTIONS. Notwithstanding the prohibitions in sub. (1), a brewer ~~that produces 350,000 or more barrels of fermented malt beverages annually~~ or wholesaler may contribute money or other things of value to a bona fide national ~~or~~, statewide, or local trade association which derives its principle income from membership dues of Class "B" licensees.

SECTION 2812g. 125.33 (7m) of the statutes is created to read:

125.33 **(7m)** CONDITIONAL PURCHASES. No Class "A" or Class "B" licensee may condition the purchase of fermented malt beverages from a brewer or wholesaler upon the furnishing by the brewer or wholesaler of any thing of value, other than the products purchased, to the licensee or to any person for the use, benefit, or relief of the licensee.

SECTION 2812se. 125.51 (4) (br) 1. e. of the statutes is amended to read:

125.51 **(4)** (br) 1. e. Add one license per each increase of 500 population ~~or fraction thereof~~ to the population recorded under par. (bm).

SECTION 2812sf. 125.51 (4) (br) 1. f. of the statutes is created to read:

125.51 **(4)** (br) 1. f. Add one license if the municipality had issued a license under s. 125.51 (4) (br) 1. e., 1999 stats., based on a fraction of 500 population, but a municipality's quota is only increased under this subd. 1. f. as long as the total number of licenses issued by the municipality equals the maximum number of licenses authorized, including under this subd. 1. f.

SECTION 2812sg. 125.51 (4) (br) 2. of the statutes is amended to read:

125.51 **(4)** (br) 2. Notwithstanding subd. 1., if the difference between the number of licenses determined under par. (b) 1g. and under par. (bm) 1. is 3 or fewer, the number of reserve "Class B" licenses authorized to be issued by that municipality is the difference between the number of licenses determined under par. (b) 1g. and under par. (bm) 1., plus one per each increase of 500 population ~~or fraction thereof~~ to the population recorded under par. (bm), plus one if the municipality had issued a license under s. 125.51 (4) (br) 2., 1999 stats., based on a fraction of 500 population but only as long as the total number of licenses issued by the municipality equals the maximum number of licenses authorized.

SECTION 2812t. 125.52 (8) of the statutes is created to read:

125.52 **(8)** SALES TO INDIVIDUALS IN OTHER STATES. A permittee under this section that ships wine from this state to individuals in another state under authorization of a reciprocal agreement specified in s. 139.035 shall submit a report to the department, by January 31 of each year, on forms furnished by the department. The report shall include the identity, quantity, and price of all products shipped during the previous calendar year from this state to individuals in another state under authorization of a reciprocal agreement specified in s. 139.035. The report shall also include the name, address, and birthdate of each person who purchased these products and each person to whom these products were shipped. The department shall keep confidential, in the same manner required for tax returns under s. 71.78 (1), (4), and (5) to (8), reports submitted under this subsection.

SECTION 2812u. 125.53 (3) of the statutes is created to read:

125.53 **(3)** A permittee under this section that ships wine from this state to individuals in another state under authorization of a reciprocal agreement specified in s. 139.035 shall submit a report to the department, by January 31 of each year, on forms furnished by the department. The report shall include the identity, quantity, and price of all products shipped during the previous calendar year from this state to individuals in another state under authorization of a reciprocal agreement specified in s. 139.035. The report shall also include the name, address, and birthdate of each person who purchased these products and each person to whom these products were shipped. The department shall keep confidential, in the same manner required for tax returns under s. 71.78 (1), (4), and (5) to (8), reports submitted under this subsection.

SECTION 2812v. 125.58 (4) of the statutes is renumbered 125.48 (4) (a) (intro.) and amended to read:

125.58 **(4)** (a) (intro.) A winery located outside of this state may ship wine into this state as provided under s. 125.68 (10) (bm) if ~~the~~ all of the following apply:

1. The winery is located in a state ~~which~~ that has a reciprocal agreement with this state under s. 139.035.

(b) An out−of−state shipper's permit is not required for shipments into this state under this subsection.

SECTION 2812w. 125.58 (4) (a) 2. of the statutes is created to read:

125.58 **(4)** (a) 2. The winery holds a valid business tax registration certificate issued under s. 73.03 (50). Notwithstanding s. 73.03 (50), the department shall charge an annual fee of $10 for this registration.

SECTION 2812wg. 125.58 (4) (a) 3. of the statutes is created to read:

125.58 **(4)** (a) 3. The winery submits to the department, with any initial application or renewal for a certificate under s. 73.03 (50), a copy of any current license, permit, or authorization issued to the winery by any state from which the winery will ship wine into this state.

SECTION 2812wm. 125.58 (4) (a) 4. of the statutes is created to read:

125.58 **(4)** (a) 4. The winery submits a report to the department, by January 31 of each year, on forms furnished by the department, providing the identity, quantity, and price of all products shipped into this state during the previous calendar year, along with the name, address, and birthdate of each person who purchased these products and each person to whom these products were shipped. The department shall keep confidential, in the same manner required for tax returns under s. 71.78 (1), (4), and (5) to (8), reports submitted under this subdivision.

SECTION 2812x. 125.68 (10) (bm) of the statutes is amended to read:

125.68 **(10)** (bm) A winery in compliance with the requirements of s. 125.58 (4) may ship wine into this state under s. 125.58 (4) from a state ~~which~~ that has a reciprocal agreement with this state under s. 139.035 to an individual who is of the legal drinking age and who acknowledges in writing receipt of the wine shipped if the shipping container is clearly labeled to indicate that the package may not be delivered to an underage person or to an intoxicated person. A person who receives wine under this paragraph may not sell it or use it for a com-

mercial purpose. A signature on the delivery form of the common carrier by a person of legal drinking age acknowledges delivery in writing.

SECTION 2813. Chapter 126 of the statutes is created to read:

CHAPTER 126
AGRICULTURAL PRODUCER SECURITY
SUBCHAPTER I
GENERAL

126.01 General definitions. In this chapter:

(1) "Affiliate" means any of the following persons:

(a) An owner, major stockholder, partner, officer, director, member, employee, or agent of a contractor.

(b) A person owned, controlled, or operated by a person under par. (a).

(2) "Asset" means anything of value owned by a person.

(3) "Audited financial statement" means a financial statement on which an independent certified public accountant licensed or certified under ch. 442 has done all of the following:

(a) Stated that the financial statement presents fairly, in all material respects, the financial position of a contractor as of a specific date or for a specific period, according to one of the following:

1. Generally accepted accounting principles.

2. The historical cost basis method of accounting, if the financial statement is a sole proprietor's personal financial statement and the financial statement is prepared on a historical cost basis.

(b) Conducted an audit according to generally accepted auditing standards.

(4) "Balance sheet" means a statement of assets, liabilities, and equity on a specific date.

(5) "Contractor," unless otherwise qualified, means any of the following:

(a) A grain dealer, as defined in s. 126.10 (9).

(b) A grain warehouse keeper, as defined in s. 126.25 (9).

(c) A milk contractor, as defined in s. 126.40 (8).

(d) A vegetable contractor, as defined in s. 126.55 (14).

(6) "Current assets" means cash and other assets, including trade or investment items, that may be readily converted into cash in the ordinary course of business within one year after the date as of which the value of those assets is determined.

(7) "Current liabilities" means those liabilities that are due within one year after the date as of which the value of those liabilities is determined.

(8) "Department" means the department of agriculture, trade and consumer protection.

(9) "Equity" means the value of assets less the value of liabilities.

(10) "Equity statement" means a report of the change in equity from the beginning to the end of the accounting period covered by the report.

(11) "Fund" means the agricultural producer security fund established under s. 25.463.

(12) "Generally accepted accounting principles" means the accounting standards adopted by the Financial Accounting Standards Board, except that for a business entity organized and operating outside the United States "generally accepted accounting principles" includes generally accepted foreign accounting standards that are substantially equivalent to standards adopted by the Financial Accounting Standards Board.

(13) "Grain" means corn, wheat, soybeans, oats, barley, rye, buckwheat, sorghum, flax seed, milo, sunflower seed, and mixed grain, as defined in 7 CFR 810.801, except that "grain" does not include any of the following:

(a) Sweet corn or other canning crops for processing.

(b) Seed corn, wheat, soybeans, oats, barley, rye, buckwheat, sorghum, flax seed, milo, sunflower seed, or mixed grain used or intended for use solely for planting purposes.

(c) Corn, wheat, soybeans, oats, barley, rye, buckwheat, sorghum, flax seed, milo, sunflower seed, or mixed grain that has been rolled, cracked, roasted, or otherwise processed.

(14) "Income statement" means a report of the financial results of business operations for a specific period.

(15) "Individual" means a natural person.

(16) "Interim financial statement" means a statement of financial condition prepared for a period shorter than a fiscal year.

(17) "Milk" has the meaning given in s. 97.22 (1) (e).

(18) "Person," notwithstanding s. 990.01 (26), means an individual, corporation, cooperative, partnership, limited liability company, trust, state agency, as defined in s. 20.001 (1), local governmental unit, as defined in s. 66.0131 (1) (a), or other legal entity.

(19) "Producer," unless otherwise qualified, means a grain producer, as defined in s. 126.10 (10), milk producer, as defined in s. 126.40 (10), or vegetable producer, as defined in s. 126.55 (16).

(20) "Reviewed financial statement" means a contractor's financial statement, other than an audited financial statement, if all of the following apply:

(a) The contractor attests in writing, under oath, that the financial statement is complete and accurate.

(b) The financial statement is reviewed by an independent certified public accountant licensed or certified under ch. 442.

(21) "Security" means security filed or maintained under s. 126.16, 126.31, 126.47, or 126.61.

(22) "Sole proprietor" means a contractor who is an individual.

(23) "Statement of cash flows" means a report of cash receipts and cash disbursements from operating, investing, and financing activities, including an explanation of changes in cash and cash equivalents for the accounting period covered by the report.

(24) "Vegetable" means any vegetable that is grown or sold for use in food processing, whether or not the vegetable is actually processed as food. "Vegetable" includes green beans, kidney beans, lima beans, romano beans, wax beans, beets, cabbage, carrots, celery, cucumbers, onions, peas, potatoes, spinach, squash, and sweet corn, but does not include grain.

SUBCHAPTER II
AGRICULTURAL PRODUCER
SECURITY FUND

126.05 Agricultural producer security fund. (1) The fund is a public trust and shall be administered to secure payments to producers. Moneys deposited into the fund may be used only for the purposes of this chapter.

(2) The department shall deposit into the fund all fees, surcharges, assessments, reimbursements, and proceeds of surety bonds that the department collects under this chapter. The department shall keep a record by contractor and industry, of all deposits.

126.06 Industry bonds. (1) DEPARTMENT TO ACQUIRE BONDS. Using moneys appropriated under s. 20.115 (1) (v), the department shall acquire and maintain all of the following surety bonds:

(a) A surety bond that takes effect on May 1, 2002, to secure payment under s. 126.72 (2) of claims against contributing milk contractors, as defined in s. 126.40 (1).

(b) A surety bond that takes effect on September 1, 2002, to secure payment under s. 126.72 (2) of claims against contributing grain dealers, as defined in s. 126.10 (3), and contributing grain warehouse keepers, as defined in s. 126.25 (2).

(c) A surety bond that takes effect on February 1, 2002, to secure payment under s. 126.72 (2) of claims against contributing vegetable contractors, as defined in s. 126.55 (4).

(2) BOND TERMS. The department shall ensure all of the following:

(a) That the amount of each bond under sub. (1) is at least $5,000,000 but not more than $20,000,000.

(b) That the amount of each bond under sub. (1) renews annually.

(c) That each bond under sub. (1) is payable to the department for the benefit of the appropriate claimants under sub. (1).

(d) That each bond under sub. (1) is issued by a person who is authorized to operate a surety business in this state.

(dm) That no surety issues more than one of the 3 bonds under sub. (1).

(e) That no bond issued under sub. (1) may be canceled or modified unless one of the following applies:

1. The department agrees to the cancellation or modification.

2. The department receives written notice from the issuer in person or by certified mail at least one year before the proposed cancellation or modification.

(f) That the issuer of each bond under sub. (1) issues the bond in a form, and subject to any terms and conditions, that the department considers appropriate.

(3) BOND PROCUREMENT. The department shall procure the surety bonds under sub. (1) according to the procedures provided in subch. IV of ch. 16.

126.07 Blanket bond. (1) DEPARTMENT TO ACQUIRE BOND. Using moneys appropriated under s. 20.115 (1) (v), the department shall acquire and maintain a surety bond, that takes effect on February 1, 2002, to secure payment under s. 126.72 (3) of claims against contributing contractors, as defined in s. 126.68 (1).

(2) BOND TERMS. The department shall ensure all of the following:

(a) That the amount of the bond under sub. (1) is at least $20,000,000 but not more than $40,000,000.

(b) That the amount of the bond under sub. (1) renews annually.

(c) That the bond under sub. (1) is payable to the department for the benefit of claimants described in sub. (1).

(d) That the bond under sub. (1) is jointly issued by at least 3 persons acting as cosureties on the bond and that each of the persons is authorized to operate a surety business in this state.

(e) That no issuer of the bond under sub. (1) may cancel or modify the bond, or withdraw as a cosurety, unless one of the following applies:

1. The department agrees to the cancellation, modification, or withdrawal.

2. The department receives written notice from the issuer that is delivered in person or by certified mail and is received at least one year before the proposed cancellation, modification, or withdrawal.

(f) That the issuers of the bond under sub. (1) issue the bond in a form, and subject to any terms and conditions, that the department considers appropriate.

(3) BOND PROCUREMENT. The department shall procure the surety bond under sub. (1) according to the procedures provided in subch. IV of ch. 16.

126.08 Start−up loan to fund; repayment. On January 1, 2002, $2,000,000 is transferred as a loan from the agrichemical management fund, to the agricultural producer security fund. The department shall repay this loan principal, plus interest compounded at 5% annually, from the agricultural producer security fund by July 1, 2006. The department shall transfer at least $250,000 from the agricultural producer security fund to the agrichemical management fund on July 1 of each year, beginning on July 1, 2003. The department may accelerate the loan repayment, at its discretion.

SUBCHAPTER III
GRAIN DEALERS

126.10 Definitions. In this subchapter:

(1) "Cash on delivery" means full cash payment for grain when the grain dealer takes custody or control of the grain.

(2) "Cash payment" means payment in any of the following forms:

(a) Currency.

(b) A cashier's check or a check that a bank issues and certifies.

(c) A wire transfer.

(d) Simultaneous barter.

(3) "Contributing grain dealer" means a grain dealer who is licensed under s. 126.11, who either has paid one or more quarterly installments under s. 126.15 (7) or is required to contribute to the fund, but the first quarterly installment under s. 126.15 (7) is not yet due, and who is not disqualified from the fund under s. 126.14 (2).

(4) "Current ratio" means the ratio of the value of current assets to the value of current liabilities, calculated according to s. 126.13 (6) (c) 1.

(5) "Debt to equity ratio" means the ratio of the value of liabilities to equity, calculated according to s. 126.13 (6) (c) 2.

(6) "Deferred payment contract" means a contract for the procurement of grain under which a grain dealer takes custody or control of producer grain more than 7 days before paying for the grain in full. "Deferred payment contract" includes a deferred price contract.

(7) "Deferred price contract" means a contract for the procurement of grain under which a grain dealer takes custody or control of producer grain more than 7 days before the price of that grain must be determined under the contract.

(8) "Disqualified grain dealer" means a grain dealer who is disqualified from the fund under s. 126.14 (2).

(9) "Grain dealer" means a person who buys producer grain or who markets producer grain as a producer agent. "Grain dealer" does not include any of the following:

(a) A person who merely brokers a contract between a grain producer and a grain dealer without becoming a party to the contract, taking control of grain, or accepting payment on behalf of the grain producer.

(b) A person who merely buys or sells grain on a board of trade or commodity exchange.

(10) "Grain producer" means a person who grows grain.

(10m) "License year" means the period beginning on September 1 and ending on the following August 31.

(11) "Procure grain" means to buy grain or acquire the right to market grain.

(12) "Procure producer grain in this state" means any of the following:

(a) To buy producer grain for receipt in this state.

(b) To acquire the right to market producer grain grown in this state.

(13) "Producer agent" means a person who acts on behalf of a grain producer to market or accept payment for the grain producer's grain without taking title to that grain, including a person who uses a producer trust fund to market or accept payment for producer grain. "Producer agent" does not include any of the following:

(a) A person who merely brokers a contract between a grain producer and a grain dealer, without becoming a party to the contract, taking control of grain, or accepting payment on behalf of the grain producer.

(b) A person who merely holds or transports grain for a grain producer without marketing the grain or accepting payment on behalf of the grain producer.

(14) "Producer grain" means grain that is owned by or held in trust for one or more grain producers. "Producer grain" includes grain that a producer agent markets for a grain producer, without taking title to the grain.

126.11 Grain dealers; licensing. (1) LICENSE REQUIRED. Except as provided in sub. (2), no grain dealer may procure producer grain in this state without a current annual license from the department.

(2) EXEMPT GRAIN DEALERS. The following grain dealers are not required to hold a license under this section, but may volunteer to be licensed:

(a) A grain dealer who pays cash on delivery for all producer grain.

(b) A grain dealer who buys producer grain solely for the grain dealer's own use as feed or seed and who spends less than $400,000 per license year for that grain.

(2m) LICENSE TERMS. A license under this section expires on the August 31 following its issuance. No person may transfer or assign a license issued under this section.

(3) LICENSE APPLICATION. A grain dealer shall apply for an annual license under this section in writing, on a form provided by the department. An applicant shall provide all of the following:

(a) The applicant's legal name and any trade name under which the applicant proposes to operate as a grain dealer.

(b) A statement of whether the applicant is an individual, corporation, partnership, cooperative, limited liability company, trust, or other legal entity. If the applicant is a corporation or cooperative, the applicant shall identify each officer of the corporation or cooperative. If the applicant is a partnership, the applicant shall identify each partner.

(c) The mailing address of the applicant's primary business location and the name of a responsible individual who may be contacted at that location.

(d) The street address of each business location from which the applicant operates in this state as a grain dealer and the name of a responsible individual who may be contacted at each location that is staffed.

(e) All license fees and surcharges required under sub. (4).

(f) The sworn and notarized statement required under sub. (9).

(g) A financial statement if required under s. 126.13 (1) and not yet filed.

(h) Other relevant information required by the department.

(4) LICENSE FEES AND SURCHARGES. A grain dealer applying for an annual license under this section shall pay the following fees and surcharges, unless the department specifies a different fee or surcharge amount by rule:

(a) A nonrefundable license processing fee of $25.

(b) The following license fees based on the grain dealer's reported grain payments under sub. (9) (a), less any credit provided under sub. (6):

1. A fee of $500, plus $225 per business location in excess of one business location, if the amount under sub. (9) (a) is at least $500,000.

2. A fee of $200 if the amount under sub. (9) (a) is at least $50,000 but less than $500,000.

3. A fee of $50 if the amount under sub. (9) (a) is less than $50,000.

(c) A license fee of $45 for each truck, in excess of one truck, that the grain dealer uses to haul grain in this state.

(d) A license surcharge of $425 if the grain dealer files a financial statement under s. 126.13 (1) that is not an audited financial statement.

(e) A license surcharge of $500 if the department determines that, within 365 days before submitting the license application, the applicant operated as a grain dealer without a license in violation of sub. (1). The applicant shall also pay any license fees, license surcharges, and fund assessments that are still due for any license year in which the applicant violated sub. (1).

(f) A license surcharge of $100 if during the preceding 12 months the applicant failed to file an annual financial statement required under s. 126.13 (1) (b) by the deadline specified in s. 126.13 (1) (c).

(g) A license surcharge of $100 if a renewal applicant fails to renew a license by the license expiration date of August 31. This paragraph does not apply to a grain dealer who is exempt under sub. (2) and is voluntarily licensed.

(4m) EFFECT OF PAYMENT OF SURCHARGE. Payment under sub. (4) (e) does not relieve the applicant of any other civil or criminal liability that results from the violation of sub. (1), but does not constitute evidence of any law violation.

(5) LICENSE FOR PART OF YEAR; FEES. A person who applies for an annual grain dealer license after the beginning of a license year shall pay the full annual fee amounts required under sub. (4).

(6) FEE CREDITS. If the balance in the fund contributed by grain dealers exceeds $2,000,000 on June 30 of any license year, the department shall credit 50% of the excess amount against fees charged under sub. (4) (b) to contributing grain dealers who file timely license renewal applications for the next license year. The department shall credit each contributing grain dealer on a prorated basis, in proportion to the total fees that the grain dealer paid under sub. (4) (b) for the 4 preceding license years.

(7) FEE STATEMENT. The department shall provide, with each license application form, a written statement of all license fees and surcharges required under sub. (4) or the formula for determining them. The department shall specify any fee credit for which the applicant may qualify under sub. (6).

(8) NO LICENSE WITHOUT FULL PAYMENT. The department may not issue an annual license under sub. (1) until the applicant pays all license fees and surcharges identified in the department's statement under sub. (7). The department shall refund a fee or surcharge paid under protest if upon review the department determines that the fee or surcharge is not applicable.

(9) SWORN AND NOTARIZED STATEMENT. As part of a license application under sub. (3), an applicant shall provide a sworn and notarized statement, signed by the applicant or an officer of the applicant, that reports all of the following:

(a) The total amount that the applicant paid, during the applicant's last completed fiscal year, for producer grain procured in this state. If the applicant has not yet operated as a grain dealer in this state, the applicant shall estimate the amount that the applicant will pay during the applicant's first complete fiscal year for producer grain procured in this state.

(b) The amount of the payments under par. (a) made under deferred payment contracts.

(c) Whether the applicant has had any obligations under deferred payment contracts, for grain procured in this state, at any time since the beginning of the applicant's last completed fiscal year.

(10) ACTION GRANTING OR DENYING APPLICATION. The department shall grant or deny an application under sub. (3) within 30 days after the department receives a complete application. If the department denies a license application, the department shall give the applicant a written notice stating the reason for the denial.

(11) LICENSE DISPLAYED. A grain dealer licensed under sub. (1) shall prominently display a copy of that license at the following locations:

(a) On each truck that the grain dealer uses to haul grain in this state.

(b) At each business location from which the grain dealer operates in this state.

126.12 Grain dealers; insurance. (1) FIRE AND EXTENDED COVERAGE INSURANCE. A grain dealer licensed, or required to be licensed, under s. 126.11 shall maintain fire and extended coverage insurance, issued by

an insurance company authorized to do business in this state, that covers all grain in the custody of the grain dealer, whether owned by the grain dealer or held for others, at the full local market value of the grain.

(2) INSURANCE CANCELLATION; REPLACEMENT. Whenever an insurance policy under sub. (1) is canceled, the grain dealer shall replace the policy so that there is no lapse in coverage.

(3) INSURANCE COVERAGE; MISREPRESENTATION. No grain dealer may misrepresent any of the following to the department or to any grain producer or producer agent:

(a) That the grain dealer is insured.

(b) The nature, coverage, or material terms of the grain dealer's insurance policy.

126.13 Grain dealers; financial statements. (1) REQUIRED ANNUAL FINANCIAL STATEMENT. (a) A grain dealer shall file an annual financial statement with the department, before the department first licenses the grain dealer under s. 126.11, if the grain dealer's license application reports any of the following:

1. More than $500,000 in grain payments under s. 126.11 (9) (a).

2. Any deferred payment contract obligations under s. 126.11 (9) (c).

(b) A grain dealer licensed under s. 126.11 shall file an annual financial statement with the department during each license year if the grain dealer's license application for that year reports any of the following:

1. More than $500,000 in grain payments under s. 126.11 (9) (a) unless the grain dealer is a contributing grain dealer who procures producer grain in this state solely as a producer agent.

2. Any deferred payment contract obligations under s. 126.11 (9) (c).

(c) A grain dealer shall file an annual financial statement under par. (b) by the 15th day of the 4th month following the close of the grain dealer's fiscal year, except that the department may extend the filing deadline for up to 30 days if the grain dealer, or the accountant reviewing or auditing the financial statement, files a written extension request at least 10 days before the filing deadline.

(d) A grain dealer licensed under s. 126.11 may not incur any obligations under deferred payment contracts for grain procured in this state unless the contractor first notifies the department and files an annual financial statement with the department.

(2) VOLUNTARY ANNUAL FINANCIAL STATEMENT. A contributing grain dealer who is not required to file a financial statement under sub. (1) may file an annual financial statement with the department to qualify for a lower fund assessment under s. 126.15.

(3) REVIEWED OR AUDITED FINANCIAL STATEMENT. (a) A grain dealer filing an annual financial statement under sub. (1) or (2) shall file an audited financial statement if any of the following applies:

1. The grain dealer's license application reports more than $3,000,000 in payments under s. 126.11 (9) (a).

2. The grain dealer's last 2 license applications report more than $2,000,000 in payments under s. 126.11 (9) (a).

(b) If par. (a) does not apply, a grain dealer filing an annual financial statement under sub. (1) or (2) shall file either a reviewed financial statement or an audited financial statement.

(4) ACCOUNTING PERIOD. A grain dealer filing an annual financial statement under sub. (1) or (2) shall file a financial statement that covers the grain dealer's last completed fiscal year unless the grain dealer has been in business for less than one year.

(4m) INTERIM FINANCIAL STATEMENT. The department may, at any time, require a grain dealer licensed under s. 126.11 to file an interim financial statement with the department. The grain dealer shall provide, with the interim financial statement, the grain dealer's sworn and notarized statement that the financial statement is correct. An interim financial statement need not be a reviewed financial statement or an audited financial statement.

(5) GENERALLY ACCEPTED ACCOUNTING PRINCIPLES. (a) Except as provided in par. (b), a grain dealer filing an annual financial statement under this section shall file a financial statement that is prepared according to generally accepted accounting principles.

(b) If a grain dealer is a sole proprietor and the grain dealer's financial statement is not audited, the grain dealer shall file a financial statement that is prepared on a historical cost basis.

(6) FINANCIAL STATEMENT CONTENTS. (a) Except as provided in par. (b), a grain dealer filing a financial statement under this section shall file a financial statement that consists of a balance sheet, income statement, equity statement, statement of cash flows, notes to those statements, and any other information required by the department. If the grain dealer is a sole proprietor, the grain dealer shall file his or her business and personal financial statements. A grain dealer shall disclose on the grain dealer's financial statement, separately and clearly, the grain dealer's unpaid obligations to grain producers and producer agents.

(b) If a grain dealer has been in business for less than one year, the grain dealer may file an annual financial statement under sub. (1) or (2) consisting of a balance sheet and notes.

(c) A grain dealer filing a financial statement under this section shall include in the financial statement, or in an attachment to the financial statement, calculations of all of the following:

1. The grain dealer's current ratio, excluding any assets required to be excluded under sub. (7).

2. The grain dealer's debt to equity ratio, excluding any assets required to be excluded under sub. (7).

(7) ASSETS EXCLUDED. A grain dealer may not include any of the following assets in the calculations under sub. (6) (c) unless the department specifically approves their inclusion:

(a) A nontrade note or account receivable from an officer, director, employee, partner, or stockholder, or from a member of the family of any of those individuals, unless the note or account receivable is secured by a first priority security interest in real or personal property.

(b) A note or account receivable from a parent organization, a subsidiary, or an affiliate, other than an employee.

(c) A note or account that has been receivable for more than one year, unless the grain dealer has established an offsetting reserve for uncollectible notes and accounts receivable.

(9) ENTITY COVERED. A person filing a financial statement under this section may not file, in lieu of that person's financial statement, the financial statement of the person's parent organization, subsidiary, predecessor, or successor.

(10) DEPARTMENT REVIEW. The department may analyze a financial statement submitted under this section and may reject a financial statement that fails to comply with this section.

126.14 Contributing grain dealers; disqualification. (1) CONTRIBUTION REQUIRED. A grain dealer who is required to be licensed under s. 126.11 (1) shall pay fund assessments under s. 126.15 unless the grain dealer is disqualified under sub. (2). A grain dealer who is voluntarily licensed under s. 126.11 may pay voluntary assessments under s. 126.15, unless the grain dealer is disqualified under sub. (2).

(2) DISQUALIFIED GRAIN DEALER. (a) A grain dealer who is required to file security under s. 126.16 (1) (a) is disqualified from the fund until the department determines that one of the conditions in s. 126.16 (8) (a) 1. and 2. is satisfied.

(b) A grain dealer is disqualified from the fund, and required to pay cash on delivery for producer grain, if any of the following occurs:

1. The department denies, suspends, or revokes the grain dealer's license.

2. The department issues a written notice disqualifying the grain dealer for cause, including failure to pay fund assessments under s. 126.15 when due or failure to file a financial statement under s. 126.13 when due.

3. The grain dealer fails to reimburse the department, within 60 days after the department issues a reimbursement demand under s. 126.73 (1), for the full amount that the department pays to claimants under s. 126.72 (1) because of that grain dealer's default.

4. The grain dealer fails to reimburse a bond surety, within 60 days after the bond surety issues a reimbursement demand under s. 126.73 (2), for the full amount that the surety pays to the department under s. 126.72 (2) or (3) for the benefit of claimants affected by that grain dealer's default.

(3) PAYMENTS BY DISQUALIFIED GRAIN DEALER. (a) The department may not return to a disqualified grain dealer any fund assessments that the grain dealer paid as a contributing grain dealer.

(b) A disqualified grain dealer remains liable for any unpaid fund installment under s. 126.15 that became due while the grain dealer was a contributing grain dealer. A disqualified grain dealer is not liable for any fund installment that becomes due after the grain dealer is disqualified under sub. (2).

126.15 Contributing grain dealers; fund assessments. (1) GENERAL. A contributing grain dealer shall pay an annual fund assessment for each license year. The assessment equals $20 or the sum of the following, whichever is greater, unless the department by rule specifies a different assessment:

(a) The grain dealer's current ratio assessment. The current ratio assessment for a license year equals the grain dealer's current ratio assessment rate under sub. (2) multiplied by the amount reported under s. 126.11 (9) (a) in the grain dealer's license application for that license year.

(b) The grain dealer's debt to equity ratio assessment. The debt to equity ratio assessment for a license year equals the grain dealer's debt to equity ratio assessment rate under sub. (4) multiplied by the amount reported under s. 126.11 (9) (a) in the grain dealer's license application for that license year.

(c) The grain dealer's deferred payment assessment. The deferred payment assessment for a license year equals the grain dealer's deferred payment assessment rate under sub. (6) multiplied by the payment amount, if any, that the grain dealer reports under s. 126.11 (9) (b) in the grain dealer's license application for that license year.

(2) CURRENT RATIO ASSESSMENT RATE. A grain dealer's current ratio assessment rate is calculated, at the beginning of the license year, as follows:

(a) If the grain dealer has filed an annual financial statement under s. 126.13 and that financial statement shows a current ratio of at least 1.25 to 1.0, the grain dealer's current ratio assessment rate equals the greater of zero or the current ratio assessment factor in sub. (3) (a) multiplied by the following amount:

1. Subtract one from the current ratio.

2. Divide the amount determined under subd. 1. by 3.

3. Multiply the amount determined under subd. 2. by negative one.

4. Raise the amount determined under subd. 3. to the 3rd power.

5. Subtract 0.75 from the current ratio.

6. Divide 0.65 by the amount determined under subd. 5.

7. Raise the amount determined under subd. 6. to the 5th power.

8. Add the amount determined under subd. 4. to the amount determined under subd. 7.

9. Add 2 to the amount determined under subd. 8.

(b) If the grain dealer has filed an annual financial statement under s. 126.13 and that financial statement shows a current ratio of less than 1.25 to 1.0, but greater than 1.0 to 1.0, the grain dealer's current ratio assessment rate equals the current ratio assessment factor in sub. (3) (b) multiplied by the following amount:

1. Subtract one from the current ratio.

2. Divide the amount determined under subd. 1. by 3.

3. Multiply the amount determined under subd. 2. by negative one.

4. Raise the amount determined under subd. 3. to the 3rd power.

5. Subtract 0.75 from the current ratio.

6. Divide 0.65 by the amount determined under subd. 5.

7. Raise the amount determined under subd. 6. to the 5th power.

8. Add the amount determined under subd. 4. to the amount determined under subd. 7.

9. Add 2 to the amount determined under subd. 8.

(c) If the grain dealer has filed an annual financial statement under s. 126.13 and that financial statement shows a current ratio of less than or equal to 1.0 to 1.0, the grain dealer's current ratio assessment rate equals the current ratio assessment factor in sub. (3) (b) multiplied by 120.81376.

(d) Except as provided in par. (e), if the grain dealer has not filed an annual financial statement under s. 126.13, the grain dealer's current ratio assessment rate equals the current ratio assessment factor in sub. (3) (b) multiplied by 5.71235.

(e) If the grain dealer has not filed an annual financial statement under s. 126.13 and the grain dealer procures grain in this state solely as a producer agent, the grain dealer's current ratio assessment rate is 0.00025, except that, for the grain dealer's 5th or higher consecutive full license year of participation in the fund, the grain dealer's current ratio assessment rate is 0.000175.

(3) CURRENT RATIO ASSESSMENT FACTOR. (a) A grain dealer's current ratio assessment factor under sub. (2) (a) is 0.00003 except that, for the grain dealer's 5th or higher consecutive full license year as a contributing grain dealer, the grain dealer's current ratio assessment factor is zero.

(b) A grain dealer's current ratio assessment factor under sub. (2) (b) to (d) is 0.000045 except that, for the grain dealer's 5th or higher consecutive full license year as a contributing grain dealer, the grain dealer's current ratio assessment factor is 0.000036.

(4) DEBT TO EQUITY ASSESSMENT RATE. A grain dealer's debt to equity ratio assessment rate is calculated, at the beginning of the license year, as follows:

(a) If the grain dealer has filed an annual financial statement under s. 126.13 and that financial statement shows positive equity and a debt to equity ratio of not more than 4.0 to 1.0, the grain dealer's debt to equity ratio assessment rate equals the greater of zero or the debt to equity ratio assessment factor in sub. (5) (a) multiplied by the following amount:

1. Subtract 4 from the debt to equity ratio.

2. Divide the amount determined under subd. 1. by 3.

3. Raise the amount determined under subd. 2. to the 3rd power.

4. Subtract 1.7 from the debt to equity ratio.

5. Divide the amount determined under subd. 4. by 1.75.

6. Raise the amount determined under subd. 5. to the 7th power.

7. Add the amount determined under subd. 3. to the amount determined under subd. 6.

8. Add 2 to the amount determined under subd. 7.

(b) If the grain dealer has filed an annual financial statement under s. 126.13 and that financial statement shows a debt to equity ratio of greater than 4.0 to 1.0, but less than 5.0 to 1.0, the grain dealer's debt to equity ratio assessment rate equals the debt to equity ratio assessment factor in sub. (5) (b) multiplied by the following amount:

1. Subtract 4 from the debt to equity ratio.

2. Divide the amount determined under subd. 1. by 3.

3. Raise the amount determined under subd. 2. to the 3rd power.

4. Subtract 1.7 from the debt to equity ratio.

5. Divide the amount determined under subd. 4. by 1.75.

6. Raise the amount determined under subd. 5. to the 7th power.

7. Add the amount determined under subd. 3. to the amount determined under subd. 6.

8. Add 2 to the amount determined under subd. 7.

(c) If the grain dealer has filed an annual financial statement under s. 126.13 and that financial statement shows negative equity or a debt to equity ratio of at least 5.0 to 1.0, the grain dealer's debt to equity ratio assessment rate equals the debt to equity ratio assessment factor in sub. (5) (b) multiplied by 86.8244.

(d) Except as provided in par. (e), if the grain dealer has not filed an annual financial statement under s. 126.13, the grain dealer's debt to equity ratio assessment rate equals the debt to equity ratio assessment factor in sub. (5) (b) multiplied by 8.77374.

(e) If the grain dealer has not filed an annual financial statement under s. 126.13 and the grain dealer procures grain in this state solely as a producer agent, the grain dealer's debt to equity ratio assessment rate is 0.00025, except that it is 0.000175 for the grain dealer's 5th or higher consecutive full license year of participation in the fund.

(5) DEBT TO EQUITY RATIO ASSESSMENT FACTOR. (a) A grain dealer's debt to equity ratio assessment factor under sub. (4) (a) is 0.0000125, except that it is zero for the grain dealer's 5th or higher consecutive full license year as a contributing grain dealer.

(b) A grain dealer's debt to equity ratio assessment factor under sub. (4) (b) to (d) is 0.00001875, except that it is 0.000015 for the grain dealer's 5th or higher consecutive full license year as a contributing grain dealer.

(6) DEFERRED PAYMENT ASSESSMENT RATE. A grain dealer's deferred payment assessment rate is 0.0035, except that it is 0.002 for the grain dealer's 5th or higher consecutive full license year as a contributing grain dealer.

(7) QUARTERLY INSTALLMENTS. (a) A contributing grain dealer shall pay the grain dealer's annual fund assessment in equal quarterly installments that are due as follows:

1. The first installment is due on October 1 of the license year.

2. The 2nd installment is due on January 1 of the license year.

3. The 3rd installment is due on April 1 of the license year.

4. The 4th installment is due on July 1 of the license year.

(b) A contributing grain dealer may prepay any of the quarterly installments under par. (a).

(c) A contributing grain dealer who applies for an annual license after the beginning of a license year shall pay the full annual fund assessment required under this section. The grain dealer shall pay, with the first quarterly installment that becomes due after the day on which the department issues the license, all of that year's quarterly installments that became due before that day.

(d) A contributing grain dealer who fails to pay the full amount of any quarterly installment when due shall pay, in addition to that installment, a late payment penalty of $50 or 10% of the overdue installment amount, whichever is greater.

(8) NOTICE OF ANNUAL ASSESSMENT AND QUARTERLY INSTALLMENTS. When the department issues an annual license to a contributing grain dealer, the department shall notify the grain dealer of all of the following:

(a) The amount of the grain dealer's annual fund assessment under this section.

(b) The amount of each required quarterly installment under sub. (7) and the date by which the grain dealer must pay each installment.

(c) The penalty that applies under sub. (7) (d) if the grain dealer fails to pay any quarterly installment when due.

126.16 Grain dealers; security. (1) SECURITY REQUIRED. (a) A grain dealer shall file security with the department, and maintain that security until the department releases it under sub. (8) (a), if all of the following apply when the department first licenses the grain dealer under s. 126.11:

1. The grain dealer reports more than $500,000 in grain payments under s. 126.11 (9) (a).

2. The grain dealer files an annual financial statement under s. 126.13 (1) (a) and that financial statement shows negative equity.

(b) A grain dealer who reports any deferred payment contract obligations under s. 126.11 (9) (c) or 126.13 (1) (d) shall file security with the department, and maintain that security until the department releases it under sub. (8) (b), unless the grain dealer has positive equity and one of the following applies:

1. The grain dealer's annual financial statement under s. 126.13 covers a fiscal year ending on or before January 1, 2006, and shows a debt to equity ratio of not more than 5.0 to 1.0.

2. The grain dealer's annual financial statement under s. 126.13 covers a fiscal year ending after January 1, 2006, and shows a debt to equity ratio of not more than 4.0 to 1.0.

(2) SECURITY CONTINUED. A grain dealer who filed security under ch. 127, 1999 stats., before September 1, 2002, shall maintain that security until the department releases it under sub. (8) (c).

(3) AMOUNT OF SECURITY. A grain dealer who is required to file or maintain security under this section shall at all times maintain security that is at least equal to the sum of the following:

(a) An amount equal to 35% of the grain dealer's average monthly payment for the 3 months, during the preceding 12 months, in which the grain dealer made the largest monthly payments for producer grain procured in this state, except that this amount is not required of a contributing grain dealer after December 1, 2002.

(b) The grain dealer's highest total, at any time during the preceding 12 months, of unpaid obligations for producer grain procured in this state under deferred payment contracts.

(4) FORM OF SECURITY. The department shall review, and determine whether to approve, security filed or maintained under this section. The department may approve only the following types of security:

(a) Currency.

(b) A commercial surety bond if all of the following apply:

1. The surety bond is made payable to the department for the benefit of grain producers and producer agents.

2. The surety bond is issued by a person authorized to operate a surety business in this state.

3. The surety bond is issued as a continuous term bond that may be canceled only with the department's written agreement or upon 90 days' prior written notice served on the department in person or by certified mail.

4. The surety bond is issued in a form, and subject to any terms and conditions, that the department considers appropriate.

(c) A certificate of deposit or money market certificate if all of the following apply:

1. The certificate is issued or endorsed to the department for the benefit of grain producers and producer agents who deliver grain to the grain dealer.

2. The certificate may not be canceled or redeemed without the department's written authorization.

3. No person may transfer or withdraw funds represented by the certificate without the department's written permission.

4. The certificate renews automatically without any action by the department.

5. The certificate is issued in a form, and subject to any terms and conditions, that the department considers appropriate.

(d) An irrevocable bank letter of credit if all of the following apply:

1. The letter of credit is payable to the department for the benefit of grain producers and producer agents.

2. The letter of credit is issued on bank letterhead.

3. The letter of credit is issued for an initial period of at least one year.

4. The letter of credit renews automatically unless at least 90 days before the scheduled renewal date the issuing bank gives the department written notice, in person or by certified mail, that the letter of credit will not be renewed.

5. The letter of credit is issued in a form, and subject to any terms and conditions, that the department considers appropriate.

(e) Security filed under ch. 127, 1999 stats., before September 1, 2002, except that on January 1, 2003, the department shall withdraw its approval of any security that is not approvable under pars. (a) to (d).

(5) DEPARTMENT CUSTODY OF SECURITY. The department shall hold, in its custody, all security filed and maintained under this section. The department shall hold the security for the benefit of grain producers and producer agents who deliver grain to a grain dealer.

(6) MONTHLY REPORTS. A grain dealer who is required to file or maintain security under this section shall file monthly reports with the department. The grain dealer shall file a report on or before the 10th day of each month, in a form specified by the department. In a monthly report, a grain dealer shall provide information reasonably required by the department, including all of the following:

(a) The grain dealer's average monthly payment for the 3 months, during the preceding 12 months, in which the grain dealer made the largest monthly payments for producer grain procured in this state.

(b) The grain dealer's highest total unpaid obligations, at any time during the preceding 12 months, for producer grain procured in this state under deferred payment contracts. If the amount owed on deferred price contracts has not yet been determined, the grain dealer shall estimate the amount based on contract terms and prevailing market prices on the last day of the previous month.

(7) ADDITIONAL SECURITY. (a) The department may, at any time, demand additional security from a grain dealer if any of the following applies:

1. The grain dealer's existing security falls below the amount required under sub. (3) for any reason, including depreciation in the value of the security filed with the department, an increase in grain payments or grain prices, or the cancellation of any security filed with the department.

2. The grain dealer fails to provide required information that is relevant to a determination of security requirements.

(b) The department shall issue a demand under par. (a) in writing. The department shall indicate why the security is required, the amount of security required, and the deadline date for filing security. The department may not specify a deadline for filing security that is more than 30 days after the date on which the department issues its demand for security.

(c) A grain dealer may request a hearing, under ch. 227, on a demand for security under par. (b). A request for hearing does not automatically stay a security demand.

(d) If a grain dealer fails to comply with the department's demand for security under this subsection, the grain dealer shall give written notice of that fact to all grain producers and producer agents from whom the grain dealer procures producer grain in this state. If the grain dealer fails to give accurate notice under this paragraph within 5 days after the deadline for filing security under par. (b) has passed, the department shall promptly notify those grain producers and producer agents by publishing a class 3 notice under ch. 985. The department may also give individual notice to those grain producers or producer agents of whom the department is aware.

(e) If a grain dealer fails to comply with the department's demand for security under this subsection, the department may do any of the following:

1. Issue a summary order under s. 126.55 (2) that prohibits the grain dealer from procuring producer grain or requires the grain dealer to pay cash on delivery for all producer grain.

2. Suspend or revoke the grain dealer's license.

(8) RELEASING SECURITY. (a) The department may release security filed under sub. (1) (a), except for any amount of security that the grain dealer is required to file because sub. (1) (b) applies to the grain dealer, if any of the following applies:

1. The grain dealer reports, for at least 2 consecutive years, no more than $500,000 in annual grain payments under s. 126.11 (9) (a) and the grain dealer pays the quarterly fund assessment that would have been required of the grain dealer if the grain dealer had been a contributing grain dealer on the most recent quarterly installment date under s. 126.15 (7).

2. The grain dealer's annual financial statement under s. 126.13 shows positive equity for at least 2 consecutive years and the grain dealer pays the quarterly fund assessment that would have been required of the grain dealer if the grain dealer had been a contributing grain dealer on the most recent quarterly installment date under s. 126.15 (7).

(b) The department may release security filed under sub. (1) (b), except for any amount of security that the grain dealer is required to file because sub. (1) (a) applies to the grain dealer, if any of the following applies:

1. The grain dealer has not had any deferred payment contract obligations since the beginning of the grain dealer's last completed fiscal year.

2. The grain dealer files 2 consecutive annual financial statements under s. 126.13 showing that the grain dealer meets the applicable equity requirement and debt to equity ratio under sub. (1) (b).

(c) On December 1, 2002, the department may release security maintained under sub. (2), unless the grain dealer is required to file security under sub. (1).

(d) The department may release security to the extent that the security exceeds the amount required under sub. (3).

(e) The department may release security if the grain dealer files alternative security, of equivalent value, that the department approves.

(f) The department shall release security if the grain dealer is no longer in business and has paid all grain obligations in full.

126.17 Grain dealers; records. (1) RECORDS AND ACCOUNTS; GENERAL. A grain dealer shall keep records and accounts of all grain procured and all grain sold or marketed by the grain dealer. A grain dealer shall keep records that are complete, accurate, current, well−organized, and accessible, so that the grain dealer and the department can readily determine all of the following:

(a) The kinds and amounts of grain procured, the procurement dates, the procurement terms, and the persons from whom the grain dealer procured the grain.

(b) The kinds and amounts of grain sold or marketed, the sale or marketing dates, the sale or marketing terms, and the persons to whom the grain dealer sold or marketed the grain.

(c) The kinds and amounts of grain, received from others, that the grain dealer has used for feed, seed, milling, manufacturing, processing, or other purposes.

(d) The kinds and amounts of grain, received from others, that the grain dealer has on hand, including the kinds and amounts of grain owned by the grain dealer, and the kinds and amounts of grain held for others.

(e) The nature and amount of the grain dealer's obligations to grain producers and producer agents, including obligations under deferred payment contracts. The grain dealer shall keep a daily record of obligations under priced contracts and a separate daily record of obligations under deferred price contracts that have not yet been priced.

(f) The nature and amount of the grain dealer's obligations to depositors, as defined in s. 126.25 (5), under agreements for the storage of grain, if any.

(g) The grain dealer's accounts receivable from the sale or marketing of grain, including the names of the account debtors, the amount receivable from each account debtor, and the dates on which payment is due.

(2) RECORDS OF GRAIN PROCURED. A grain dealer shall keep records all of the following related to each shipment of grain procured by the grain dealer:

(a) The kind and weight of grain procured.

(b) The grade and quality of the grain if determined.

(c) The date on which the grain dealer procured the grain.

(d) The name and address of the person from whom the grain dealer procured the grain.

(e) Whether the grain dealer purchased the grain, holds it under an agreement for storage, or is marketing the grain as a producer agent.

(f) The terms of purchase, storage, or marketing.

(g) If the grain dealer procured the grain under a deferred payment contract, the terms of that contract.

(3) RECORDS RETENTION; INSPECTION. (a) A grain dealer shall keep copies of all of the following records for at least 6 years after the records are created:

1. Records required under this section and s. 126.18 (2).

2. Records that the grain dealer was required to keep, under ch. 127, 1999 stats., and department rules, before September 1, 2002.

(b) A grain dealer shall make records required under this section available to the department for inspection and copying upon request.

126.18 Grain dealers; receipts for grain. (1) REQUIREMENT. Whenever a grain dealer receives grain from any person, the grain dealer shall immediately give that person a written receipt for the grain that includes all of the following:

(a) The name of the grain dealer and a statement indicating whether the grain dealer is a corporation.

(b) A permanent business address at which the holder of the receipt can readily contact the grain dealer.

(c) A statement identifying the document as a receipt for grain.

(d) The date on which the grain dealer received the grain.

(e) The kind of grain received.

(f) The net weight of grain received or, if the grain dealer receives the grain at the grain producer's farm, the approximate net weight of the grain.

(g) The grade and quality of the grain, if determined.

(h) A statement identifying the receipt as a purchase receipt, storage receipt, or receipt for grain marketed by the grain dealer as a producer agent.

(i) The grain dealer's promise to pay the total amount due for grain, less any discounts that may apply, within 7 calendar days after the date of receipt of the grain. This requirement does not apply if any of the following applies:

1. The grain dealer pays cash on delivery.

2. The grain dealer receives the grain under a deferred payment contract that complies with s. 126.19.

3. The receipt is clearly identified as a storage receipt.

(1m) EFFECT OF FAILURE TO IDENTIFY RECEIPT. A receipt not clearly identified under sub. (1) (h) is considered a purchase receipt except that, if the grain dealer also operates as a grain warehouse keeper, as defined in s. 126.25 (9), under the same name, a receipt not clearly identified is considered a storage receipt.

(2) GRAIN DEALER'S COPIES. A grain dealer shall keep copies of all receipts issued under sub. (1).

126.19 Grain dealers; deferred payment contracts. (1) CONTRACT IN WRITING. A grain dealer may not procure grain from any grain producer or producer agent under a deferred payment contract before the contract is reduced to writing and signed by the parties. The grain dealer shall provide a copy of the signed contract to the other party.

(2) CONTENTS OF CONTRACT. A grain dealer may not enter into a deferred payment contract unless the deferred payment contract includes all of the following:

(a) A unique contract identification number.

(b) The type, weight, grade, and quality of grain procured and a statement that price adjustments may apply if delivered grain varies in grade or quality from that identified in the contract.

(c) The price for the grain or, in a deferred price contract, the method and deadline by which the price will be determined.

(d) The date by which the grain dealer agrees to make full payment for the grain, which may not be more than 180 days after the date on which the contract price is established or more than 180 days after the date on which the grain dealer takes custody or control of the grain, whichever is later.

(dm) If the contract is a deferred price contract, a pricing deadline that is not more than one year after the date on which the grain dealer takes custody or control of the grain.

(e) The grain dealer's permanent business location.

(f) Other information required under this section.

(3) PAYMENT AND PRICING DEADLINES. (a) A grain dealer shall make full payment under a deferred payment contract by the deadline date specified in the contract.

(b) The parties may not extend a payment or pricing deadline under sub. (2) (d) or (dm), except that they may sign a new contract that extends either deadline or both deadlines for up to 180 days if the new contract refers to the contract number of the original contract.

(4) REQUIRED NOTICE. A grain dealer may not enter into a deferred payment contract unless the deferred payment contract clearly discloses that it is not a storage contract. Whenever a grain dealer buys grain from a grain producer under a deferred payment contract, the grain dealer shall include the following statement in capitalized, boldface print immediately above the contract signature line: "This is not a storage contract. The grain dealer (buyer) becomes the owner of any grain that the producer (seller) delivers to the grain dealer under this contract. The producer relinquishes ownership and control of the grain, and becomes an unsecured creditor pending payment."

(5) DEFERRED PAYMENT CONTRACT ASSESSMENT. From the amount that a grain dealer pays to a grain producer or producer agent under a deferred payment contract, the grain dealer shall deduct a deferred payment contract assessment. The assessment shall equal the total amount owed under the contract before the assessment is deducted, multiplied by the deferred payment assessment rate that applies under s. 126.15 (6) when the contract is made. The grain dealer shall disclose the assessment amount or, if the contract is a deferred price contract, the method by which the assessment amount will be determined, in the written contract under sub. (1).

126.20 Grain dealers; business practices. (1) GRAIN WEIGHT, GRADE, AND QUALITY. A grain dealer shall do all of the following when determining the weight, grade, or quality of grain:

(a) Accurately determine the weight, grade, or quality using accurate weighing, testing, or grading equipment.

(b) Accurately record the determined weight, grade, or quality.

(2) TIMELY PAYMENT TO PRODUCERS. A grain dealer shall pay for grain when payment is due. A grain dealer may not make payment by nonnegotiable check or note or by check drawn on an account containing insufficient funds.

(3) PERMANENT BUSINESS LOCATION. A grain dealer licensed under s. 126.11 shall do all of the following:

(a) Maintain a permanent business address at which grain producers may readily contact the grain dealer during business hours.

(b) On each day that the Chicago Board of Trade is open for trading, keep business hours that start no later than 9 a.m. and end no earlier than 2:30 p.m.

(c) Prominently post the grain dealer's business hours at each of the grain dealer's business locations in this state.

(4) PROHIBITED PRACTICES. No grain dealer may do any of the following:

(a) Misrepresent the weight, grade, or quality of grain received from or delivered to any person.

(b) Falsify any record or account, or conspire with any other person to falsify a record or account.

(c) Make any false or misleading representation to the department.

(d) If the grain dealer is licensed under s. 126.11, engage in any activity that is inconsistent with a representation made in the grain dealer's annual license application.

(e) Make any false or misleading representation to a grain producer or producer agent related to any matters regulated under this chapter.

(f) Fail to file the full amount of security required under s. 126.16 (7) by the date that the department specifies.

126.21 Grain producer obligations. (1) DELIVERY PER CONTRACT. No grain producer or producer agent who contracts to sell and deliver grain to a grain dealer at an agreed price may wrongfully refuse to deliver that grain according to the contract.

(2) DISCLOSURE OF LIENS AND SECURITY INTERESTS. A grain dealer procuring grain from a grain producer or producer agent may require the grain producer or producer agent to disclose any liens or security interests that apply to the grain. The grain dealer may require the disclosure in writing. The grain dealer may require the grain producer or producer agent to specify the nature and amount of each lien or security interest and the identity of the person holding that lien or security interest. No grain producer may falsify or fraudulently withhold information required under this subsection in order to sell grain.

SUBCHAPTER IV

GRAIN WAREHOUSE KEEPERS

126.25 Definitions. In this subchapter:

(1) "Capacity" means the maximum amount of grain, measured in bushels, that can be stored in a grain warehouse. The capacity of a grain warehouse is determined by dividing the cubic volume of all bins, expressed in cubic feet, by 1.244 cubic feet per bushel, and applying a pack factor that the department specifies by rule.

(2) "Contributing grain warehouse keeper" means a grain warehouse keeper who is licensed under s. 126.26, who either has paid one or more quarterly installments under s. 126.30 (6) or is required to contribute to the fund, but the first quarterly installment under s. 126.30 (6) is not yet due, and who is not disqualified under s. 126.29 (2).

(3) "Current ratio" means the ratio of the value of current assets to the value of current liabilities, calculated according to s. 126.28 (6) (c) 1.

(4) "Debt to equity ratio" means the ratio of the value of liabilities to equity, calculated according to s. 126.28 (6) (c) 2.

(5) "Depositor" means any of the following:

(a) A person who delivers grain to a grain warehouse keeper for storage, conditioning, shipping, or handling, without transferring ownership to the warehouse keeper.

(b) A person who owns or legally holds a warehouse receipt or other document that is issued by a grain warehouse keeper and that entitles the person to receive stored grain.

(6) "Disqualified grain warehouse keeper" means a grain warehouse keeper who is disqualified from the fund under s. 126.29 (2).

(8) "Grain warehouse" means a facility in this state that is used to receive, store, or condition grain for others or that is used in the shipment of grain for others, except that "grain warehouse" does not include a transport vehicle.

(9) "Grain warehouse keeper" means a person who operates one or more grain warehouses in this state to receive, store, condition, or ship grain for others, except that "grain warehouse keeper" does not include a person licensed under the United States Warehouse Act, 7 USC 241 to 271.

(9m) "License year" means the period beginning on September 1 and ending on the following August 31.

(11) "Warehouse receipt" means a receipt for grain, issued by a grain warehouse keeper, that is also a document of title under s. 401.201 (15).

126.26 Grain warehouse keepers; licensing. (1) LICENSE REQUIRED. (a) No grain warehouse keeper may hold at any time more than 50,000 bushels of grain for others without a current annual license from the department. A grain warehouse keeper who has grain warehouses with a combined capacity of more than 50,000 bushels shall obtain a license unless the grain warehouse keeper proves to the department that the grain warehouse keeper holds no more than 50,000 bushels of grain for others at any time.

(b) A license under par. (a) expires on the August 31 following its issuance. No person may transfer or assign a license issued under par. (a).

(2) LICENSE APPLICATION. A person shall apply for a grain warehouse keeper license in writing, on a form provided by the department. The applicant shall provide all of the following:

(a) The applicant's legal name and any trade name under which the applicant proposes to operate as a grain warehouse keeper.

(b) A statement of whether the applicant is an individual, corporation, partnership, cooperative, limited liability company, trust, or other legal entity. If the applicant is a corporation or cooperative, the applicant shall identify each officer of the corporation or cooperative. If the applicant is a partnership, the applicant shall identify each partner.

(c) The mailing address of the applicant's primary business location and the name of a responsible individual who may be contacted at that location.

(d) The street address and capacity of every grain warehouse that the applicant operates or proposes to operate in this state and the name of a responsible individual who may be contacted at each warehouse.

(e) The combined capacity of all grain warehouses identified under par. (d).

(f) All license fees and surcharges required under sub. (3).

(g) Proof that the applicant is insured as required under s. 126.27, unless the applicant has previously filed proof that remains current. The proof may consist of a certification provided by an insurance company licensed to do business in this state.

(h) A financial statement if required under s. 126.28 (1) and not yet filed.

(i) Other relevant information required by the department.

(3) LICENSE FEES AND SURCHARGES. A person applying for a grain warehouse keeper license shall pay the following fees and surcharges, unless the department specifies a different fee or surcharge amount by rule:

(a) A nonrefundable license processing fee of $25 plus $25 for each grain warehouse identified under sub. (2) (d). If a grain warehouse keeper operates 2 or more grain warehouses located within 0.5 mile of each other, the grain warehouse keeper may treat those grain warehouses as a single grain warehouse for purposes of this paragraph and par. (c).

(b) The following inspection fee, less any credit provided under sub. (5):

1. A fee of $500 if the combined capacity of the applicant's grain warehouses is less than 150,000 bushels.

2. A fee of $550 if the combined capacity of the applicant's grain warehouses is at least 150,000 bushels but less than 250,000 bushels.

3. A fee of $600 if the combined capacity of the applicant's grain warehouses is at least 250,000 bushels but less than 500,000 bushels.

4. A fee of $650 if the combined capacity of the applicant's grain warehouses is at least 500,000 bushels but less than 750,000 bushels.

5. A fee of $700 if the combined capacity of the applicant's grain warehouses is at least 750,000 bushels but less than 1,000,000 bushels.

6. A fee of $800 if the combined capacity of the applicant's grain warehouses is at least 1,000,000 bushels but less than 2,000,000 bushels.

7. A fee of $900 if the combined capacity of the applicant's grain warehouses is at least 2,000,000 bushels but less than 3,000,000 bushels.

8. A fee of $1,000 if the combined capacity of the applicant's grain warehouses is at least 3,000,000 bushels but less than 4,000,000 bushels.

9. A fee of $1,100 if the combined capacity of the applicant's grain warehouses is 4,000,000 bushels or more.

(c) A supplementary inspection fee of $275 for each grain warehouse that the applicant operates in excess of one grain warehouse.

(d) A license surcharge of $500 if the department determines that, within 365 days before submitting the license application, the applicant operated as a grain warehouse keeper without a license in violation of sub. (1). The applicant shall also pay any license fees, license surcharges, and fund assessments that are still due for the license year in which the applicant violated sub. (1).

(e) A license surcharge of $100 if during the preceding 12 months the applicant failed to file an annual financial statement required under s. 126.28 (1) (b) by the applicable deadline.

(f) A license surcharge of $100 if a renewal applicant fails to renew a license by the license expiration date of August 31.

(3m) EFFECT OF PAYMENT OF SURCHARGE. Payment under sub. (3) (d) does not relieve the applicant of any other civil or criminal liability that results from the violation of sub. (1), but does not constitute evidence of any law violation.

(4) LICENSE FOR PART OF YEAR; FEES. A person who applies for an annual grain warehouse keeper license after the beginning of a license year shall pay the full annual fee amounts required under sub. (3).

(5) FEE CREDIT. If the fund balance contributed by grain warehouse keepers exceeds $300,000 on June 30 of any license year, the department shall credit 12.5% of the excess amount against fees charged under sub. (3) (b) to contributing grain warehouse keepers who file timely license renewal applications for the next license year. The department shall credit each contributing grain warehouse keeper on a prorated basis, in proportion to the total fees that the warehouse keeper has paid under sub. (3) (b) for the 4 preceding license years.

(6) FEE STATEMENT. The department shall provide, with each license application form, a written statement of all license fees and surcharges required under sub. (3) or the formula for determining them. The department shall specify any fee credit for which the applicant may qualify under sub. (5).

(7) NO LICENSE WITHOUT FULL PAYMENT. The department may not grant a license under sub. (1) until the applicant pays all license fees and surcharges identified in the department's statement under sub. (6). The department shall refund a fee or surcharge paid under protest if upon review the department determines that the fee or surcharge is not applicable.

(8) ACTION GRANTING OR DENYING APPLICATION. The department shall grant or deny a license application under sub. (2) within 30 days after the department receives a complete application. If the department denies a license application, the department shall give the applicant a written notice stating the reasons for the denial.

(9) LICENSE DISPLAYED. A grain warehouse keeper who is required to hold a license under sub. (1) shall prominently display a copy of that license at each grain warehouse.

(10) NOTIFICATION. A licensed warehouse keeper shall notify the department, in writing, before the warehouse keeper adds a grain warehouse or changes the location or capacity of any grain warehouse. In the notice, the grain warehouse keeper shall specify any change in the combined capacity of grain warehouses operated by the grain warehouse keeper resulting from the proposed addition or change.

126.27 Grain warehouse keepers; insurance. (1) FIRE AND EXTENDED COVERAGE INSURANCE. A grain warehouse keeper licensed under s. 126.26 (1) shall maintain fire and extended coverage insurance, issued by an insurance company authorized to do business in this state, that covers all grain in the custody of the grain warehouse keeper, whether owned by the grain warehouse keeper or held for others, at the full local market value of the grain.

(2) INSURANCE CANCELLATION; REPLACEMENT. (a) No person may cancel an insurance policy required under sub. (1) unless that person serves a written notice of the intended cancellation on the department at least 30 days before the cancellation takes effect.

(b) Whenever an insurance policy under sub. (1) is canceled, the grain warehouse keeper shall replace the policy so that there is no lapse in coverage. Within 20 days after a cancellation notice under par. (a) is served on the department, and at least 10 days before the cancellation takes effect, the grain warehouse keeper shall provide the department with proof of the replacement policy. The department may accept, as proof, a certification provided by an insurance company licensed to do business in this state.

(3) INSURANCE DEDUCTIBLES. An insurance policy does not comply with sub. (1) if it contains any deductible clause that limits the insurer's obligation to pay to each depositor the full value of the depositor's covered losses under the policy. The grain warehouse keeper may agree to indemnify the insurer for a portion of each depositor claim that the insurer pays under the policy if the agreement does not limit the insurer's obligation to pay each depositor the full amount of the depositor's covered losses.

(4) INSURANCE DISCLOSURES. A grain warehouse keeper licensed under s. 126.26 (1) shall disclose all of the following to a depositor if the depositor requests that information:

(a) The material terms of the grain warehouse keeper's fire and extended coverage insurance policy under sub. (1).

(b) Whether the grain warehouse keeper has liability insurance covering the grain warehouse keeper's grain operations, and the material terms of that liability insurance policy.

(5) INSURANCE COVERAGE; MISREPRESENTATION. No grain warehouse keeper may misrepresent any of the following to the department or a depositor:

(a) That the grain warehouse keeper is insured.

(b) The nature, coverage, or material terms of the grain warehouse keeper's insurance policy.

126.28 Grain warehouse keepers; financial statements. (1) REQUIRED ANNUAL FINANCIAL STATEMENT. (a) A grain warehouse keeper shall file an annual financial statement with the department before the department first licenses the warehouse keeper under s. 126.26 (1), if the warehouse keeper operates grain warehouses with a combined capacity of more than 300,000 bushels.

(b) A grain warehouse keeper licensed under s. 126.26 (1) shall file an annual financial statement with the department during each license year if the grain warehouse keeper operates warehouses with a combined capacity of more than 300,000 bushels. The grain warehouse keeper shall file the annual financial statement by the 15th day of the 4th month following the close of the grain warehouse keeper's fiscal year, except that the department may extend the annual filing deadline for up to 30 days if the grain warehouse keeper, or the accountant reviewing or auditing the financial statement, files a written extension request at least 10 days before the filing deadline.

(2) VOLUNTARY ANNUAL FINANCIAL STATEMENT. A contributing grain warehouse keeper who is not required to file an annual financial statement under sub. (1) may file an annual financial statement with the department in order to qualify for a lower fund assessment under s. 126.30.

(3) REVIEWED OR AUDITED FINANCIAL STATEMENT. (a) A grain warehouse keeper filing an annual financial statement under sub. (1) or (2) shall file an audited financial statement if the warehouse keeper operates grain warehouses with a combined capacity of more than 500,000 bushels.

(b) If par. (a) does not apply, a grain warehouse keeper filing an annual financial statement under sub. (1) or (2) shall file either a reviewed financial statement or an audited financial statement.

(4) ACCOUNTING PERIOD. A grain warehouse keeper filing an annual financial statement under sub. (1) or (2) shall file a financial statement that covers the grain warehouse keeper's last completed fiscal year unless the grain warehouse keeper has been in business for less than one year.

(4m) INTERIM FINANCIAL STATEMENT. The department may, at any time, require a grain warehouse keeper licensed under s. 126.26 (1) to file an interim financial statement with the department. The grain warehouse keeper shall provide, with the interim financial statement, the warehouse keeper's sworn and notarized statement that the financial statement is correct. An interim financial statement need not be a reviewed financial statement or an audited financial statement.

(5) GENERALLY ACCEPTED ACCOUNTING PRINCIPLES. (a) Except as provided in par. (b), a grain warehouse keeper filing an annual financial statement under this section shall file a financial statement that is prepared according to generally accepted accounting principles.

(b) If a grain warehouse keeper is a sole proprietor and the grain warehouse keeper's financial statement is not audited, the grain warehouse keeper shall file a financial statement that is prepared on a historical cost basis.

(6) FINANCIAL STATEMENT CONTENTS. (a) Except as provided in par. (b), a grain warehouse keeper filing a financial statement under this section shall file a financial statement that consists of a balance sheet, income statement, equity statement, statement of cash flows, notes to those statements, and any other information required by the department. A grain warehouse keeper who is a sole proprietor shall file his or her business and personal financial statements.

(b) If a grain warehouse keeper has been in business for less than one year, the grain warehouse keeper may file an annual financial statement under sub. (1) or (2) that consists of a balance sheet and notes.

(c) A grain warehouse keeper filing a financial statement under this section shall include in the financial statement, or in an attachment to the financial statement, calculations of all of the following:

1. The grain warehouse keeper's current ratio, excluding any assets required to be excluded under sub. (7).

2. The grain warehouse keeper's debt to equity ratio, excluding any assets required to be excluded under sub. (7).

(7) ASSETS EXCLUDED. A grain warehouse keeper may not include any of the following assets in calculating the ratios under sub. (6) (c), unless the department specifically approves their inclusion:

(a) A nontrade note or account receivable from an officer, director, employee, partner, or stockholder, or from a member of the family of any of those individuals, unless the note or account receivable is secured by a first priority security interest in real or personal property.

(b) A note or account receivable from a parent organization, a subsidiary, or an affiliate other than an employee.

(c) A note or account that has been receivable for more than one year, unless the grain warehouse keeper has established an equal offsetting reserve for uncollectible notes and accounts receivable.

(9) ENTITY COVERED. A person filing a financial statement under this section may not file, in lieu of that person's financial statement, the financial statement of the person's parent organization, subsidiary, predecessor, or successor.

(10) DEPARTMENT REVIEW. The department may analyze a financial statement submitted under this section and may reject a financial statement that fails to comply with this section.

126.29 Contributing grain warehouse keepers; disqualification. (1) CONTRIBUTION REQUIRED. A grain warehouse keeper licensed under s. 126.26 (1) shall pay fund assessments under s. 126.30 unless the grain warehouse keeper is disqualified under sub. (2).

(2) DISQUALIFIED WAREHOUSE KEEPER. (a) A grain warehouse keeper who is required to file security under s. 126.31 (1) is disqualified from the fund until the department releases that security under s. 126.31 (8) (a).

(b) A grain warehouse keeper is disqualified from the fund if the department denies, suspends, or revokes the grain warehouse keeper's license.

(3) PAYMENTS BY DISQUALIFIED GRAIN WAREHOUSE KEEPER. (a) The department may not return, to a disqualified grain warehouse keeper, any fund assessments that the warehouse keeper paid as a contributing grain warehouse keeper.

(b) A disqualified grain warehouse keeper remains liable for any unpaid fund installment under s. 126.30 that became due while the grain warehouse keeper was a contributing grain warehouse keeper. A disqualified grain warehouse keeper is not liable for any fund installment that becomes due after the grain warehouse keeper is disqualified under sub. (2).

126.30 Grain warehouse keepers; fund assessments. (1) GENERAL. A contributing grain warehouse keeper shall pay an annual fund assessment for each license year. The assessment equals $20 or the sum of the following, whichever is greater, unless the department by rule specifies a different assessment:

(a) The grain warehouse keeper's current ratio assessment. The current ratio assessment for a license year is the amount, expressed as dollars, equal to the grain warehouse keeper's current ratio assessment rate under sub. (2) multiplied by the number of bushels that the grain warehouse keeper reports under s. 126.26 (2) (e) or (10).

(b) The warehouse keeper's debt to equity ratio assessment. The debt to equity ratio assessment for each license year is the amount, expressed as dollars, equal to the grain warehouse keeper's debt to equity ratio assess-

ment rate under sub. (4) multiplied by the number of bushels that the warehouse keeper reports under s. 126.26 (2) (e) or (10).

(2) CURRENT RATIO ASSESSMENT RATE. A grain warehouse keeper's current ratio assessment rate is calculated, at the beginning of the license year, as follows:

(a) If the grain warehouse keeper has filed an annual financial statement under s. 126.28 and that financial statement shows a current ratio of at least 1.25 to 1.0, the grain warehouse keeper's current ratio assessment rate equals the greater of zero or the current ratio assessment factor in sub. (3) (a) multiplied by an amount determined as follows:

1. Subtract one from the current ratio.
2. Divide the amount determined under subd. 1. by 3.
3. Multiply the amount determined under subd. 2. by negative one.
4. Raise the amount determined under subd. 3. to the 3rd power.
5. Subtract 0.75 from the current ratio.
6. Divide 0.65 by the amount determined under subd. 5.
7. Raise the amount determined under subd. 6. to the 5th power.
8. Add the amount determined under subd. 4. to the amount determined under subd. 7.
9. Add 2 to the amount determined under subd. 8.

(b) If the grain warehouse keeper has filed an annual financial statement under s. 126.28 and that financial statement shows a current ratio of less than 1.25 to 1.0, but greater than 1.0 to 1.0, the grain warehouse keeper's current ratio assessment rate equals the current ratio assessment factor in sub. (3) (b) multiplied by the following amount:

1. Subtract one from the current ratio.
2. Divide the amount determined under subd. 1. by 3.
3. Multiply the amount determined under subd. 2. by negative one.
4. Raise the amount determined under subd. 3. to the 3rd power.
5. Subtract 0.75 from the current ratio.
6. Divide 0.65 by the amount determined under subd. 5.
7. Raise the amount determined under subd. 6. to the 5th power.
8. Add the amount determined under subd. 4. to the amount determined under subd. 7.
9. Add 2 to the amount determined under subd. 8.

(c) If the grain warehouse keeper has filed an annual financial statement under s. 126.28 and that financial statement shows a current ratio of less than or equal to 1.0 to 1.0, the warehouse keeper's current ratio assessment rate equals the current ratio assessment factor in sub. (3) (b) multiplied by 120.81376.

(d) If the grain warehouse keeper has not filed an annual financial statement under s. 126.28, the warehouse keeper's current ratio assessment rate equals the current ratio assessment factor in sub. (3) (b) multiplied by 5.71235.

(3) CURRENT RATIO ASSESSMENT FACTOR. (a) A grain warehouse keeper's current ratio assessment factor under sub. (2) (a) is 0.00003 except that, for the grain warehouse keeper's 5th or higher consecutive full license year as a contributing grain warehouse keeper, the grain warehouse keeper's current ratio assessment factor is zero.

(b) A grain warehouse keeper's current ratio assessment factor under sub. (2) (b) to (d) is 0.000045 except that, for the grain warehouse keeper's 5th or higher consecutive full license year as a contributing grain warehouse keeper, the grain warehouse keeper's current ratio assessment factor is 0.000036.

(4) DEBT TO EQUITY RATIO ASSESSMENT RATE. A grain warehouse keeper's debt to equity ratio assessment rate is calculated, at the beginning of the license year, as follows:

(a) If the grain warehouse keeper has filed an annual financial statement under s. 126.28 and that financial statement shows positive equity and a debt to equity ratio of not more than 4.0 to 1.0, the grain warehouse keeper's debt to equity ratio assessment rate equals the greater of zero or the debt to equity ratio assessment factor in sub. (5) (a) multiplied by the following amount:

1. Subtract 4 from the debt to equity ratio.
2. Divide the amount determined under subd. 1. by 3.
3. Raise the amount determined under subd. 2. to the 3rd power.
4. Subtract 1.7 from the debt to equity ratio.
5. Divide the amount determined under subd. 4. by 1.75.
6. Raise the amount determined under subd. 5. to the 7th power.
7. Add the amount determined under subd. 3. to the amount determined under subd. 6.
8. Add 2 to the amount determined under subd. 7.

(b) If the grain warehouse keeper has filed an annual financial statement under s. 126.28 and that financial statement shows a debt to equity ratio of greater than 4.0 to 1.0 but less than 5.0 to 1.0, the grain warehouse keeper's debt to equity ratio assessment rate equals the debt to equity ratio assessment factor in sub. (5) (b) multiplied by the following amount:

1. Subtract 4 from the debt to equity ratio.
2. Divide the amount determined under subd. 1. by 3.
3. Raise the amount determined under subd. 2. to the 3rd power.
4. Subtract 1.7 from the debt to equity ratio.
5. Divide the amount determined under subd. 4. by 1.75.

6. Raise the amount determined under subd. 5. to the 7th power.

7. Add the amount determined under subd. 3. to the amount determined under subd. 6.

8. Add 2 to the amount determined under subd. 7.

(c) If the grain warehouse keeper has filed an annual financial statement under s. 126.28 and that financial statement shows negative equity or a debt to equity ratio of at least 5.0 to 1.0, the grain warehouse keeper's debt to equity ratio assessment rate equals the debt to equity ratio assessment factor in sub. (5) (b) multiplied by 86.8244.

(d) If the grain warehouse keeper has not filed an annual financial statement under s. 126.28, the grain warehouse keeper's debt to equity ratio assessment rate equals the debt to equity ratio assessment factor in sub. (5) (b) multiplied by 8.77374.

(5) DEBT TO EQUITY RATIO ASSESSMENT FACTOR. (a) A grain warehouse keeper's debt to equity ratio assessment factor under sub. (4) (a) is 0.0000125, except that it is zero for the grain warehouse keeper's 5th or higher consecutive full license year as a contributing grain warehouse keeper.

(b) A grain warehouse keeper's debt to equity ratio assessment factor under sub. (4) (b) to (d) is 0.00001875, except that it is 0.000015 for the grain warehouse keeper's 5th or higher consecutive full license year as a contributing grain warehouse keeper.

(6) QUARTERLY INSTALLMENTS. (a) A contributing grain warehouse keeper shall pay the grain warehouse keeper's annual fund assessment in equal quarterly installments that are due as follows:

1. The first installment is due on October 1 of the license year.

2. The 2nd installment is due on January 1 of the license year.

3. The 3rd installment is due on April 1 of the license year.

4. The 4th installment is due on July 1 of the license year.

(b) A contributing grain warehouse keeper may prepay any of the quarterly installments under par. (a).

(c) A contributing grain warehouse keeper who applies for an annual license after the beginning of a license year shall pay the full annual fund assessment required under this section. The grain warehouse keeper shall pay, with the first quarterly installment that becomes due after the day on which the department issues the license, all of the quarterly installments that were due before that day.

(d) A contributing grain warehouse keeper who fails to pay the full amount of any quarterly installment when due shall pay, in addition to that installment, a late payment penalty of $50 or 10% of the overdue installment amount, whichever is greater.

(7) NOTICE OF ANNUAL ASSESSMENT AND QUARTERLY INSTALLMENTS. When the department issues an annual license to a contributing grain warehouse keeper, the department shall notify the grain warehouse keeper of all of the following:

(a) The amount of the grain warehouse keeper's annual fund assessment under this section.

(b) The amount of each required quarterly installment under sub. (6), and the date by which the grain warehouse keeper must pay each installment.

(c) The penalty that applies under sub. (6) (d) if the grain warehouse keeper fails to pay any quarterly installment when due.

126.31 Grain warehouse keepers; security. (1) SECURITY REQUIRED. A grain warehouse keeper shall file security with the department, and maintain that security until the department releases it under sub. (8), if all of the following apply when the department first licenses the grain warehouse keeper under s. 126.26 (1):

(a) The grain warehouse keeper operates grain warehouses with a combined capacity of more than 300,000 bushels.

(b) The grain warehouse keeper's annual financial statement under s. 126.28 (1) (a) shows negative equity.

(2) SECURITY CONTINUED. A grain warehouse keeper who filed security under ch. 127, 1999 stats., before September 1, 2002, shall maintain that security until the department releases it under sub. (8).

(3) AMOUNT OF SECURITY. A grain warehouse keeper who is required to file or maintain security under this section shall at all times maintain security equal to at least 20% of the current local market value of grain that the grain warehouse keeper holds in this state for others.

(4) FORM OF SECURITY. The department shall review, and determine whether to approve, security filed or maintained under this section. The department may approve only the following types of security:

(a) Currency.

(b) A commercial surety bond if all of the following apply:

1. The surety bond is made payable to the department for the benefit of depositors.

2. The surety bond is issued by a person authorized to operate a surety business in this state.

3. The surety bond is issued as a continuous term bond that may be canceled only with the department's written agreement, or upon 90 days' prior written notice served on the department in person or by certified mail.

4. The surety bond is issued in a form, and subject to any terms and conditions, that the department considers appropriate.

(c) A certificate of deposit or money market certificate, if all of the following apply:

1. The certificate is issued or endorsed to the department for the benefit of depositors.

2. The certificate may not be canceled or redeemed without the department's written permission.

3. No person may transfer or withdraw funds represented by the certificate without the department's written permission.

4. The certificate renews automatically without any action by the department.

5. The certificate is issued in a form, and subject to any terms and conditions, that the department considers appropriate.

(d) An irrevocable bank letter of credit if all of the following apply:

1. The letter of credit is payable to the department for the benefit of depositors.

2. The letter of credit is issued on bank letterhead.

3. The letter of credit is issued for an initial period of at least one year.

4. The letter of credit renews automatically unless at least 90 days before the scheduled renewal date the issuing bank gives the department written notice, in person or by certified mail, that the letter of credit will not be renewed.

5. The letter of credit is issued in a form, and subject to any terms and conditions, that the department considers appropriate.

(e) Security filed under ch. 127, 1999 stats., before September 1, 2002, except that on January 1, 2003, the department shall withdraw its approval of any security that is not approvable under pars. (a) to (d).

(5) DEPARTMENT CUSTODY OF SECURITY. The department shall hold, in its custody, all security filed and maintained under this section. The department shall hold the security for the benefit of depositors.

(6) ADDITIONAL SECURITY. (a) The department may, at any time during a license year, demand additional security from a grain warehouse keeper if any of the following applies:

1. The grain warehouse keeper's existing security falls below the amount required under sub. (3) for any reason, including depreciation in the value of the security, increased obligations to depositors, or the cancellation of any security filed with the department.

2. The grain warehouse keeper fails to provide required information that is relevant to a determination of security requirements.

(b) The department shall issue a demand under par. (a) in writing. The department shall indicate why additional security is required, the amount of security required, and the deadline date for filing security. The department may not specify a deadline for filing security that is more than 30 days after the date on which the department issues its demand for security.

(c) A grain warehouse keeper may request a hearing, under ch. 227, on a demand for security under par. (b). A request for hearing does not automatically stay a security demand.

(d) If a grain warehouse keeper fails to comply with the department's demand for security under this subsection, the grain warehouse keeper shall give written notice of that fact to all depositors. If the grain warehouse keeper fails to give accurate notice under this paragraph within 5 days after the deadline for filing security under par. (b) has passed, the department shall promptly notify depositors by publishing a class 3 notice under ch. 985. The department may also give individual notice to depositors of whom the department is aware.

(e) If a grain warehouse keeper fails to comply with the department's demand for security under this subsection, the department may do any of the following:

1. Issue an appropriate summary order under s. 126.85 (2).

2. Suspend or revoke the grain warehouse keeper's license.

(7) MONTHLY REPORTS. A grain warehouse keeper who is required to file or maintain security under this section shall file monthly reports with the department. The grain warehouse keeper shall file the report by the 10th day of each month, in a form specified by the department. In a monthly report, the grain warehouse keeper shall provide information reasonably required by the department, including the amount of each type of grain stored in each grain warehouse on the last day of the preceding month.

(8) RELEASING SECURITY. (a) The department may release security filed under sub. (1) if any of the following applies:

1. The grain warehouse keeper reports grain warehouse capacity under s. 126.26 (2) (e) of less than 300,000 bushels for at least 2 consecutive license years and the grain warehouse keeper pays the quarterly fund assessment that would have been required of the grain warehouse keeper if the grain warehouse keeper had been a contributing grain warehouse keeper on the most recent quarterly installment date under s. 126.30 (6).

2. The grain warehouse keeper's annual financial statement under s. 126.28 shows positive equity for at least 2 consecutive years and the grain warehouse keeper pays the quarterly fund assessment that would have been required of the grain warehouse keeper if the grain warehouse keeper had been a contributing grain warehouse keeper on the most recent quarterly installment date under s. 126.30 (6).

(b) On December 1, 2002, the department may release security maintained under sub. (2), unless the grain warehouse keeper is required to file security under sub. (1).

(c) The department may release security to the extent that the security exceeds the amount required under sub. (3).

(d) The department may release security if the grain warehouse keeper files alternative security, of equivalent value, that the department approves.

(e) The department shall release security if the grain warehouse keeper has gone out of business and has fulfilled all grain obligations to depositors.

126.32 Grain warehouse keepers; records. (1) RECORDS AND ACCOUNTS; GENERAL. A grain warehouse keeper shall maintain current, complete, and accurate records and accounts of all grain received into and withdrawn from each grain warehouse, including records required under subs. (2) and (3).

(2) DAILY POSITION RECORDS. A grain warehouse keeper shall keep daily position records for each type of grain, so that the grain warehouse keeper and the department can easily determine all of the following on a daily basis:

(a) The total amount of grain held by the warehouse keeper, including grain under pars. (b) and (c).

(b) The total amount of grain that the warehouse keeper holds for others.

(c) The total amount of grain held by the warehouse keeper of which the warehouse keeper claims ownership.

(d) The warehouse keeper's total grain obligations to depositors.

(3) DEPOSITOR RECORDS. A grain warehouse keeper shall keep for each depositor, in a form that the grain warehouse keeper and the department can easily retrieve, records of all of the following:

(a) The depositor's name and address.

(b) The kinds and amounts of grain that the grain warehouse keeper received from the depositor, the receipt dates, and the terms under which the grain warehouse keeper received the grain.

(c) The kinds and amounts of grain that the grain warehouse keeper has released to the depositor and the release dates.

(d) The kinds and amounts of grain that the grain warehouse keeper holds for the depositor. The grain warehouse keeper shall update this record on a daily basis.

(4) ADJUSTING RECORDS. (a) Whenever a grain warehouse keeper alters a record entry under sub. (2) or (3), the grain warehouse keeper shall clearly identify and explain the alteration so that the reason for the alteration is clear to a person reviewing the records.

(b) Except as provided in par. (c), a grain warehouse keeper may not alter a record entry under sub. (2) or (3) without the department's prior approval.

(c) A grain warehouse keeper may, without the department's prior approval, correct a record entry under sub. (2) or (3) for any of the following reasons:

1. To account for handling losses, if the warehouse keeper corrects for handling losses at least monthly.

2. To account for errors or omissions related to the receipt or withdrawal of grain, if the warehouse keeper has documentation to support the correction.

(5) RECORDS RETENTION; AVAILABILITY. (a) A grain warehouse keeper shall retain all of the following records for at least 6 years from the date of their creation:

1. Records required under this section and s. 126.33 (3).

2. Records that the grain warehouse keeper was required to keep under ch. 127, 1999 stats., and department rules, before January 1, 2002.

(b) If a grain warehouse keeper keeps records under subs. (2) and (3) in computerized form, the grain warehouse keeper shall generate a hard copy printout for each business day unless the grain warehouse keeper retains the ability to retrieve and print that day's computerized record for at least 6 years.

(c) A grain warehouse keeper shall make records required under this section available to the department for inspection and copying upon request.

(6) REVIEWING RECORDS. (a) The department shall review the records that a grain warehouse keeper is required to keep under this section. The department shall review a grain warehouse keeper's records at least annually, except as provided in par. (b).

(b) The department shall review a grain warehouse keeper's records at least once every 2 years if the grain warehouse keeper files an annual financial statement under s. 126.28 and that annual financial statement shows a current ratio of at least 2.0 to 1.0, positive equity, and a debt to equity ratio of not more than 2.0 to 1.0.

126.33 Receipts for grain. (1) REQUIREMENT. Immediately after a grain warehouse keeper receives grain from a depositor, the grain warehouse keeper shall give the depositor a warehouse receipt or other storage receipt that includes all of the following:

(a) The name and permanent address of the grain warehouse keeper, the location of the grain warehouse, and a statement indicating whether the grain warehouse keeper is a corporation.

(b) A statement identifying the document as a warehouse receipt or other storage receipt.

(c) The date on which the grain warehouse keeper received the grain.

(d) The kind of grain received.

(e) The net weight of grain received.

(f) The grade and quality of grain received, if determined.

(g) The word "negotiable" or "nonnegotiable," conspicuously, if the document is issued as a warehouse receipt. If a grain warehouse keeper transfers depositor−owned grain to another warehouse keeper, the receiving grain warehouse keeper shall issue a receipt that conspicuously bears the word "nonnegotiable."

(h) A statement indicating that the depositor must remove the grain from storage by a specified date that is

not more than 3 years after the date of deposit. This requirement does not apply to any of the following:

1. A warehouse receipt.

2. A receipt for grain owned by the federal commodity credit corporation.

3. A receipt for grain pledged as collateral for a loan from the federal department of agriculture.

(2) GRAIN OWNERSHIP. If a person delivers grain to a recipient who is both a grain warehouse keeper and a grain dealer, as defined in s. 126.10 (9), the delivery is considered a deposit for storage unless it is clearly documented as a delivery of purchased grain. A receipt issued by such a recipient is considered a storage receipt unless it is clearly designated as a receipt for the delivery of purchased grain.

(3) WAREHOUSE KEEPER'S COPY. A grain warehouse keeper shall keep a copy of every warehouse receipt and other document that the grain warehouse keeper issues under sub. (1). The grain warehouse keeper shall retain a copy of each document for at least 6 years after the grain warehouse keeper issues the document and shall make copies available to the department for inspection and copying upon request.

126.34 Grain warehouse keepers; business practices. (1) GRAIN WEIGHT, GRADE, AND QUALITY. A grain warehouse keeper shall do all of the following when determining the weight, grade, or quality of grain:

(a) Accurately determine the weight, grade, or quality using accurate weighing, testing, or grading equipment.

(b) Accurately record the determined weight, grade, or quality.

(2) CARE OF GRAIN; FACILITIES. A grain warehouse keeper shall safeguard grain held for others and shall protect that grain from loss or abnormal deterioration. A grain warehouse keeper shall maintain adequate facilities and equipment for that purpose.

(3) SUFFICIENT INVENTORY. A grain warehouse keeper shall at all times maintain grain inventories sufficient in quantity and quality to meet all outstanding obligations to depositors.

(4) RETURNING GRAIN TO DEPOSITORS. (a) Except as provided in par. (b), a grain warehouse keeper shall deliver to a depositor, upon demand, the same grade and amount of grain as was deposited.

(b) If a grain warehouse keeper does not have enough grain of the appropriate grade to satisfy a depositor's demand under par. (a), the warehouse keeper may substitute any of the following with the agreement of the depositor:

1. A monetary payment sufficient to provide the depositor with equivalent value, based on current local grain prices.

2. A sufficient amount of a higher grade of grain to provide the depositor with equivalent value, based on current local grain prices.

(c) A grain warehouse keeper may not provide grain or payments under par. (b) whose value exceeds the current value of the grain that was deposited.

(5) PROHIBITED PRACTICES. No grain warehouse keeper may do any of the following:

(a) Misrepresent the weight, grade, or quality of grain received from or delivered to any person.

(b) Falsify any record or account, or conspire with any other person to falsify a record or account.

(c) Make any false or misleading representation to the department.

(d) If the grain warehouse keeper is licensed under s. 126.26 (1), engage in any activity that is inconsistent with representations made in the grain warehouse keeper's annual license application.

(e) Make any false or misleading representation to a depositor related to matters regulated under this chapter.

(f) Fail to file the full amount of security required under s. 126.31 (6) by the date that the department specifies.

SUBCHAPTER V
MILK CONTRACTORS

126.40 Definitions. In this subchapter:

(1) "Contributing milk contractor" means a milk contractor who is licensed under s. 126.41 (1), who either has paid one or more quarterly installments under s. 126.46 or is required to contribute to the fund, but the first quarterly installment under s. 126.46 (6) is not yet due, and who is not disqualified from the fund under s. 126.45 (3).

(2) "Current ratio" means the ratio of the value of current assets to the value of current liabilities, calculated according to s. 126.44 (8) (c) 1.

(3) "Dairy farm" has the meaning given in s. 97.22 (1) (a).

(4) "Dairy plant" has the meaning given in s. 97.20 (1) (a).

(5) "Dairy plant operator" means a person who holds or is required to hold a dairy plant license under s. 97.20.

(6) "Debt to equity ratio" means the ratio of the value of liabilities to equity, calculated according to s. 126.44 (8) (c) 2.

(7) "Disqualified milk contractor" means a milk contractor who is disqualified from the fund under s. 126.45 (3).

(7m) "License year" means the period beginning on May 1 and ending on the following April 30.

(8) "Milk contractor" means a person who buys producer milk or who markets producer milk as a producer agent. "Milk contractor" does not include any of the following:

(a) A person who merely brokers a contract between a milk producer and a milk contractor, without becoming a party to the contract, taking control of milk, or accepting payment on behalf of the milk producer.

(b) A person who merely buys or sells milk on a board of trade or commodity exchange.

(9) "Milk payroll obligation" means a milk contractor's gross obligation to a milk producer or producer agent, whether paid or unpaid, for producer milk that the milk contractor procures in this state.

(10) "Milk producer" means a person who produces milk on a dairy farm.

(11) "Procure producer milk" means to buy producer milk or acquire the right to market producer milk.

(12) "Procure producer milk in this state" means any of the following:

(a) To buy producer milk for receipt in this state.

(b) To receive producer milk directly from a dairy farm in this state.

(c) To collect producer milk from a dairy farm in another state, for direct shipment to a dairy plant that the milk contractor operates in this state.

(d) To acquire the right to market producer milk that is produced in this state.

(13) "Producer agent" means a person who acts on behalf of a milk producer to market or accept payment for producer milk without taking title to that milk, including a person who uses a producer trust fund to market or accept payment for producer milk. "Producer agent" does not include any of the following:

(a) A person who merely brokers a contract between a milk producer and a milk contractor, without becoming a party to the contract, taking control of milk, or accepting payment on behalf of the milk producer.

(b) A person who merely holds or transports milk for a milk producer without marketing or accepting payment for milk on behalf of the milk producer.

(14) "Producer milk" means milk that is owned by or held in trust for one or more milk producers. "Producer milk" includes milk that a producer agent markets for a producer, without taking title to the milk.

(15) "Qualified producer agent" means a milk contractor who does all of the following:

(a) Procures milk in this state solely as a producer agent.

(b) Complies with the rules promulgated under s. 126.51.

126.41 Milk contractors; licensing. (1) ANNUAL LICENSE. (a) No milk contractor may do any of the following without a current annual license from the department:

1. Receive producer milk in this state.

2. Collect producer milk from a dairy farm in another state for direct shipment to a dairy plant that the milk contractor operates in this state.

3. Acquire the right to market, as a producer agent, producer milk produced in this state.

(b) A milk contractor who is not engaged in any activities under par. (a) may volunteer to be licensed if the milk contractor receives, outside this state, direct shipments of producer milk from dairy farms in this state.

(c) The department shall issue annual milk contractor licenses under pars. (a) and (b). A license expires on the April 30 following its issuance. No person may transfer or assign a license issued under par. (a) or (b).

(2) LICENSE APPLICATION. A milk contractor shall apply for a license under sub. (1) in writing, on a form provided by the department. An applicant shall provide all of the following:

(a) The applicant's legal name and any trade name under which the applicant proposes to operate as a milk contractor. If the milk contractor is a dairy plant operator licensed under s. 97.20, the milk contractor shall use the same legal name in both license applications.

(b) A statement of whether the applicant is an individual, corporation, partnership, cooperative, limited liability company, trust, or other legal entity. If the applicant is a corporation or cooperative, the applicant shall identify each officer of the corporation or cooperative. If the applicant is a partnership, the applicant shall identify each partner.

(c) The mailing address of the applicant's primary business location and the name of a responsible individual who may be contacted at that location.

(d) The street address of each business location from which the applicant will operate under the license and the name of a responsible person who may be contacted at each location that is staffed.

(e) All license fees and surcharges required under sub. (3).

(f) The sworn and notarized statement required under sub. (6).

(g) A financial statement if required under s. 126.44 (1) and not yet filed.

(h) Other relevant information required by the department.

(3) ANNUAL LICENSE FEES AND SURCHARGES. A milk contractor applying for a license under sub. (1) shall include the following fees and surcharges with the license application, unless the department specifies a different fee or surcharge amount by rule:

(a) A nonrefundable license processing fee of $25, regardless of whether application is made after the beginning of a license year.

(b) A license surcharge of $500 if the department determines that, within 365 days before submitting the license application, the applicant operated without a license in violation of sub. (1). The applicant shall also pay any license fees, license surcharges, and fund assessments that are still due for any license year in which the applicant violated sub. (1).

(c) A license surcharge of $100 if during the preceding 12 months the applicant failed to file an annual financial statement required under s. 126.44 (1) (b) by the applicable deadline.

(d) A license surcharge of $100 if a renewal applicant fails to renew a license by the license expiration date of April 30.

(3m) EFFECT OF PAYMENT OF SURCHARGE. Payment under sub. (3) (b) does not relieve the applicant of any other civil or criminal liability that results from the violation of sub. (1), but does not constitute evidence of any law violation.

(4) FEE STATEMENT. The department shall provide, with each license application form, a written statement of all license fees and surcharges required under sub. (3).

(5) NO LICENSE WITHOUT FULL PAYMENT. The department may not issue a license under sub. (1) until the applicant pays all license fees and surcharges identified in the department's statement under sub. (4). The department shall refund a fee or surcharge paid under protest if upon review the department determines that the fee or surcharge is not applicable.

(6) SWORN AND NOTARIZED STATEMENT. As part of a license application under sub. (2), an applicant shall provide a sworn and notarized statement, signed by the applicant or an authorized officer of the applicant, that reports all of the following information:

(a) The total milk payroll obligations that the applicant incurred during the applicant's last completed fiscal year. If the applicant has not yet operated as a milk contractor, the applicant shall estimate the total milk payroll obligations that the applicant will incur during the applicant's first complete fiscal year.

(b) The largest amount of unpaid milk payroll obligations that the milk contractor had at any time during the milk contractor's last completed fiscal year.

(c) The identity of any producer agents from whom the milk contractor procures producer milk.

(d) Other relevant information required by the department.

(7) ACTION GRANTING OR DENYING APPLICATION. The department shall grant or deny a license application under sub. (2) within 30 days after the department receives a complete application. If the department denies a license application, the department shall give the applicant written notice stating the reasons for the denial.

(8) LICENSE DISPLAYED. A milk contractor licensed under sub. (1) shall prominently display a true copy of that license at each business location from which the milk contractor operates in this state.

(9) NOTIFICATION REQUIRED. A milk contractor who files security under s. 126.47 shall immediately notify the department if, at any time, the milk contractor's unpaid milk payroll obligations exceed the amount last reported under sub. (6) (b).

126.42 Milk contractors; monthly license fee. (1) MONTHLY LICENSE FEE PAYMENT. Except as provided under sub. (5) or (6), a milk contractor licensed under s. 126.41 (1) shall pay to the department, by the 25th day of each month, a monthly license fee of 0.15 cent for each 100 pounds of producer milk that the milk contractor procured in this state during the preceding month. The milk contractor shall submit, with the fee payment, a report stating the number of pounds of producer milk that the milk contractor procured in this state during the preceding month.

(2) LATE PAYMENT SURCHARGE. If a milk contractor fails to pay a monthly fee under sub. (1) when due, the milk contractor shall pay, in addition to that monthly fee, a surcharge equal to 20% of the monthly fee. The milk contractor shall pay the surcharge by the 25th day of the following month.

(3) FEE CREDITS. If the balance in the fund contributed by milk contractors exceeds $4,000,000 on February 28 of any license year, the department shall credit 50% of the excess amount against fees charged under sub. (1) to contributing milk contractors who file timely renewal applications for the next license year. The department shall credit each contributing milk contractor on a prorated basis, in proportion to the total fees that the milk contractor has paid under sub. (1) for the 4 preceding license years. Each month that a contributing contractor who qualifies for a credit under this subsection pays fees under sub. (1), the department shall credit to the contributing milk contractor one−twelfth of the total annual credit determined under this subsection.

(4) FEE STATEMENT. Whenever the department issues an annual license to a milk contractor under s. 126.41 (1), the department shall give the milk contractor notice of the monthly fees required under this section. The department shall specify all of the following:

(a) The method for computing the monthly fee.

(b) The date by which the milk contractor must pay the fee each month.

(c) The late payment surcharge that may apply under sub. (2).

(d) The fee credit, if any, that applies under sub. (3).

(5) PRODUCER AGENTS; EXEMPTION. A producer agent is not required to pay the monthly fee under sub. (1) for producer milk that the producer agent markets to a milk contractor who is licensed under s. 126.41 (1) and who pays the monthly fee on the same milk.

(6) FEE CHANGES. The department may modify the license fees under sub. (1) by rule, as provided under s. 126.81 (2).

126.43 Milk contractors; insurance. (1) FIRE AND EXTENDED COVERAGE INSURANCE. A milk contractor licensed under s. 126.41 (1) shall maintain fire and extended coverage insurance that covers, at their full value, all milk and milk products in the possession, custody, or control of the milk contractor. If the milk contractor is required to be licensed under s. 126.41 (1) (a), the milk contractor shall maintain insurance issued by an insurance company authorized to do business in this state.

(2) INSURANCE CANCELLATION; REPLACEMENT. Whenever an insurance policy under sub. (1) is canceled, the milk contractor shall replace the policy so that there is no lapse in coverage.

(3) INSURANCE COVERAGE; MISREPRESENTATION. No milk contractor may misrepresent any of the following to the department or to any milk producer or producer agent:

(a) That the milk contractor is insured.

(b) The nature, coverage, or material terms of the milk contractor's insurance policy.

126.44 Milk contractors; financial statements. (1) REQUIRED ANNUAL FINANCIAL STATEMENT. (a) A milk contractor shall file an annual financial statement with the department before the department first licenses the milk contractor under s. 126.41 (1), unless the milk contractor reports no more than $1,500,000 in annual milk payroll obligations under s. 126.41 (6) (a).

(b) Except as provided in par. (c), a milk contractor licensed under s. 126.41 (1) shall file an annual financial statement with the department during each license year. The milk contractor shall file the annual financial statement by the 15th day of the 4th month following the close of the milk contractor's fiscal year. The department may extend the filing deadline for up to 30 days if the milk contractor, or the accountant preparing the financial statement, files a written extension request at least 10 days before the filing deadline.

(c) Paragraph (b) does not apply to any of the following:

1. A contributing milk contractor who reports no more than $1,500,000 in annual milk payroll obligations under s. 126.41 (6) (a).

2. A contributing milk contractor who procures producer milk in this state solely as a producer agent.

(2) VOLUNTARY ANNUAL FINANCIAL STATEMENT. A milk contractor licensed under s. 126.41 (1) who is not required to file a financial statement under sub. (1) may file an annual financial statement with the department for any of the following reasons:

(a) To avoid being required to contribute to the fund under s. 126.45 (1) (a).

(b) To qualify for a lower fund assessment under s. 126.46.

(3) QUARTERLY FINANCIAL STATEMENTS. A milk contractor licensed under s. 126.41 (1) who is not a contributing milk contractor shall file quarterly financial statements with the department for the first 3 quarters in each of the milk contractor's fiscal years. The milk contractor shall file each quarterly financial statement no later than 60 days after the end of the fiscal quarter to which the financial statement pertains. With each quarterly financial statement, the milk contractor shall include the milk contractor's sworn and notarized statement that the financial statement is correct.

(5) REVIEWED OR AUDITED FINANCIAL STATEMENT. (a) A milk contractor filing an annual financial statement under sub. (1) or (2) shall file an audited financial statement if the milk contractor reports more than $6,000,000 in annual milk payroll obligations under s. 126.41 (6) (a).

(b) If par. (a) does not apply, a milk contractor filing an annual financial statement under sub. (1) or (2) shall file either a reviewed financial statement or an audited financial statement.

(6) ACCOUNTING PERIOD. A milk contractor filing an annual financial statement under sub. (1) or (2) shall file a financial statement that covers the milk contractor's last completed fiscal year unless the milk contractor has been in business for less than one year.

(6m) INTERIM FINANCIAL STATEMENT. The department may, at any time, require a milk contractor licensed under s. 126.41 (1) to file an interim financial statement with the department. With the interim financial statement, the milk contractor shall provide the milk contractor's sworn and notarized statement that the financial statement is correct. An interim financial statement need not be a reviewed financial statement or an audited financial statement.

(7) GENERALLY ACCEPTED ACCOUNTING PRINCIPLES. (a) Except as provided in par. (b), a milk contractor filing an annual financial statement under this section shall file a financial statement that is prepared according to generally accepted accounting principles.

(b) If a milk contractor is a sole proprietor and the milk contractor's financial statement is not audited, the milk contractor shall file a financial statement that is prepared on a historical cost basis.

(8) FINANCIAL STATEMENT CONTENTS. (a) Except as provided in par. (b), a milk contractor filing a financial statement under this section shall file a financial statement that consists of a balance sheet, income statement, equity statement, statement of cash flows, notes to those statements, and any other information required by the department. If the milk contractor is a sole proprietor, the milk contractor shall file his or her business and personal financial statements.

(b) If a milk contractor has been in business for less than one year, the milk contractor may file an annual financial statement under sub. (1) or (2) consisting of a balance sheet and notes. A milk contractor may file a quarterly financial statement under sub. (3) consisting of a balance sheet and income statement.

(c) A milk contractor filing a financial statement under this section shall include in the financial statement, or in an attachment to the financial statement, calculations of all of the following:

1. The milk contractor's current ratio, excluding any assets required to be excluded under sub. (9).

2. The milk contractor's debt to equity ratio, excluding any assets required to be excluded under sub. (9).

(9) ASSETS EXCLUDED. A milk contractor may not include any of the following assets in the calculations under sub. (8) (c), unless the department specifically approves their inclusion:

(a) A nontrade note or account receivable from an officer, director, employee, partner, or stockholder, or from a member of the family of any of those individuals, unless the note or account receivable is secured by a first priority security interest in real or personal property.

(b) A note or account receivable from a parent organization, a subsidiary, or an affiliate other than an employee.

(c) A note or account that has been receivable for more than one year, unless the milk contractor has established an equal offsetting reserve for uncollectible notes and accounts receivable.

(10) ENTITY COVERED. A person filing a financial statement under this section may not file, in lieu of that person's financial statement, the financial statement of the person's parent organization, subsidiary, predecessor, or successor.

(11) DEPARTMENT REVIEW. The department may analyze a financial statement submitted under this section and may reject a financial statement that fails to comply with this section.

126.45 Contributing milk contractors; disqualification. (1) REQUIRED CONTRIBUTORS. (a) Except as provided in sub. (3), a licensed milk contractor shall pay fund assessments under s. 126.46 if the milk contractor does not file annual and quarterly financial statements under s. 126.44.

(b) Except as provided in sub. (3), a licensed milk contractor shall pay fund assessments under s. 126.46 if the milk contractor files an annual, quarterly, or interim financial statement under s. 126.44 that shows a current ratio of less than 1.25 to 1.0, a debt to equity ratio of more than 2.0 to 1.0, or negative equity. The milk contractor shall continue to pay fund assessments until the milk contractor files 2 consecutive annual financial statements under s. 126.44 that show a current ratio of at least 1.25 to 1.0, positive equity, and a debt to equity ratio of not more than 2.0 to 1.0.

(2) VOLUNTARY CONTRIBUTORS. Except as provided in sub. (3), a licensed milk contractor who is not required to pay fund assessments under s. 126.46 may elect to do so.

(3) DISQUALIFIED CONTRACTORS. (a) A milk contractor who is required to file security under s. 126.47 (1) is disqualified from the fund until the department releases that security under s. 126.47 (7) (a). This paragraph does not apply, during the period beginning on May 1, 2002, and ending on April 30, 2007, to a qualified producer agent who files security under s. 126.47 (3) (c).

(b) A milk contractor is disqualified from the fund if the department denies, suspends, or revokes the milk contractor's license.

(c) The department may, by written notice, disqualify a milk contractor for any of the following reasons:

1. Failure to pay fund assessments under s. 126.46 when due.

2. Failure to file a financial statement under s. 126.44 when due.

3. Failure to reimburse the department, within 60 days after the department issues a reimbursement demand under s. 126.73 (1), for the full amount that the department pays to claimants under s. 126.72 (1) because of that milk contractor's default.

4. Failure to reimburse a bond surety, within 60 days after the bond surety issues a reimbursement demand under s. 126.73 (2), for the full amount that the surety pays to the department under s. 126.72 (2) or (3) for the benefit of claimants affected by that milk contractor's default.

(4) EFFECT OF DISQUALIFICATION. (a) A milk contractor disqualified under sub. (3) (c) may not engage in any activities for which a license is required under s. 126.41 (1) (a) if the milk contractor files an annual, quarterly, or interim financial statement under s. 126.44 that shows a current ratio of less than 1.25 to 1.0, a debt to equity ratio of more than 2.0 to 1.0, or negative equity.

(b) The department may not return, to a disqualified milk contractor, any fund assessments that the milk contractor paid as a contributing milk contractor.

(c) A disqualified milk contractor remains liable for any unpaid fund installment under s. 126.46 that became due while the milk contractor was a contributing milk contractor. A disqualified milk contractor is not liable for any fund installment that becomes due after the milk contractor is disqualified under sub. (3).

126.46 Contributing milk contractors; fund assessments. (1) GENERAL. A contributing milk contractor shall pay an annual fund assessment for each license year. The assessment equals $20 or the sum of the following, whichever is greater, unless the department by rule specifies a different assessment:

(a) The milk contractor's current ratio assessment. The current ratio assessment for a license year equals the milk contractor's current ratio assessment rate under sub. (2) multiplied by the annual milk payroll obligations reported under s. 126.41 (6) (a) in the milk contractor's license application for that license year.

(b) The milk contractor's debt to equity ratio assessment. The debt to equity ratio assessment for a license year equals the milk contractor's debt to equity ratio assessment rate under sub. (4) multiplied by the annual milk payroll obligations reported under s. 126.41 (6) (a) in the milk contractor's license application for that license year.

(2) CURRENT RATIO ASSESSMENT RATE. A milk contractor's current ratio assessment rate is calculated, at the beginning of the license year, as follows:

(a) If the milk contractor has filed an annual financial statement under s. 126.44 and that financial statement shows a current ratio of at least 1.25 to 1.0, the milk contractor's current ratio assessment rate equals the greater of zero or the current ratio assessment factor in sub. (3) (a) multiplied by the following amount:

1. Subtract 3 from the current ratio.

2. Divide the amount determined under subd. 1. by 6.

3. Multiply the amount determined under subd. 2. by negative one.

4. Raise the amount determined under subd. 3. to the 3rd power.

5. Divide 0.55 by the current ratio.

6. Raise the amount determined under subd. 5. to the 7th power.

7. Add the amount determined under subd. 4. to the amount determined under subd. 6.

8. Add 0.075 to the amount determined under subd. 7.

(b) If the milk contractor has filed an annual financial statement under s. 126.44 and that financial statement shows a current ratio of less than 1.25 to 1.0, but greater than 1.05 to 1.0, the milk contractor's current ratio assessment rate equals the current ratio assessment factor in sub. (3) (b) multiplied by the following amount:

1. Subtract 3 from the current ratio.

2. Divide the amount determined under subd. 1. by 6.

3. Multiply the amount determined under subd. 2. by negative one.

4. Raise the amount determined under subd. 3. to the 3rd power.

5. Divide 0.55 by the current ratio.

6. Raise the amount determined under subd. 5. to the 7th power.

7. Add the amount determined under subd. 4. to the amount determined under subd. 6.

8. Add 0.075 to the amount determined under subd. 7.

(c) If the milk contractor has filed an annual financial statement under s. 126.44 and that financial statement shows a current ratio of less than or equal to 1.05 to 1.0, the milk contractor's current ratio assessment rate equals the current ratio assessment factor in sub. (3) (b) multiplied by 0.1201478.

(d) Except as provided in par. (e), if the milk contractor has not filed an annual financial statement under s. 126.44, the milk contractor's current ratio assessment rate equals the current ratio assessment factor in sub. (3) (b) multiplied by 0.103005.

(e) If the milk contractor has not filed an annual financial statement under s. 126.44 and the milk contractor procures producer milk in this state solely as a producer agent, the milk contractor's current ratio assessment rate is 0.00025, except that, for the milk contractor's 5th or higher consecutive full license year of participation in the fund, the milk contractor's current ratio assessment rate is 0.000175.

(3) CURRENT RATIO ASSESSMENT FACTOR. (a) A milk contractor's current ratio assessment factor under sub. (2) (a) is 0.001, except as follows:

1. For the milk contractor's 3rd consecutive full license year as a contributing milk contractor, the milk contractor's current ratio assessment factor is 0.0007.

2. For the milk contractor's 4th consecutive full license year as a contributing milk contractor, the milk contractor's current ratio assessment factor is 0.0003.

3. For the milk contractor's 5th or higher consecutive full license year as a contributing milk contractor, the milk contractor's current ratio assessment factor is zero.

(b) A milk contractor's current ratio assessment factor under sub. (2) (b) to (d) is 0.0015, except that, for the milk contractor's 5th or higher consecutive full license year of participation in the fund, the milk contractor's current ratio assessment factor is 0.000675.

(4) DEBT TO EQUITY RATIO ASSESSMENT RATE. A milk contractor's debt to equity ratio assessment rate is calculated, at the beginning of the license year, as follows:

(a) If the milk contractor has filed an annual financial statement under s. 126.44 and that financial statement shows positive equity and a debt to equity ratio of not more than 2.0 to 1.0, the milk contractor's debt to equity ratio assessment rate equals the greater of zero or the debt to equity ratio assessment factor in sub. (5) (a) multiplied by the following amount:

1. Subtract 2 from the debt to equity ratio.

2. Divide the amount determined under subd. 1. by 3.

3. Raise the amount determined under subd. 2. to the 9th power.

4. Divide the debt to equity ratio by 3.25.

5. Raise the amount determined under subd. 4. to the 5th power.

6. Add the amount determined under subd. 3. to the amount determined under subd. 5.

7. Add 0.025 to the amount determined under subd. 6.

(b) If the milk contractor files an annual financial statement under s. 126.44 and that financial statement shows a debt to equity ratio of greater than 2.0 to 1.0 but less than 3.1 to 1.0, the milk contractor's debt to equity ratio assessment rate equals the debt to equity ratio assessment factor in sub. (5) (b) multiplied by the following amount:

1. Subtract 2 from the debt to equity ratio.

2. Divide the amount determined under subd. 1. by 3.

3. Raise the amount determined under subd. 2. to the 9th power.

4. Divide the debt to equity ratio by 3.25.

5. Raise the amount determined under subd. 4. to the 5th power.

6. Add the amount determined under subd. 3. to the amount determined under subd. 5.

7. Add 0.025 to the amount determined under subd. 6.

(c) If the milk contractor has filed an annual financial statement under s. 126.44 and that financial statement shows negative equity or a debt to equity ratio of at least 3.1 to 1.0, the milk contractor's debt to equity ratio assessment rate equals the debt to equity ratio assessment factor in sub. (5) (b) multiplied by 0.8146917.

(d) Except as provided in par. (e), if the milk contractor has not filed an annual financial statement under s. 126.44, the milk contractor's debt to equity ratio assessment rate equals the debt to equity ratio assessment factor in sub. (5) (b) multiplied by 0.11325375.

(e) If the milk contractor has not filed an annual financial statement under s. 126.44 and the milk contractor procures producer milk in this state solely as a producer agent, the milk contractor's debt to equity ratio assessment rate is 0.00025, except that, for the milk contractor's 5th or higher consecutive full license year of participation in the fund, the milk contractor's debt to equity ratio assessment rate is 0.000175.

(5) DEBT TO EQUITY RATIO ASSESSMENT FACTOR. (a) A milk contractor's debt to equity ratio assessment factor under sub. (4) (a) is 0.0015, except as follows:

1. For the milk contractor's 3rd consecutive full license year as a contributing milk contractor, the milk contractor's current ratio assessment factor is 0.001.

2. For the milk contractor's 4th consecutive full license year as a contributing milk contractor, the milk contractor's current ratio assessment factor is 0.0005.

3. For the milk contractor's 5th or higher consecutive full license year as a contributing milk contractor, the milk contractor's current ratio assessment factor is zero.

(b) A milk contractor's debt to equity ratio assessment factor under sub. (4) (b) to (d) is 0.00225, except that, for the milk contractor's 5th or higher consecutive full license year as a contributing milk contractor, the milk contractor's debt to equity ratio assessment factor is 0.001.

(6) QUARTERLY INSTALLMENTS. (a) A contributing milk contractor shall pay the milk contractor's annual fund assessment in equal quarterly installments that are due as follows:

1. The first installment is due on June 1 of the license year.

2. The 2nd installment is due on September 1 of the license year.

3. The 3rd installment is due on December 1 of the license year.

4. The 4th installment is due on March 1 of the license year.

(b) A contributing milk contractor may prepay any of the quarterly installments under par. (a).

(c) A contributing milk contractor who applies for an annual license after the beginning of a license year shall pay the full annual fund assessment required under this section. The milk contractor shall pay, with the first quarterly installment that becomes due after the day on which the department issues the license, all of the quarterly installments for that license year that were due before that day.

(d) If s. 126.45 (1) (b) requires a licensed milk contractor to become a contributing milk contractor during the license year, the milk contractor shall pay only those quarterly installments that become due after the requirement takes effect.

(e) A contributing milk contractor who fails to pay the full amount of any quarterly installment when due shall pay, in addition to that installment, a late payment penalty of $50 or 10% of the overdue installment amount, whichever is greater.

(7) NOTICE OF ANNUAL ASSESSMENT AND QUARTERLY INSTALLMENTS. When the department issues an annual license to a contributing milk contractor, the department shall notify the milk contractor of all of the following:

(a) The amount of the milk contractor's annual fund assessment under this section.

(b) The amount of each required quarterly installment under sub. (6) and the date by which the milk contractor must pay each installment.

(c) The penalty that applies under sub. (6) (e) if the milk contractor fails to pay any quarterly installment when due.

126.47 Milk contractors; security. (1) SECURITY REQUIRED. A milk contractor shall file security with the department, and maintain that security until the department releases it under sub. (7), if all of the following apply when the department first licenses the milk contractor under s. 126.41 (1):

(a) The milk contractor reports more than $1,500,000 in annual milk payroll obligations under s. 126.41 (6) (a).

(b) The milk contractor files an annual financial statement under s. 126.44 (1) and that financial statement shows negative equity.

(2) SECURITY CONTINUED. A milk contractor who filed security under s. 100.06, 1999 stats., before May 1, 2002, shall maintain that security until the department releases it under sub. (7).

(3) AMOUNT OF SECURITY. A milk contractor who is required to file or maintain security under this section shall at all times maintain the following amount of security:

(a) Except as provided in par. (b) or (c), security equal to at least 75% of the amount last reported under s. 126.41 (6) (b) or (9).

(b) Except as provided in par. (c), for a milk contractor who procures milk in this state solely as a qualified producer agent, security equal to at least the following amounts:

1. For the license year beginning on May 1, 2002, 15% of the amount last reported under s. 126.41 (6) (b) or (9).

2. For the license year beginning on May 1, 2003, 30% of the amount last reported under s. 126.41 (6) (b) or (9).

3. For the license year beginning on May 1, 2004, 45% of the amount last reported under s. 126.41 (6) (b) or (9).

4. For the license year beginning on May 1, 2005, 60% of the amount last reported under s. 126.41 (6) (b) or (9).

5. For a license year beginning after May 1, 2005, 75% of the amount last reported under s. 126.41 (6) (b) or (9).

(c) For a contributing milk contractor who procures milk in this state solely as a qualified producer agent, for the period beginning on May 1, 2002, and ending on April 30, 2007, security equal to at least 7.5% of the amount last reported under s. 126.41 (6) (b) or (9), but not more than $500,000.

(4) FORM OF SECURITY. The department shall review, and determine whether to approve, security filed under this section. The department may approve only the following types of security:

(a) Currency.

(b) A commercial surety bond if all of the following apply:

1. The surety bond is made payable to the department for the benefit of milk producers and producer agents.

2. The surety bond is issued by a person authorized to operate a surety business in this state.

3. The surety bond is issued as a continuous term bond that may be canceled only with the department's written agreement or upon 90 days' prior written notice served on the department in person or by certified mail.

4. The surety bond is issued in a form, and subject to any terms and conditions, that the department considers appropriate.

(c) A certificate of deposit or money market certificate, if all of the following apply:

1. The certificate is issued or endorsed to the department for the benefit of milk producers and producer agents.

2. The certificate may not be canceled or redeemed without the department's written permission.

3. No person may transfer or withdraw funds represented by the certificate without the department's written permission.

4. The certificate renews automatically without any action by the department.

5. The certificate is issued in a form, and subject to any terms and conditions, that the department considers appropriate.

(d) An irrevocable bank letter of credit if all of the following apply:

1. The letter of credit is payable to the department for the benefit of milk producers or producer agents.

2. The letter of credit is issued on bank letterhead.

3. The letter of credit is issued for an initial period of at least one year.

4. The letter of credit renews automatically unless, at least 90 days before the scheduled renewal date, the issuing bank gives the department written notice, in person or by certified mail, that the letter of credit will not be renewed.

5. The letter of credit is issued in a form, and subject to any terms and conditions, that the department considers appropriate.

(e) Security filed with the department under s. 100.06, 1999 stats., before May 1, 2002, except that on January 1, 2003, the department shall withdraw its approval of any security that is not approvable under pars. (a) to (d).

(f) A dairy plant trusteeship created before May 1, 2002, under s. 100.06, 1999 stats. This paragraph does not apply after January 1, 2003.

(5) DEPARTMENT CUSTODY OF SECURITY. The department shall hold, in its custody, all security filed and maintained under this section. The department shall hold the security for the benefit of milk producers and producer agents.

(6) ADDITIONAL SECURITY. (a) The department may, at any time, demand additional security from a milk contractor if any of the following applies:

1. The milk contractor's existing security falls below the amount required under sub. (3) for any reason, including depreciation in the value of the security, increased obligations to milk producers or producer agents, or the cancellation of any security filed with the department.

2. The milk contractor fails to provide required information that is relevant to a determination of security requirements.

(b) The department shall issue a demand under par. (a) in writing. The department shall indicate why additional security is required, the amount of security required, and the deadline date for filing security. The department may not specify a deadline for filing security that is more than 30 days after the date on which the department issues its demand for security.

(c) A milk contractor may request a hearing, under ch. 227, on a demand for security under par. (b). A request for hearing does not automatically stay a security demand.

(d) If a milk contractor fails to comply with the department's demand for security under this subsection,

the milk contractor shall give written notice of that fact to all milk producers and producer agents from whom the contractor procures producer milk in this state. If the milk contractor fails to give accurate notice under this paragraph within 5 days after the deadline for filing security under par. (b) has passed, the department shall promptly notify milk producers and producer agents by publishing a class 3 notice under ch. 985. The department may also give individual notice to those milk producers or producer agents of whom the department is aware.

(e) If a milk contractor fails to comply with the department's demand for security under this subsection, the department may do any of the following:

1. Issue a summary order under s. 126.85 (2).

2. Suspend or revoke the milk contractor's license.

(7) RELEASING SECURITY. (a) The department may release security filed under sub. (1) if any of the following applies:

1. The milk contractor reports not more than $1,500,000 in milk payroll obligations under s. 126.41 (6) (a) for at least 2 consecutive years and the milk contractor pays the quarterly fund assessment that would have been required of the milk contractor if the milk contractor had been a contributing milk contractor on the most recent quarterly installment date under s. 126.46 (6).

2. The milk contractor's annual financial statement under s. 126.44 shows positive equity for at least 2 consecutive years and the milk contractor pays the quarterly fund assessment that would have been required of the milk contractor if the milk contractor had been a contributing milk contractor on the most recent quarterly installment date under s. 126.46 (6).

(b) On August 1, 2002, the department may release security maintained under sub. (2), unless the milk contractor is required to file security under sub. (1).

(c) The department may release security to the extent that the security exceeds the amount required under sub. (3).

(d) The department may release security if the milk contractor files alternative security, of equivalent value, that the department approves.

(e) The department shall release security if the milk contractor has gone out of business and paid all milk payroll obligations in full.

126.48 Milk contractors; payments to producers. (1) FIRST MONTHLY PAYMENT. By the 4th day of each month, a milk contractor shall pay for producer milk received during the first 15 days of the preceding month. The milk contractor shall base the payment on an estimated price that is at least 80% of the class III price published by the regional federal milk market administrator for the month preceding the month in which the milk is received, or 80% of the contract price, whichever is greater. This subsection does not apply to a qualified producer agent who complies with sub. (4).

(2) SECOND MONTHLY PAYMENT. By the 19th day of each month, a milk contractor shall pay the balance due for producer milk received during the preceding month. This subsection does not apply to a qualified producer agent who complies with sub. (4). **Vetoed In Part**

(3) PAYMENT EXPLANATION. The department may, by rule, require a milk contractor to provide a milk producer or producer agent with a written explanation of each payment under this section. The department may specify the content of the explanation, including information related to any of the following:

(a) Milk contractor identification.

(b) Milk producer or producer agent identification.

(c) Pay period.

(d) Volume of milk received.

(e) Grade of milk.

(f) Milk test results.

(g) Milk price and adjustments.

(h) Gross amount due.

(i) Average gross pay per hundredweight less hauling charges.

(j) Net amount due.

(k) Deductions and assignments.

(4) QUALIFIED PRODUCER AGENTS. (a) By the last day of each month, a qualified producer agent shall pay for producer milk received during the first 10 days of that month. The qualified producer agent shall base the payment on an estimated price that is at least 80% of the class III price published by the regional federal milk market administrator for the month preceding the month in which the milk is received, or 80% of the contract price, whichever is greater. **Vetoed In Part**

(b) By the 10th day of each month, a qualified producer agent shall pay for producer milk received from the 11th day to the 20th day of the preceding month. The qualified producer agent shall base the payment on an estimated price that is at least 80% of the class III price published by the regional federal milk market administrator for the month preceding the month in which the milk is received, or 80% of the contract price, whichever is greater.

(c) By the 20th day of each month, a qualified producer agent shall pay the balance due for producer milk received during the preceding month.

126.49 Milk contractors; records and reports. (1) REQUIRED RECORDS. A milk contractor shall keep accurate records and accounts of milk receipts, payments for milk received, and amounts owed to milk producers. The department may, by rule, specify records that a milk contractor must keep.

(2) REQUIRED REPORTS. The department may, by rule, require a milk contractor to file with the department periodic reports of information needed for the administration of this chapter.

(3) RECORDS RETENTION; INSPECTION. A milk contractor shall retain records required under sub. (1) for at least **Vetoed In Part**

6 years after the records are created. A milk contractor shall make the records available to the department for inspection and copying upon request.

126.50 Milk contractors; prohibited practices. No milk contractor may do any of the following:

(1) Falsify any record or account, or conspire with any other person to falsify a record or account.

(2) Make any false or misleading representation to the department.

(3) If the milk contractor is licensed under s. 126.41 (1), engage in any activity that is inconsistent with representations made in the milk contractor's annual license application.

(4) Make any false or misleading representation to a milk producer or producer agent related to matters regulated under this chapter.

(5) Fail to file the full amount of security required under s. 126.47 (6) by the date that the department specifies.

126.51 Rules for qualified producer agents. The department shall promulgate rules specifying requirements for qualified producer agents, including a requirement that a qualified producer agent have a written contract with each milk producer from whom the qualified producer agent procures milk in this state and that the contract disclose all of the following:

(1) That the producer agent does not take title to the milk producer's milk.

(2) That the producer agent holds all milk receipts in trust for milk producers.

(3) That the producer agent's obligations to milk producers are not secured or indemnified under this chapter to the same degree as are the obligations of other milk contractors.

SUBCHAPTER VI
VEGETABLE CONTRACTORS

126.55 Definitions. In this subchapter:

(1) "Cash on delivery" means cash payment of the full agreed price for processing vegetables at the time of delivery or, if the vegetables are graded, within 72 hours after the time of delivery.

(2) "Cash payment" means payment in any of the following forms:

(a) Currency.

(b) A cashier's check, or a check that a bank issues and certifies.

(c) A wire transfer.

(d) Simultaneous barter.

(3) "Contract obligation" means the net amount, whether paid or unpaid, that a vegetable contractor owes a vegetable producer or producer agent under a vegetable procurement contract. "Contract obligation" includes a net amount owed for unharvested acreage.

(4) "Contributing vegetable contractor" means a vegetable contractor who is licensed under s. 126.56 (1), who either has paid one or more quarterly installments under s. 126.60 (6) or is required to contribute to the fund, but the first quarterly installment under s. 126.60 (6) is not yet due, and who is not disqualified under s. 126.59 (2).

(6) "Current ratio" means the ratio of the value of current assets to the value of current liabilities, calculated according to s. 126.58 (6) (c) 1.

(7) "Debt to equity ratio" means the ratio of the value of liabilities to equity, calculated according to s. 126.58 (6) (c) 2.

(8) "Deferred payment contract" means a vegetable procurement contract in which the vegetable producer or a producer agent agrees to accept payment after January 31 for processing vegetables harvested during the previous calendar year.

(9) "Disqualified vegetable contractor" means a vegetable contractor who is disqualified from the fund under s. 126.59 (2).

(10) "Food processing" has the meaning given in s. 97.29 (1) (g).

(10m) "License year" means the period beginning on February 1 and ending on the following January 31.

(11) "Processing vegetables" means vegetables grown or sold for use in food processing, regardless of whether those vegetables are actually harvested or processed as food. "Processing vegetables" includes sweet corn grown or sold for use in food processing, but does not include grain.

(12) "Producer agent" means a person who, without taking title to vegetables, acts on behalf of a vegetable producer to market or accept payment for processing vegetables that the vegetable producer grows in this state. "Producer agent" does not include any of the following:

(a) A person who merely brokers a contract between a vegetable producer and a vegetable contractor, without becoming a party to the contract or accepting payment on behalf of the vegetable producer.

(b) A person who merely holds or transports processing vegetables for a vegetable producer, without marketing the vegetables or accepting payment on behalf of the vegetable producer.

(13) "Time of delivery" under a vegetable procurement contract means the time at which one of the following occurs:

(a) The vegetable contractor harvests the vegetables.

(b) The vegetable producer delivers harvested vegetables to the custody or control of the vegetable contractor.

(c) The vegetable contractor notifies the vegetable producer of the vegetable contractor's refusal to harvest or accept delivery of vegetables.

(14) "Vegetable contractor" means a person who does any of the following:

(a) Contracts with a vegetable producer or a producer agent to procure processing vegetables that a vegetable producer grows in this state.

(b) Contracts with a vegetable producer to market, as a producer agent, processing vegetables that the vegetable producer grows in this state.

(15) "Vegetable procurement contract" means an oral or written agreement under which a vegetable contractor does any of the following:

(a) Contracts with a vegetable producer or a producer agent to procure processing vegetables that a vegetable producer grows in this state.

(b) Contracts with a vegetable producer to market, as a producer agent, processing vegetables that the vegetable producer grows in this state.

(16) "Vegetable producer" means a person who grows processing vegetables in this state.

(17) "Unharvested acreage" means land on which vegetables are grown, under a vegetable procurement contract, that a vegetable contractor leaves unharvested for any reason. "Unharvested acreage" includes all of the following:

(a) Land on which the vegetables are suitable for processing, but are not harvested.

(b) Land on which the vegetables are abandoned as being unsuitable for processing.

126.56 Vegetable contractors; licensing. (1) LICENSE REQUIRED. (a) Except as provided in sub. (2), no person may operate as a vegetable contractor without a current annual license from the department.

(b) A license under par. (a) expires on the January 31 following its issuance. No person may transfer or assign a license issued under par. (a).

(2) EXEMPT CONTRACTORS. The following vegetable contractors are exempt from licensing under sub. (1):

(a) A vegetable contractor who procures vegetables primarily for unprocessed, fresh market use and is licensed under the federal Perishable Agricultural Commodities Act, 7 USC 499a to 499t.

(b) A restaurant or retail food establishment that procures processing vegetables solely for retail sale at the restaurant or retail food establishment.

(3) LICENSE APPLICATION. A vegetable contractor shall apply for a license under sub. (1) in writing, on a form provided by the department. The applicant shall provide all of the following:

(a) The applicant's legal name and any trade name under which the applicant proposes to operate as a vegetable contractor.

(b) A statement of whether the applicant is an individual, corporation, partnership, cooperative, limited liability company, trust, or other legal entity. If the applicant is a corporation or cooperative, the application shall identify each officer of the corporation or cooperative. If the applicant is a partnership, the application shall identify each partner.

(c) The mailing address of the applicant's principal business location and the name of a responsible individual who may be contacted at that address.

(d) The street address of each business location from which the applicant operates as a vegetable contractor in this state and the name of a responsible individual who may be contacted at each location that is staffed.

(e) All license fees and surcharges required under sub. (4).

(f) The sworn and notarized statement required under sub. (9).

(g) A financial statement if required under s. 126.58 (1) and not yet filed.

(h) Other relevant information required by the department.

(4) LICENSE FEES AND SURCHARGES. A vegetable contractor applying for a license under sub. (1) shall pay the following fees and surcharges, unless the department specifies a different fee or surcharge amount by rule:

(a) A nonrefundable license processing fee of $25.

(b) A fee of $25 plus 5.75 cents for each $100 in contract obligations reported under sub. (9) (a), less any credit provided under sub. (6).

(c) A license surcharge of $500 if the department determines that, within 365 days before submitting the license application, the applicant operated as a vegetable contractor without a license in violation of sub. (1). The applicant shall also pay any license fees, license surcharges, and fund assessments that are still due for the license year in which the applicant violated sub. (1).

(d) A license surcharge of $100 if during the preceding 12 months the applicant failed to file an annual financial statement required under s. 126.58 (1) (b) by the applicable deadline.

(e) A license surcharge of $100 if a renewal applicant fails to renew a license by the license expiration date of January 31.

(4m) EFFECT OF PAYMENT OF SURCHARGE. Payment under sub. (3) (c) does not relieve the applicant of any other civil or criminal liability that results from the violation of sub. (1), but does not constitute evidence of any law violation.

(5) LICENSE FOR PART OF YEAR; FEES. A person who applies for an annual vegetable contractor license after the beginning of a license year shall pay the full annual fee amounts required under sub. (4).

(6) FEE CREDITS. (a) If the balance in the fund contributed by vegetable contractors exceeds $1,000,000 on November 30 of any license year, the department shall credit 50% of the excess amount against fees charged under sub. (4) (b) to contributing vegetable contractors who file timely license renewal applications for the next license year. The department shall credit each contributing vegetable contractor on a prorated basis, in proportion to the total fees that the vegetable contractor has paid under sub. (4) (b) for the 4 preceding license years.

(b) The fee under sub. (4) (b) is reduced by one cent for each $100 in contract obligations reported under sub. (9) (a) if the department, under a contract with the appli-

cant, grades all of the graded vegetables that the applicant procures from vegetable producers or producer agents.

(7) FEE STATEMENT. The department shall provide, with each license application form, a written statement of all license fees and surcharges required under sub. (4). The department shall specify any fee credits for which the applicant may qualify under sub. (6).

(8) NO LICENSE WITHOUT FULL PAYMENT. The department may not issue a license under sub. (1) until the applicant pays all license fees and surcharges identified in the department's statement under sub. (7). The department shall refund a fee or surcharge paid under protest if upon review the department determines that the fee or surcharge is not applicable.

(9) SWORN AND NOTARIZED STATEMENT. As part of a license application under sub. (3), an applicant shall provide a sworn and notarized statement, signed by the applicant or an officer of the applicant, that reports all of the following:

(a) The total amount of contract obligations that the applicant incurred during the applicant's last completed fiscal year. If the applicant has not yet operated as a vegetable contractor, the applicant shall estimate the amount of contract obligations that the applicant will incur during the applicant's first complete fiscal year.

(b) The largest amount of unpaid contract obligations that the vegetable contractor had at any time during the vegetable contractor's last completed fiscal year.

(c) The amount of unpaid contract obligations that the vegetable contractor has at the time of application.

(d) The amount of unpaid contract obligations under par. (c) that are due for payment before the license year for which the applicant is applying.

(e) The amount of unpaid obligations under par. (c) that the contractor has under deferred payment contracts.

(f) Whether the applicant and the applicant's affiliates and subsidiaries will collectively grow more than 10% of the total acreage of any vegetable species grown or procured by the applicant during the license year for which the applicant is applying.

(g) Whether the applicant will pay cash on delivery under all vegetable procurement contracts during the license year for which the applicant is applying.

(h) Whether the applicant is a producer−owned cooperative or organization that procures vegetables solely from its producer owners on the basis of a cooperative marketing method under which the producer−owned cooperative or organization pays its producer owners a prorated share of sales proceeds for the marketing year after a final accounting and the deduction of marketing expenses.

(10) ACTION GRANTING OR DENYING APPLICATION. (a) The department shall grant or deny a license application under sub. (3) within 30 days after the department receives a complete application. If the department denies a license application, the department shall give the applicant a written notice stating the reasons for the denial.

(b) A license becomes invalid after February 5 of the license year for which it is issued unless the license holder has by February 5 paid all producer obligations that were due and payable during the preceding license year.

(11) LICENSE DISPLAYED. A vegetable contractor licensed under sub. (1) shall prominently display a copy of that license at each business location from which the vegetable contractor operates in this state.

(12) NOTICE REQUIRED. (a) A vegetable contractor who files security under s. 126.61 shall immediately notify the department if, at any time, the vegetable contractor's unpaid contract obligations exceed the amount last reported under sub. (9) (b).

(b) A vegetable contractor shall immediately notify the department if the amount of unpaid obligations under deferred payment contracts exceeds the amount last reported under sub. (9) (e).

126.57 Vegetable contractors; insurance. (1) FIRE AND EXTENDED COVERAGE INSURANCE. (a) Except as provided in par. (b), a vegetable contractor who is required to be licensed under s. 126.56 (1) shall maintain fire and extended coverage insurance, issued by an insurance company authorized to do business in this state, that covers all vegetables in the custody of the vegetable contractor, whether owned by the vegetable contractor or held for others, at the full local market value of the vegetables.

(b) Paragraph (a) does not apply to a vegetable contractor if any of the following applies:

1. The vegetable contractor pays cash on delivery under all vegetable procurement contracts.

2. The vegetable contractor is a producer−owned cooperative or organization that procures processing vegetables only from its producer owners.

(2) INSURANCE CANCELLATION; REPLACEMENT. Whenever an insurance policy under sub. (1) is canceled, the vegetable contractor shall replace the policy so that there is no lapse in coverage.

(3) INSURANCE COVERAGE; MISREPRESENTATION. No vegetable contractor may misrepresent any of the following to the department or to any vegetable producer or producer agent:

(a) That the vegetable contractor is insured.

(b) The nature, coverage, or material terms of the vegetable contractor's insurance policy.

126.58 Vegetable contractors; financial statements. (1) REQUIRED ANNUAL FINANCIAL STATEMENT. (a) Except as provided in par. (c), a vegetable contractor shall file an annual financial statement with the department, before the department first licenses the vegetable contractor under s. 126.56 (1), if the vegetable contractor reports more than $500,000 in contract obligations under s. 126.56 (9) (a).

(b) Except as provided in par. (c), a vegetable contractor licensed under s. 126.56 (1) shall file an annual financial statement with the department during each license year if the vegetable contractor's license application for that year reports more than $500,000 in contract obligations under s. 126.56 (9) (a). The vegetable contractor shall file the annual financial statement by the 15th day of the 4th month following the close of the vegetable contractor's fiscal year, except that the department may extend the filing deadline for up to 30 days if the vegetable contractor, or the accountant reviewing or auditing the financial statement, files a written extension request at least 10 days before the filing deadline.

(c) A vegetable contractor is not required to file a financial statement under par. (a) or (b) if any of the following applies:

1. The vegetable contractor pays cash on delivery under all vegetable procurement contracts.

2. The vegetable contractor is a producer−owned cooperative that procures processing vegetables only from its producer owners.

(2) VOLUNTARY FINANCIAL STATEMENT. A contributing vegetable contractor who is not required to file a financial statement under sub. (1) may file an annual financial statement with the department for any of the following reasons:

(a) To qualify for a lower fund assessment under s. 126.60.

(b) To avoid filing security under s. 126.61 (1) (b).

(3) REVIEWED OR AUDITED FINANCIAL STATEMENT. (a) A vegetable contractor filing an annual financial statement under sub. (1) or (2) shall file an audited financial statement if the vegetable contractor's latest annual license application reported more than $4,000,000 in annual contract obligations under s. 126.56 (9) (a).

(b) If par. (a) does not apply, a vegetable contractor filing an annual financial statement under sub. (1) or (2) shall file either a reviewed financial statement or an audited financial statement.

(4) ACCOUNTING PERIOD. A vegetable contractor filing an annual financial statement under sub. (1) or (2) shall file a financial statement that covers the vegetable contractor's last completed fiscal year unless the vegetable contractor has been in business for less than one year.

(4m) INTERIM FINANCIAL STATEMENT. The department may, at any time, require a vegetable contractor licensed under s. 126.56 (1) to file an interim financial statement with the department. The vegetable contractor shall provide, with the interim financial statement, the vegetable contractor's sworn and notarized statement that the financial statement is correct. An interim financial statement need not be a reviewed or audited financial statement.

(5) GENERALLY ACCEPTED ACCOUNTING PRINCIPLES. (a) Except as provided in par. (b), a vegetable contractor filing a financial statement under this section shall file a financial statement that is prepared according to generally accepted accounting principles.

(b) If a vegetable contractor is a sole proprietor and the vegetable contractor's financial statement is not audited, the vegetable contractor shall file a financial statement that is prepared on a historical cost basis.

(6) FINANCIAL STATEMENT CONTENTS. (a) Except as provided in par. (b), a vegetable contractor filing a financial statement under this section shall file a financial statement that consists of a balance sheet, income statement, equity statement, statement of cash flows, notes to those statements, and any other information required by the department. If the vegetable contractor is a sole proprietor, the vegetable contractor shall file his or her business and personal financial statements.

(b) If a vegetable contractor has been in business for less than one year, the vegetable contractor may file an annual financial statement under sub. (1) or (2) consisting of a balance sheet and notes.

(c) A vegetable contractor filing a financial statement under this section shall include in the financial statement, or in an attachment to the financial statement, calculations of all of the following:

1. The vegetable contractor's current ratio, excluding any assets required to be excluded under sub. (7).

2. The vegetable contractor's debt to equity ratio, excluding any assets required to be excluded under sub. (7).

(7) ASSETS EXCLUDED. A vegetable contractor may not include any of the following assets in the calculations under sub. (6) (c), unless the department specifically approves their inclusion:

(a) A nontrade note or account receivable from an officer, director, employee, partner, or stockholder, or from a member of the family of any of those individuals, unless the note or account receivable is secured by a first priority security interest in real or personal property.

(b) A note or account receivable from a parent organization, a subsidiary, or an affiliate other than an employee.

(c) A note or account that has been receivable for more than one year, unless the vegetable contractor has established an equal offsetting reserve for uncollectible notes and accounts receivable.

(9) ENTITY COVERED. A person filing a financial statement under this section may not file, in lieu of that person's financial statement, the financial statement of the person's parent organization, subsidiary, predecessor, or successor.

(10) DEPARTMENT REVIEW. The department may analyze a financial statement filed under this section and may reject a financial statement that fails to comply with this section.

126.59 Contributing vegetable contractors; disqualification. (1) CONTRIBUTION REQUIRED. A vegetable contractor licensed under s. 126.56 (1) shall pay fund

assessments under s. 126.60 unless one of the following applies:

(a) The vegetable contractor is disqualified under sub. (2).

(b) The vegetable contractor pays cash on delivery under all vegetable procurement contracts.

(c) The vegetable contractor is a producer−owned cooperative that procures processing vegetables only from its producer owners.

(1m) VOLUNTARY CONTRIBUTION. A vegetable contractor who is exempt under sub. (1) (b) or (c) may volunteer to pay fund assessments under s. 126.60.

(2) DISQUALIFIED CONTRACTOR. (a) A vegetable contractor who is required to file security under s. 126.61 (1) (a) is disqualified from the fund until the department determines that one of the conditions in s. 126.61 (7) (a) 1. or 2. is satisfied.

(b) A vegetable contractor is disqualified from the fund if the department denies, suspends, or revokes the vegetable contractor's license.

(c) A vegetable contractor is disqualified from the fund, and required to pay cash on delivery under vegetable procurement contracts, if the department issues a written notice disqualifying the vegetable contractor for cause. Cause may include any of the following:

1. Failure to pay fund assessments under s. 126.60 when due.

2. Failure to file a financial statement under s. 126.58 when due.

3. Failure to reimburse the department, within 60 days after the department issues a reimbursement demand under s. 126.73 (1), for the full amount that the department pays to claimants under s. 126.72 (1) because of that vegetable contractor's default.

4. Failure to reimburse a bond surety, within 60 days after the bond surety issues a reimbursement demand under s. 126.73 (2), for the full amount that the surety pays to the department under s. 126.72 (2) or (3) for the benefit of claimants affected by that vegetable contractor's default.

(3) PAYMENTS BY DISQUALIFIED VEGETABLE CONTRACTOR. (a) The department may not return, to a disqualified vegetable contractor, any fund assessments that the vegetable contractor paid as a contributing vegetable contractor.

(b) A disqualified vegetable contractor remains liable for any unpaid fund installment under s. 126.60 that became due while the vegetable contractor was a contributing vegetable contractor. A disqualified vegetable contractor is not liable for any fund installment that becomes due after the vegetable contractor is disqualified under sub. (2).

126.60 Contributing vegetable contractors; fund assessments. (1) GENERAL. A contributing vegetable contractor shall pay an annual fund assessment for each license year. The assessment equals $20 or the sum of the following, whichever is greater, unless the department by rule specifies a different assessment:

(a) The vegetable contractor's current ratio assessment. The current ratio assessment for a license year equals the vegetable contractor's current ratio assessment rate under sub. (2) multiplied by the amount reported under s. 126.56 (9) (a) in the vegetable contractor's license application for that license year.

(b) The vegetable contractor's debt to equity ratio assessment. The debt to equity ratio assessment for a license year equals the vegetable contractor's debt to equity ratio assessment rate under sub. (4) multiplied by the amount reported under s. 126.56 (9) (a) in the vegetable contractor's license application for that license year.

(c) The vegetable contractor's deferred contract assessment. The deferred contract assessment for a license year equals the amount, if any, reported under s. 126.56 (9) (e) in the vegetable contractor's license application for that license year, multiplied by a deferred vegetable contract assessment rate of 0.0025.

(2) CURRENT RATIO ASSESSMENT RATE. A vegetable contractor's current ratio assessment rate is calculated, at the beginning of the license year, as follows:

(a) If the vegetable contractor has filed an annual financial statement under s. 126.58 and that financial statement shows a current ratio of at least 1.25 to 1.0, the vegetable contractor's current ratio assessment rate equals the greater of zero or the current ratio assessment factor in sub. (3) (a) multiplied by the following amount:

1. Subtract 4 from the current ratio.

2. Divide the amount determined under subd. 1. by 2.

3. Multiply the amount determined under subd. 2. by negative one.

4. Raise the amount determined under subd. 3. to the 3rd power.

5. Subtract 0.65 from the current ratio.

6. Divide 0.60 by the amount determined under subd. 5.

7. Raise the amount determined under subd. 6. to the 5th power.

8. Add the amount determined under subd. 4. to the amount determined under subd. 7.

9. Add 0.25 to the amount determined under subd. 8.

(b) If the vegetable contractor has filed an annual financial statement under s. 126.58 and that financial statement shows a current ratio of less than 1.25 to 1.0, but greater than 1.1 to 1.0, the vegetable contractor's current ratio assessment rate equals the current ratio assessment factor in sub. (3) (b) multiplied by the following amount:

1. Subtract 4 from the current ratio.

2. Divide the amount determined under subd. 1. by 2.

3. Multiply the amount determined under subd. 2. by negative one.

4. Raise the amount determined under subd. 3. to the 3rd power.

5. Subtract 0.65 from the current ratio.

6. Divide 0.60 by the amount determined under subd. 5.

7. Raise the amount determined under subd. 6. to the 5th power.

8. Add the amount determined under subd. 4. to the amount determined under subd. 7.

9. Add 0.25 to the amount determined under subd. 8.

(c) If the vegetable contractor has filed an annual financial statement under s. 126.58 and that financial statement shows a current ratio of less than or equal to 1.1 to 1.0, the vegetable contractor's current ratio assessment rate equals the current ratio assessment factor in sub. (3) (b) multiplied by 7.512617.

(d) If the vegetable contractor has not filed an annual financial statement under s. 126.58, the vegetable contractor's current ratio assessment rate equals the current ratio assessment factor in sub. (3) (b) multiplied by 3.84961.

(3) CURRENT RATIO ASSESSMENT FACTOR. (a) A vegetable contractor's current ratio assessment factor under sub. (2) (a) is 0.00048, except as follows:

1. For the vegetable contractor's 4th and 5th consecutive full license years as a contributing vegetable contractor, the vegetable contractor's current ratio assessment factor is 0.00029.

2. For the vegetable contractor's 6th or higher consecutive full license year as a contributing vegetable contractor, the vegetable contractor's current ratio assessment factor is zero.

(b) A vegetable contractor's current ratio assessment factor under sub. (2) (b) to (d) is 0.00072, except as follows:

1. For the vegetable contractor's 4th and 5th consecutive full license years as a contributing vegetable contractor, the vegetable contractor's current ratio assessment factor is 0.00058.

2. For the vegetable contractor's 6th or higher consecutive full license year as a contributing vegetable contractor, the vegetable contractor's current ratio assessment factor is 0.00035.

(4) DEBT TO EQUITY RATIO ASSESSMENT RATE. A vegetable contractor's debt to equity ratio assessment rate for a license year is calculated, at the beginning of the license year, as follows:

(a) If the vegetable contractor has filed an annual financial statement under s. 126.58 and that financial statement shows positive equity and a debt to equity ratio of not more than 4.0 to 1.0, the vegetable contractor's debt to equity ratio assessment rate equals the greater of zero or the debt to equity ratio assessment factor in sub. (5) (a) multiplied by the following amount:

1. Subtract 4 from the debt to equity ratio.

2. Divide the amount determined under subd. 1. by 4.

3. Raise the amount determined under subd. 2. to the 3rd power.

4. Subtract 1.85 from the debt to equity ratio.

5. Divide the amount determined under subd. 4. by 2.5.

6. Raise the amount determined under subd. 5. to the 7th power.

7. Add the amount determined under subd. 3. to the amount determined under subd. 6.

8. Add one to the amount determined under subd. 7.

(b) If the vegetable contractor has filed an annual financial statement under s. 126.58 and that financial statement shows a debt to equity ratio of greater than 4.0 to 1.0 but less than 6.0 to 1.0, the vegetable contractor's debt to equity ratio assessment rate equals the debt to equity ratio assessment factor in sub. (5) (b) multiplied by the following amount:

1. Subtract 4 from the debt to equity ratio.

2. Divide the amount determined under subd. 1. by 4.

3. Raise the amount determined under subd. 2. to the 3rd power.

4. Subtract 1.85 from the debt to equity ratio.

5. Divide the amount determined under subd. 4. by 2.5.

6. Raise the amount determined under subd. 5. to the 7th power.

7. Add the amount determined under subd. 3. to the amount determined under subd. 6.

8. Add one to the amount determined under subd. 7.

(c) If the vegetable contractor has filed an annual financial statement under s. 126.58 and that financial statement shows negative equity or a debt to equity ratio of at least 6.0 to 1.0, the vegetable contractor's debt to equity ratio assessment rate equals the debt to equity ratio assessment factor in sub. (5) (b) multiplied by 35.859145.

(d) If the vegetable contractor has not filed an annual financial statement under s. 126.58, the vegetable contractor's debt to equity ratio assessment rate equals the debt to equity ratio assessment factor in sub. (5) (b) multiplied by 1.34793.

(5) DEBT TO EQUITY RATIO ASSESSMENT FACTOR. (a) A vegetable contractor's debt to equity ratio assessment factor under sub. (4) (a) is 0.000135, except as follows:

1. For the vegetable contractor's 4th and 5th consecutive full license years as a contributing vegetable contractor, the vegetable contractor's debt to equity ratio assessment factor is 0.00008.

2. For the vegetable contractor's 6th or higher consecutive full license year as a contributing vegetable contractor, the vegetable contractor's debt to equity ratio assessment factor is zero.

(b) A vegetable contractor's debt to equity ratio assessment factor under sub. (4) (b) to (d) is 0.000203, except as follows:

1. For the vegetable contractor's 4th and 5th consecutive full license years as a contributing vegetable contractor, the vegetable contractor's debt to equity ratio assessment factor is 0.00016.

2. For the vegetable contractor's 6th or higher consecutive full license year as a contributing vegetable contractor, the vegetable contractor's debt to equity ratio assessment factor is 0.0001.

(6) QUARTERLY INSTALLMENTS. (a) A contributing vegetable contractor shall pay the vegetable contractor's annual fund assessment in equal quarterly installments that are due as follows:

1. The first installment is due on March 1 of the license year.

2. The 2nd installment is due on June 1 of the license year.

3. The 3rd installment is due on September 1 of the license year.

4. The 4th installment is due on December 1 of the license year.

(b) A contributing vegetable contractor may prepay any of the quarterly installments under par. (a).

(c) A contributing vegetable contractor who applies for an annual license after the beginning of a license year shall pay the full annual fund assessment required under this section. The vegetable contractor shall pay, with the first quarterly installment that becomes due after the day on which the department issues the license, all of that year's quarterly installments that were due before that day.

(d) A contributing vegetable contractor who fails to pay the full amount of any quarterly installment when due shall pay, in addition to that installment, a late payment penalty of $50 or 10% of the overdue installment amount, whichever is greater.

(7) NOTICE OF ANNUAL ASSESSMENT AND QUARTERLY INSTALLMENTS. When the department issues an annual license to a contributing vegetable contractor, the department shall notify the vegetable contractor of all of the following:

(a) The amount of the vegetable contractor's annual fund assessment under this section.

(b) The amount of each required quarterly installment under sub. (6) and the date by which the vegetable contractor must pay each installment.

(c) The penalty that applies under sub. (6) (d) if the vegetable contractor fails to pay any quarterly installment when due.

126.61 Vegetable contractors; security. (1) SECURITY REQUIRED. (a) Except as provided in par. (c), a vegetable contractor shall file security with the department, and maintain that security until the department releases it under sub. (7), if all of the following apply when the department first licenses the vegetable contractor under s. 126.56 (1):

1. The vegetable contractor reports more than $1,000,000 in annual contract obligations under s. 126.56 (9) (a).

2. The vegetable contractor files a financial statement under s. 126.58 (1) and that financial statement shows negative equity.

(b) Except as provided in par. (c), a vegetable contractor shall file security with the department to cover the full amount of the unpaid deferred contract obligations last reported under s. 126.56 (9) (e) or (12) (b), and maintain that security until it is released under sub. (7), unless the vegetable contractor files an annual financial statement under s. 126.58 and that financial statement shows positive equity, a current ratio of at least 1.25 to 1.0, and a debt to equity ratio of not more than 4.0 to 1.0.

(c) A vegetable contractor is not required to file security under par. (a) or (b) if any of the following applies:

1. The vegetable contractor pays cash on delivery under all vegetable procurement contracts.

2. The vegetable contractor is a producer−owned cooperative that procures processing vegetables only from its producer members.

(2) SECURITY CONTINUED. A vegetable contractor who filed security under s. 100.03, 1999 stats., before February 1, 2002, shall maintain that security until the department releases it under sub. (7).

(3) AMOUNT OF SECURITY. A vegetable contractor who is required to file or maintain security under this section shall, at all times, maintain security that is at least equal to the sum of the following:

(a) Seventy−five percent of the amount last reported under s. 126.56 (9) (b) or (12) (a), except that this amount is not required of a contributing vegetable contractor after May 1, 2002.

(b) The amount required under sub. (1) (b), if any.

(4) FORM OF SECURITY. The department shall review, and determine whether to approve, security filed under this section. The department may approve only the following types of security:

(a) Currency.

(b) A commercial surety bond if all of the following apply:

1. The surety bond is made payable to the department for the benefit of vegetable producers and producer agents.

2. The surety bond is issued by a person authorized to operate a surety business in this state.

3. The surety bond is issued as a continuous term bond that may be canceled only with the department's written agreement, or upon 90 days' prior written notice served on the department in person or by certified mail.

4. The surety bond is issued in a form, and subject to any terms and conditions, that the department considers appropriate.

(c) A certificate of deposit or money market certificate, if all of the following apply:

1. The certificate is issued or endorsed to the department for the benefit of vegetable producers and producer agents.

2. The certificate may not be canceled or redeemed without the department's written permission.

3. No person may transfer or withdraw funds represented by the certificate without the department's written permission.

4. The certificate renews automatically without any action by the department.

5. The certificate is issued in a form, and subject to any terms and conditions, that the department considers appropriate.

(d) An irrevocable bank letter of credit if all of the following apply:

1. The letter of credit is payable to the department for the benefit of vegetable producers and producer agents.

2. The letter of credit is issued on bank letterhead.

3. The letter of credit is issued for an initial period of at least one year.

4. The letter of credit renews automatically unless, at least 90 days before the scheduled renewal date, the issuing bank gives the department written notice, in person or by certified mail, that the letter of credit will not be renewed.

5. The letter of credit is issued in a form, and subject to any terms and conditions, that the department considers appropriate.

(e) Security filed with the department under s. 100.03, 1999 stats., before February 1, 2002, except that on January 1, 2003, the department shall withdraw its approval of any security that is not approvable under pars. (a) to (d).

(5) DEPARTMENT CUSTODY OF SECURITY. The department shall hold, in its custody, all security filed and maintained under this section. The department shall hold the security for the benefit of vegetable producers and producer agents.

(6) ADDITIONAL SECURITY. (a) The department may, at any time, demand additional security from a vegetable contractor if any of the following applies:

1. The vegetable contractor's existing security falls below the amount required under sub. (3) for any reason, including a depreciation in the value of the security filed with the department, increased obligations to vegetable producers or producer agents, or the cancellation of any security filed with the department.

2. The vegetable contractor fails to provide required information that is relevant to a determination of security requirements.

(b) The department shall issue a demand under par. (a) in writing. The department shall indicate why additional security is required, the amount of security required, and the deadline date for filing security. The department may not specify a deadline for filing security that is more than 30 days after the date on which the department issues its demand for security.

(c) A vegetable contractor may request a hearing, under ch. 227, on a security demand under par. (b). A request for hearing does not automatically stay a security demand.

(d) If a vegetable contractor fails to comply with the department's security demand under this subsection, the vegetable contractor shall give written notice of that fact to all vegetable producers and producer agents from whom the vegetable contractor procures processing vegetables. If the vegetable contractor fails to give accurate notice under this paragraph within 5 days after the security filing deadline under par. (b) has passed, the department shall promptly notify vegetable producers and producer agents by publishing a class 3 notice under ch. 985. The department may also give individual notice to vegetable producers or producer agents of whom the department is aware.

(e) If a vegetable contractor fails to comply with the department's demand for security under this subsection, the department may do any of the following:

1. Issue a summary order under s. 126.85 (2) that prohibits the vegetable contractor from procuring processing vegetables from vegetable producers or producer agents, or requires the vegetable contractor to pay cash on delivery under all vegetable procurement contracts.

2. Suspend or revoke the vegetable contractor's license.

(7) RELEASING SECURITY. (a) The department may release security filed under sub. (1) (a), except for any amount of security that the vegetable contractor is required to file because sub. (1) (b) applies to the vegetable contractor, if any of the following applies:

1. The vegetable contractor reports less than $1,000,000 in annual contract obligations under s. 126.56 (9) (a) for at least 2 consecutive years and the vegetable contractor pays the quarterly fund assessment that would have been required of the vegetable contractor if the vegetable contractor had been a contributing vegetable contractor on the most recent quarterly installment date under s. 126.60 (6).

2. The vegetable contractor's annual financial statement under s. 126.58 shows positive equity for at least 2 consecutive years and the vegetable contractor pays the quarterly fund assessment that would have been required of the vegetable contractor if the vegetable contractor had been a contributing vegetable contractor on the most recent quarterly installment date under s. 126.60 (6).

(b) The department may release security filed under sub. (1) (b), except for any amount of security that the vegetable contractor is required to file because sub. (1) (a) applies to the vegetable contractor, if any of the following applies:

1. The vegetable contractor has no unpaid obligations under deferred payment contracts, and will not use deferred payment contracts in the current license year.

2. The vegetable contractor files 2 consecutive annual financial statements under s. 126.58 that show a current ratio of at least 1.25 to 1.0, positive equity, and a debt to equity ratio of not more than 4.0 to 1.0.

(c) On May 1, 2002, the department may release security maintained under sub. (2), unless the vegetable contractor is required to file security under sub. (1).

(d) The department may release security to the extent that the security exceeds the amount required under sub. (3).

(e) The department may release security if the vegetable contractor files alternative security, of equivalent value, that the department approves.

(f) The department shall release security if the vegetable contractor has gone out of business and paid all contract obligations in full.

126.62 Vegetable contractors; records. (1) RECORDS REQUIRED. A vegetable contractor shall keep all of the following:

(a) Copies of all written vegetable procurement contracts.

(b) A current record of all vegetable contract obligations, payments, and unpaid balances.

(2) RECORDS RETENTION. A vegetable contractor shall keep all of the following records for at least 6 years from the date of their creation:

1. Records required under sub. (1).

2. Records that the vegetable contractor was required to keep, under s. 100.03, 1999 stats., and department rules, before February 1, 2002.

(3) RECORDS INSPECTION. A vegetable contractor shall make records required under this section available to the department for inspection and copying upon request.

126.63 Vegetable contractors; business practices. (1) VEGETABLE GRADING AND TARE. (a) A vegetable contractor shall grade vegetables according to the following standards if the vegetable grade may affect the amount received by the vegetable producer:

1. Standard grading procedures that the department establishes by rule.

2. Uniform grade standards that the department establishes by rule, unless the vegetable procurement contract clearly specifies alternative grade standards.

(b) If a vegetable contractor makes any deduction for tare, the vegetable contractor shall determine tare according to procedures that the department establishes by rule.

(c) The department shall establish grade standards for vegetables that conform to grade standards adopted by the federal department of agriculture under 7 USC 1621 to 1632.

(2) PROHIBITED DEDUCTIONS. No vegetable purchaser may deduct, from the amount payable under a vegetable procurement contract, an amount designated for the payment of any vegetable contractor license fee, surcharge, or fund assessment under this subchapter.

(3) TIMELY PAYMENT. A vegetable contractor shall pay a vegetable producer or producer agent according to the vegetable procurement contract. The vegetable contractor shall make the following payments by the following dates, unless the contract specifies a different payment date in writing:

(a) The 15th day of the month immediately following the month in which the vegetable contractor harvests or accepts delivery of processing vegetables, the full amount owed under the contract for those vegetables.

(b) The 15th day of the month immediately following the month in which the vegetable contractor rejects or fails to harvest processing vegetables tendered under the vegetable procurement contract, the full amount owed under the contract for those vegetables.

(4) ANNUAL PAYMENT DEADLINE. (a) Except as provided in par. (b) or (c), a vegetable contractor shall pay all outstanding obligations to vegetable producers by January 31 of each license year.

(b) For processing vegetables tendered or delivered in January of any license year, a vegetable contractor shall pay the full amount owed under the vegetable procurement contract by February 15 or by the 30th day after the date of delivery, whichever date is later.

(c) A vegetable contractor may pay outstanding producer obligations in accordance with a deferred payment contract that complies with sub. (5) and specifies a payment date after January 31 for processing vegetables delivered on or before December 31.

(5) DEFERRED PAYMENT CONTRACT. (a) Before a vegetable contractor offers a deferred payment contract to any vegetable producer, the vegetable contractor shall put the deferred payment contract to a vote of vegetable producers, as provided in par. (b), obtain the approval of a majority of the voting vegetable producers, and comply with par. (c).

(b) To put a deferred payment contract to a vote of vegetable producers, the vegetable contractor shall give written notice to all vegetable producers in this state from whom the vegetable contractor procured the same type of processing vegetables during the preceding license year. In the notice, the vegetable contractor shall include a copy of the proposed contract, shall announce a meeting at which the vegetable producers will be asked to vote on the proposed contract, and shall include a mail ballot by which a vegetable producer may vote without attending the meeting. The vegetable contractor shall conduct the voting by secret ballot.

(c) To comply with this paragraph, a vegetable contractor shall file all of the following with the department:

1. A sworn statement certifying that the contract was approved in a vote of vegetable producers under this subsection.

2. Any additional security required under s. 126.61 (3).

(6) CASH ON DELIVERY. A vegetable contractor shall pay cash on delivery under all vegetable procurement contracts if any of the following applies:

(a) The vegetable contractor stated, in the vegetable contractor's last annual statement under s. 126.56 (9) (g), that the vegetable contractor would pay cash on delivery.

(b) The department disqualifies the vegetable contractor, under s. 126.59 (2) (c), or requires the vegetable contractor to pay cash on delivery under s. 126.61 (6) (e).

126.64 Vegetable contractors; prohibited practices. No vegetable contractor may do any of the following:

(1) Misrepresent the weight, grade, or quality of processing vegetables under a vegetable procurement contract.

(2) Falsify any record or account, or conspire with any other person to falsify a record or account.

(3) Make any false or misleading representation to the department.

(4) If the vegetable contractor is licensed under s. 126.56, engage in any activity that is inconsistent with representations made in the vegetable contractor's annual license application.

(5) Make any false or misleading representation to a vegetable producer or producer agent related to matters regulated under this chapter.

(6) Fail to file the full amount of security required under s. 126.61 (6) by the date that the department specifies.

SUBCHAPTER VII
RECOVERY PROCEEDINGS

126.68 Definitions. In this subchapter:

(1) "Contributing contractor" means any of the following:

(a) A contributing grain dealer, as defined in s. 126.10 (3).

(b) A contributing grain warehouse keeper, as defined in s. 126.25 (2).

(c) A contributing milk contractor, as defined in s. 126.40 (1).

(d) A contributing vegetable contractor, as defined in s. 126.55 (4).

(2) "Depositor" has the meaning given in s. 126.25 (5).

(3) "Grain dealer" has the meaning given in s. 126.10 (9).

(4) "Grain producer" has the meaning given in s. 126.10 (10).

(5) "Grain warehouse keeper" has the meaning given in s. 126.25 (9).

(6) "Milk contractor" has the meaning given in s. 126.40 (8).

(7) "Milk producer" has the meaning given in s. 126.40 (10).

(8) "Producer grain" has the meaning given in s. 126.10 (14).

(9) "Producer milk" has the meaning given s. 126.40 (14).

(10) "Vegetable contractor" has the meaning given in s. 126.55 (14).

(11) "Vegetable procurement contract" has the meaning given in s. 126.55 (15).

(12) "Vegetable producer" has the meaning given in s. 126.55 (16).

126.70 Recovery proceedings. (1) DEFAULT CLAIMS. Any of the following persons may file a default claim with the department against a contractor who is licensed, or required to be licensed, under this chapter:

(a) A grain producer or producer agent, as defined in s. 126.10 (13), who claims that a grain dealer has failed to pay, when due, for producer grain that the grain dealer procured in this state.

(b) A depositor who is either a grain producer or a producer agent, as defined in s. 126.10 (13), and who claims that a grain warehouse keeper has failed to return stored grain or its equivalent upon demand.

(c) A milk producer or producer agent, as defined in s. 126.40 (13), who claims that a milk contractor has failed to pay, when due, for producer milk procured in this state.

(d) A vegetable producer or producer agent, as defined in s. 126.55 (12), who claims that a vegetable contractor has failed to make payment when due under a vegetable procurement contract.

(2) FILING DEFAULT CLAIMS. A claimant shall file a default claim under sub. (1) within 30 days after the claimant first learns of the default, subject to sub. (3). The claimant shall specify the nature and amount of the default. The department may investigate the alleged default and may require the claimant to provide supporting documentation.

(3) INITIATING A RECOVERY PROCEEDING. (a) The department may initiate a recovery proceeding in response to one or more default claims under sub. (1). The department shall issue a written notice announcing the recovery proceeding. The department shall mail or deliver a copy of the notice to the contractor and each claimant in the proceeding.

(b) If the department has reason to believe that other persons may have default claims under sub. (1) against the same contractor, the department may invite those persons to file their claims in the recovery proceeding. The department may publish the invitation in any of the following ways:

1. By posting it at the contractor's place of business.

2. By publishing it as a class 3 notice under ch. 985.

3. By mailing or delivering it to prospective claimants known to the department.

4. By other means that the department considers appropriate.

(c) In its invitation under par. (b), the department may specify a deadline date and a procedure for filing default claims. An invitation may indicate the amount of a prospective claimant's apparent claim and may ask the prospective claimant to verify or correct that amount.

(d) The department may initiate separate recovery proceedings for default claims that comply with sub. (2) but are filed after the deadline date under par. (c).

(4) AUDITING CLAIMS. The department shall audit each claim included in a recovery proceeding. The department shall disallow a claim if the department finds any of the following:

(a) That the claim is false or not adequately documented.

(b) That the claimant filed the claim more than 30 days after the claimant first learned of the contractor's default, unless the department specifies a later claim−filing deadline under sub. (3) (c).

(c) That the claimant, without any contractual obligation to do so, continued to deliver grain, milk, or vegetables to the defaulting contractor more than 10 days after the claimant first learned of the contractor's default.

(d) That the claimant failed to comply with claim−filing deadlines or procedures specified under sub. (3) (c).

(e) That the person filing the claim is not an authorized claimant under sub. (1).

(5) ALLOWED CLAIM AMOUNTS. (a) The department shall determine the amount of an allowed claim based on the contract between the parties. If the contract terms are unclear, the department may determine the allowed claim amount based on local market prices, applicable milk marketing order prices, customs in the trade, or other evidence that the department considers appropriate.

(b) Notwithstanding par. (a), if the default involves a grain warehouse keeper's failure to return stored grain to a depositor upon demand, the department shall calculate the value of the grain based on local market prices on the day on which the depositor made the demand.

(c) The department shall subtract from the allowed claim amount any offsetting payments made by the contractor and any obligations for which the claimant is liable to the contractor.

(6) PROPOSED DECISION. After the department completes its audit under sub. (4), the department shall issue a proposed decision. The department shall mail or deliver a copy of the proposed decision to the contractor and each claimant. The department shall do all of the following in the proposed decision:

(a) Specify proposed findings of fact, proposed conclusions of law, and a proposed order.

(b) Allow or disallow each default claim and specify the amount of each allowed claim. The department may disallow part of a claim.

(c) Specify, for each allowed claim, the amount that the department is authorized to pay under s. 126.71.

(d) Specify the method, under s. 126.71, by which the department will pay the authorized amounts under par. (c).

(e) Explain a claimant's right under s. 126.87 (4) to seek court recovery of that portion of an allowed claim that is not paid by the department.

(f) Specify a date by which the contractor or claimant may file written objections to the proposed decision.

(7) FINAL DECISION IF NO OBJECTIONS. If no contractor or claimant files a timely written objection to the proposed decision under sub. (6), the department may issue the proposed decision as the department's final decision in the recovery proceeding, without further notice or hearing. The department shall mail or deliver a copy of the final decision to the contractor and each claimant.

(8) OBJECTIONS TO PROPOSED DECISION; NOTICE, HEARING, AND FINAL DECISION. (a) If a contractor or claimant files a timely written objection to the proposed decision under sub. (6), the department shall hold a public hearing on the objection. The department shall follow applicable contested case procedures under ch. 227. The department may hear all objections in a single proceeding. At the conclusion of the contested case proceeding, the department shall issue a final decision affirming or modifying the proposed decision under sub. (6).

(b) The department may issue a final decision under sub. (7) related to default claims that are not affected by objections under par. (a), regardless of whether the department has completed the contested case proceeding under par. (a).

126.71 Paying default claims. (1) CLAIMS AGAINST CONTRIBUTING CONTRACTOR. Except as provided in sub. (2) or (3), the department shall pay from the appropriate sources under s. 126.72 the following default claim amounts:

(a) Except as provided in par. (d) or (e), for each default claim allowed under s. 126.70 against a grain dealer or milk contractor who was a contributing contractor when the default occurred:

1. Eighty percent of the first $60,000 allowed.

2. Seventy−five percent of any amount allowed in excess of $60,000.

(b) For each default claim allowed under s. 126.70 against a grain warehouse keeper who was a contributing contractor when the default occurred, 100% of the first $100,000 allowed.

(c) For each default claim allowed under s. 126.70 against a vegetable contractor who was a contributing contractor when the default occurred:

1. Ninety percent of the first $40,000 allowed.

2. Eighty−five percent of the next $40,000 allowed.

3. Eighty percent of the next $40,000 allowed.

4. Seventy−five percent of any amount allowed in excess of $120,000.

(d) For each default claim allowed under s. 126.70 against a qualified producer agent who, at the time of the default, was a contributing contractor and maintained security under s. 126.47 (3) (c), if the default occurs after April 30, 2002, and before May 1, 2004, 15% of the amount allowed.

(e) For each default claim allowed under s. 126.70 against a qualified producer agent who, at the time of the default, was a contributing contractor and maintained security under s. 126.47 (3) (c), if the default occurs after April 30, 2004, and before May 1, 2007, 20% of the amount allowed.

(1m) WHEN DEFAULT OCCURS. For the purposes of this chapter, a default occurs on the date on which payment or delivery becomes overdue.

(2) CLAIMS AGAINST CONTRACTOR WHO HAS FILED SECURITY. If the department allows default claims under s. 126.70 against a contractor who has security on file with the department, the department shall convert that security and use the proceeds as follows:

(a) If the contractor was not a contributing contractor when the default occurred, the department shall use the security proceeds to pay the full amount of the allowed claims, except that, if the security is not adequate to pay the full amount of the allowed claims, the department shall pay claimants on a prorated basis in proportion to their allowed claims.

(b) If the contractor was a contributing contractor when the default occurred, the department shall use the security proceeds to reimburse the sources under s. 126.72 from which the department makes any claim payment under sub. (1). If the security amount exceeds the amount payable under sub. (1) from the sources under s. 126.72, the department shall use the remaining security proceeds to pay the balance of the allowed claims. If the security amount is not adequate to pay the full remaining balance, the department shall pay claimants on a prorated basis in proportion to their allowed claims.

(c) Notwithstanding par. (b), if the contractor was a contributing contractor when the default occurred, the department may, at its discretion, pay claims directly from security proceeds rather than from a fund source under s. 126.72. If the department acts under this paragraph, the department shall first pay claims in the amounts provided in sub. (1). If the security amount exceeds the amount payable under sub. (1) from the sources under s. 126.72, the department shall use the remaining security proceeds to pay the balance of the allowed claims. If the security amount is not adequate to pay the full remaining balance, the department shall pay claimants on a prorated basis in proportion to their allowed claims.

(3) PAYMENT RESTRICTIONS. (a) The department may not pay any portion of the following from any source identified in s. 126.72:

1. A default claim related to a default by a grain dealer or grain warehouse keeper that occurs before September 1, 2002.

2. A default claim related to a default by a milk contractor that occurs before May 1, 2002.

3. A default claim related to a default by a vegetable contractor that occurs before February 1, 2002.

4. A default claim allowed against a contractor who was not a contributing contractor when the default occurred.

(b) The department may not pay any default claim under this chapter, except as provided in sub. (1) or (2).

(c) If the total amount of default claims exceeds the amount available under s. 126.72, the department shall prorate the available amount among the eligible claimants in proportion to the amount of their allowed claims.

(4) EFFECT OF PAYMENT. A claimant who accepts payment under sub. (1) or (2) releases his or her claim against the contractor to the extent of the payment. A payment under sub. (1) or (2) does not prevent a claimant from recovering the balance of an allowed claim directly from the contractor.

126.72 Claims against contributing contractor; payment sources. (1) PRODUCER SECURITY FUND. From the appropriation under s. 20.115 (1) (w), the department shall make payments authorized under s. 126.71 (1), up to the deductible amount in sub. (4).

(2) INDUSTRY BOND PROCEEDS. The department shall make a demand against the appropriate industry bond under s. 126.06 and shall use the proceeds of that bond to make payments authorized under s. 126.71 (1), to the extent that those payments exceed the deductible amount in sub. (4).

(3) BLANKET BOND PROCEEDS. The department shall make a demand against the blanket bond under s. 126.07 and shall use the bond proceeds to pay any remaining amounts authorized under s. 126.71 (1) after the department makes payments under subs. (1) and (2).

(4) DEDUCTIBLE AMOUNT. The deductible amount, for purposes of subs. (1) and (2), is as follows:

(a) For default claims against a grain dealer or grain warehouse keeper who was a contributing contractor when the default occurred:

1. If the department allows the claims on or after September 1, 2002, but before September 1, 2004, $500,000.

2. If the department allows the claims on or after September 1, 2004, but before September 1, 2006, $750,000.

3. If the department allows the claims on or after September 1, 2006, $1,000,000.

(b) For default claims against a milk contractor who was a contributing contractor when the default occurred:

1. If the department allows the claims on or after May 1, 2002, but before May 1, 2004, $1,000,000.

2. If the department allows the claims on or after May 1, 2004, but before May 1, 2006, $1,500,000.

3. If the department allows the claims on or after May 1, 2006, $2,000,000.

(c) For claims against a vegetable contractor who was a contributing contractor when the default occurred:

1. If the department allows the claims on or after February 1, 2002, but before February 1, 2004, $500,000.

2. If the department allows the claims on or after February 1, 2004, but before February 1, 2006, $750,000.

3. If the department allows the claims on or after February 1, 2006, $1,000,000.

126.73 Reimbursing payments. (1) PAYMENTS FROM THE FUND. The department may demand and collect, from a contractor, any claim amounts that the department pays under s. 126.72 (1) because of the contractor's default.

(2) BOND PAYMENTS. A bond surety may demand and collect, from a contractor, any claim amounts that the bond surety pays to the department under s. 126.72 (2) or (3) because of the contractor's default. The bond surety shall provide the department with a copy of each demand under this subsection.

SUBCHAPTER VIII

ADMINISTRATION AND ENFORCEMENT

126.78 Definitions. In this subchapter:

(1) "Contributing contractor" has the meaning given in s. 126.68 (1).

(2) "Depositor" has the meaning given in s. 126.25 (5).

(3) "Grain dealer" has the meaning given in s. 126.10 (9).

(4) "Grain warehouse keeper" has the meaning given in s. 126.25 (9).

(5) "Milk contractor" has the meaning given in s. 126.40 (8).

(6) "Producer agent" means a person who is a producer agent, as defined in s. 126.10 (13), 126.40 (13), or 126.55 (12).

(7) "Vegetable contractor" has the meaning given in s. 126.55 (14).

(8) "Vegetable producer" has the meaning given in s. 126.55 (16).

126.80 Department authority; general. The department shall administer this chapter.

126.81 Rule−making. The department may promulgate rules to do any of the following:

(1) Interpret and implement this chapter.

(2) Modify the license fees and surcharges provided in s. 126.11 (4), 126.26 (3), 126.41 (3), 126.42, or 126.56 (4).

(3) Modify the fund assessments provided under s. 126.15, 126.30, 126.46, or 126.60, as provided in s. 126.88.

(4) Require a contractor to notify producers and producer agents of the contractor's license, security, or fund contribution status under this chapter.

126.82 Investigations. The department may conduct investigations that it considers necessary for the administration of this chapter, including investigations to determine any of the following:

(1) Whether a contractor complies with this chapter.

(2) Whether a contractor is able to honor contract obligations when due.

(3) Whether a contractor has failed to honor contract obligations when due.

(4) Whether a grain warehouse keeper has sufficient grain on hand to meet the grain warehouse keeper's obligations to depositors.

(5) The nature and amount of a contractor's storage obligations or other contract obligations.

126.83 Information. The department may require a contractor to provide information that is relevant to the administration and enforcement of this chapter.

126.84 Records; confidentiality. (1) PUBLIC RECORDS EXEMPTION. The following records obtained by the department under this chapter are not open to public inspection under s. 19.35:

(a) Contractor financial statements.

(b) A contractor's purchase, storage, or procurement records.

(2) USE OF RECORDS IN COURT OR ADMINISTRATIVE PROCEEDINGS. Notwithstanding sub. (1), the department may introduce any information obtained under this chapter in a court proceeding or administrative contested case, subject to any protective order that the court or administrative tribunal determines to be appropriate.

126.85 Remedial orders. (1) GENERAL. The department may, by special order, require a contractor to remedy a violation of this chapter or a rule promulgated under this chapter. The department may order the contractor to take specific remedial actions, including actions to remedy deficiencies or to prevent losses to persons protected under this chapter. Except as provided in sub. (2), the department shall give the contractor notice and an opportunity for hearing before the department issues an order.

(2) SUMMARY ORDER. The department may issue an order under sub. (1) without prior notice or hearing if the department finds that the order is necessary to prevent a clear and imminent threat of harm to persons protected under this chapter. Conditions indicating a clear and imminent threat of harm include the following:

(a) A contractor fails to pay producers according to this chapter or according to the contractor's contracts with producers.

(b) A contractor fails to file replacement insurance within the time required under this chapter.

(c) A contractor fails to file security according to this chapter, or in response to the department's demand under this chapter.

(d) A contractor fails to pay a fund assessment when due.

(e) A vegetable contractor fails to pay vegetable producers by January 31 for vegetables delivered by December 31 of the previous year, except as authorized in a deferred payment contract.

(f) A grain warehouse keeper fails to return grain to depositors upon demand, as required under s. 126.34 (4).

(g) A grain warehouse keeper fails to maintain adequate grain inventory as required under s. 126.34 (3), and at least one of the following applies:

1. The amount of the deficiency exceeds 10,000 bushels or 10% of the grain warehouse keeper's obligations to depositors, whichever amount is less.

2. The grain warehouse keeper fails to correct the deficiency within 15 days after receiving the department's written notice that a deficiency exists.

(3) HEARING ON SUMMARY ORDER. (a) A contractor named in a summary order under sub. (2) may, within 10 days after receiving the order, request a hearing on the order. The department shall hold an informal hearing as soon as possible after receiving a hearing request, but not later than 10 days after receiving the hearing request, unless the contractor waives the informal hearing or agrees to hold it at a later date. If the matter is not resolved at the informal hearing, the department shall hold a contested case hearing under ch. 227 as soon as reasonably possible.

(b) A hearing request under par. (a) does not automatically stay a summary order. The department may stay a summary order pending hearing.

126.86 License actions. (1) GENERAL. The department may for cause deny, suspend, revoke, or impose conditions on a contractor's license, as provided in s. 93.06 (7) and (8). Cause may include any of the following:

(a) The contractor fails to comply with this chapter or a rule promulgated under this chapter.

(b) The contractor fails to comply with an order that the department issues under this chapter.

(c) The contractor fails to provide relevant information that the department requests under this chapter or falsifies information provided to the department.

(d) The contractor fails to file a financial statement, security, fees, or assessments required under this chapter, or fails to meet other requirements for licensing.

(e) The contractor fails to honor contract obligations to persons who are authorized to file default claims under s. 126.70 (1).

(f) The contractor fails to reimburse the department, within 60 days after the department issues a reimbursement demand under s. 126.73 (1), for the full amount that the department pays to claimants under s. 126.72 (1) because of the contractor's default.

(g) The contractor fails to reimburse a bond surety, within 60 days after the bond surety issues a reimbursement demand under s. 126.73 (2), for the full amount that the surety pays to the department under s. 126.72 (2) or (3) for the benefit of claimants affected by the contractor's default.

(2) HEARING ON LICENSE ACTION; GENERAL. Except as provided in sub. (3), the department shall give a contractor notice and an opportunity for hearing before the department suspends, revokes, or imposes conditions on a license held by the contractor.

(3) SUMMARY ACTION. (a) The department may, without prior notice or hearing, summarily suspend, revoke, or impose conditions on a license held by a contractor if the department finds that summary action is necessary to prevent a clear and imminent threat of harm to persons protected under this chapter. Conditions indicating a clear and imminent threat of harm include those identified in s. 126.85 (2).

(b) A contractor who is the subject of a summary action under par. (a) may, within 10 days after receiving notice of that action, request a hearing on the action. The department shall hold an informal hearing as soon as possible after receiving a hearing request, but not later than 10 days after receiving the hearing request, unless the contractor waives the informal hearing or agrees to hold it at a later date. If the matter is not resolved at the informal hearing, the department shall hold a contested case hearing under ch. 227 as soon as reasonably possible.

(c) A request for hearing under par. (b) does not automatically stay a summary action under par. (a). The department may stay a summary action pending hearing.

126.87 Court actions. (1) INJUNCTION. The department may petition the circuit court for an ex parte temporary restraining order, a temporary injunction, or a permanent injunction to prevent, restrain, or enjoin any person from violating this chapter, any rule promulgated under this chapter, or any order issued under this chapter. The department may seek this remedy in addition to any other penalty or remedy provided under this chapter.

(2) PENALTIES. (a) A person who violates this chapter, a rule promulgated under this chapter, or an order issued under this chapter is subject to a forfeiture of not less than $250 nor more than $5,000 for each violation.

(b) A person who intentionally violates this chapter, a rule promulgated under this chapter, or an order issued under this chapter may be fined not more than $10,000 or imprisoned for not more than one year in the county jail or both.

(4) PRIVATE REMEDY. (a) A person whose claim is allowed under s. 126.70 may bring an action against the contractor to recover the amount of the allowed claim, less any recovery amount that the department pays to the claimant under s. 126.71. In any court action under this subsection, the claimant may recover costs including all reasonable attorney fees, notwithstanding s. 814.04 (1). This subsection does not limit any other legal cause of action that the claimant may have against the contractor.

(b) A claim allowed under s. 126.70 has the same priority in an insolvency proceeding or creditor's action

as a claim for wages, except as otherwise provided by federal law.

(5) COLLECTIONS. The department may bring an action in court to recover any unpaid amount that a contractor owes the department under this chapter, including any unpaid fund assessment or reimbursement.

126.88 Modifying fund assessments. The department may by rule modify the fund assessments provided under s. 126.15, 126.30, 126.46, or 126.60. The department shall modify fund assessments as necessary to do all of the following:

(1) Maintain an overall fund balance of at least $5,000,000 after January 1, 2006, but not more than $22,000,000 at any time.

(2) Maintain a fund balance attributable to grain dealers of at least $1,000,000 after January 1, 2006, but not more than $6,000,000 at any time.

(3) Maintain a fund balance attributable to grain warehouse keepers of at least $200,000 after January 1, 2006, but not more than $1,000,000 at any time.

(4) Maintain a fund balance attributable to milk contractors of at least $3,000,000 after January 1, 2006, but not more than $12,000,000 at any time.

(5) Maintain a fund balance attributable to vegetable contractors of at least $800,000 after January 1, 2006, but not more than $3,000,000 at any time.

126.89 Calculations. If a number used in or resulting from a calculation made to determine the amount of an assessment under s. 126.15, 126.30, 126.46, or 126.60, other than a number that appears in one of those sections, extends more than 6 decimal places to the right of the decimal point, a person making the calculation shall round the number to the nearest whole digit in the 6th decimal place to the right of the decimal point. The amount of an assessment may be rounded to the nearest whole dollar.

126.90 Agricultural producer security council. The agricultural producer security council shall advise the department on the administration and enforcement of this chapter. The council shall meet as often as the department considers necessary, but at least once annually. The department shall inform the council of fund balances and payments, and shall consult with the council before modifying any license fee, license surcharge, or fund assessment under this chapter.

Vetoed In Part

SECTION 2814. Chapter 127 of the statutes, as affected by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 2814dd. 127.01 (1r) of the statutes is amended to read:

127.01 **(1r)** "Audited financial statement" means a financial statement on which an independent certified public accountant~~, or an independent public accountant holding a certificate of authority~~ licensed or certified under ch. 442~~,~~ has expressed an opinion according to generally accepted accounting principles and has conducted an audit according to generally accepted auditing standards.

SECTION 2814dh. 127.01 (25m) (b) of the statutes is amended to read:

127.01 **(25m)** (b) The financial statement is reviewed according to generally accepted accounting principles by an independent certified public accountant ~~or an independent public accountant who holds a certificate of authority~~ licensed or certified under ch. 442.

SECTION 2814dp. 127.06 (1) (e) of the statutes is amended to read:

127.06 **(1)** (e) The department may extend the filing deadline under par. (a) 2. by up to 30 days in response to a written request from a warehouse keeper or an independent certified public accountant~~, or an independent public accountant holding a certificate of authority~~ licensed or certified under ch. 442~~,~~ that is auditing or reviewing the financial statement for a warehouse keeper if the department receives the request on or before the 5th day of the 4th month beginning after the close of the warehouse keeper's fiscal year and if the request states the reason for the extension.

SECTION 2814dt. 127.06 (1m) (e) of the statutes is amended to read:

127.06 **(1m)** (e) The department may extend the filing deadline under par. (b) 2. by up to 30 days in response to a written request from a grain dealer or an independent certified public accountant~~, or an independent public accountant who holds a certificate of authority~~ licensed or certified under ch. 442~~,~~ that is auditing or reviewing the financial statement for a grain dealer, if the department receives the written request on or before the 5th day of the 4th month beginning after the close of the grain dealer's fiscal year and if the request states the reason for the extension.

SECTION 2813m. 134.60 of the statutes is amended to read:

Vetoed In Part

134.60 Cutting or transportation of evergreens. No person may cut for sale in its natural condition and untrimmed, with or without roots, any evergreen or coniferous tree, branch, bough, bush, sapling or shrub, from the lands of another without the written consent of the owner, whether such land is publicly or privately owned. The written consent shall contain the legal description of the land where the tree, branch, bough, bush, sapling or shrub was cut, as well as the name of the legal owner. The written consent or a certified copy of the consent shall be carried by every person in charge of the cutting or removing of the trees, branches, boughs, bushes, saplings or shrubs, and shall be exhibited to any officer of the law, state forest ranger, forest patrol officer, conservation warden, or other officer of the department of natural resources or the department of forestry at the officer's request at any time. The officer may inspect the trees, branches, boughs, bushes, saplings or shrubs when being transported in any vehicle or other means of conveyance and may investigate to determine whether or not this section has been complied with. The officer may

stop any vehicle or means of conveyance found carrying any trees, branches, boughs, bushes, saplings or shrubs upon any public highway of this state for the purpose of making such inspection and investigation, and may seize and hold, subject to the order of the court, any such trees, bushes, saplings or shrubs found being cut, removed or transported in violation of this section. No person may ship or transport any such trees, bushes, saplings or shrubs outside the county where they were cut unless the person attaches to the outside of each package, box, bale, truckload or carload shipped a tag or label on which appears the person's name and address. No common carrier or truck hauler may receive for shipment or transportation any such trees, bushes, saplings or shrubs unless the tag or label is attached. Any person who violates this section shall be fined not less than $10 nor more than $100. Any person who signs any such written consent or certified copy under this section who is not authorized to do so, and any person who lends or transfers or offers to lend or transfer any such written consent or certified copy to another person who is not entitled to use it, and any person not entitled to use any such written consent or certified copy, or who borrows, receives or solicits from another any such written consent or certified copy thereof shall be fined not less than $100 nor more than $500.

SECTION 2818. 134.72 (title) of the statutes is amended to read:

134.72 (title) **Prohibition of certain unsolicited messages by ~~telephone or~~ facsimile machine.**

SECTION 2819b. 134.72 (1) (c) of the statutes is renumbered 100.52 (1) (i) and amended to read:

100.52 **(1)** (i) "Telephone solicitation" means the unsolicited initiation of a telephone conversation for the purpose of encouraging ~~a person~~ the recipient of the telephone call to purchase property, goods or services or to make a contribution, donation, grant, or pledge of money, credit, property, or other thing of any kind or value .

Vetoed In Part

SECTION 2820d. 134.72 (2) (a) (title) of the statutes is repealed.

SECTION 2821b. 134.72 (2) (a) of the statutes is renumbered 100.52 (4) (a) (intro.) and amended to read:

100.52 **(4)** (a) (intro.) ~~No person may use~~ A telephone solicitor or an employee or contractor of a telephone solicitor may not do any of the following:

1. Use an electronically prerecorded message in telephone solicitation without the consent of the ~~person called~~ recipient of the telephone call.

SECTION 2822. 134.72 (2) (b) (title) of the statutes is repealed.

SECTION 2822m. 134.72 (2) (b) of the statutes is renumbered 134.72 (2), and 134.72 (2) (b), as renumbered, is amended to read:

134.72 **(2)** (b) Notwithstanding ~~subd. 1.~~ par. (a), a person may not make a facsimile solicitation to a person who has notified the facsimile solicitor in writing or by facsimile transmission that the person does not want to receive facsimile solicitation.

SECTION 2824. 134.72 (3) (a) of the statutes is amended to read:

134.72 **(3)** (a) *Intrastate.* This section applies to any ~~intrastate telephone solicitation or~~ intrastate facsimile solicitation.

SECTION 2825. 134.72 (3) (b) of the statutes is amended to read:

134.72 **(3)** (b) *Interstate.* This section applies to any ~~interstate telephone solicitation, or~~ interstate facsimile solicitation~~,~~ received by a person in this state.

SECTION 2826. 134.72 (4) of the statutes is amended to read:

134.72 **(4)** PENALTY. A person who violates this section may be required to forfeit ~~up to~~ not more than $500.

SECTION 2826m. 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 2826p. 134.95 (2) of the statutes is amended to read:

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 2830g. 137.01 (1) (a) of the statutes is amended to read:

137.01 **(1)** (a) The governor shall appoint notaries public who shall be ~~Wisconsin~~ United States residents and at least 18 years of age. Applicants who are not attorneys shall file an application with the secretary of state and pay a $20 fee.

SECTION 2830j. 137.01 (1) (d) of the statutes is amended to read:

137.01 **(1)** (d) Qualified applicants shall be notified by the secretary of state to take and file the official oath and execute and file an official bond in the sum of $500, with a surety ~~to be approved by the clerk of the circuit court for his or her county, or, if~~ executed by a surety company~~,~~ and approved by the secretary of state.

SECTION 2830m. 137.01 (2) (a) of the statutes is amended to read:

137.01 **(2)** (a) ~~Any Wisconsin~~ Except as provided in par. (am), any United States resident who is licensed to practice law in this state is entitled to a permanent commission as a notary public upon application to the secretary of state and payment of a $50 fee. The application shall include a certificate of good standing from the supreme court, the signature and post−office address of the applicant and an impression of the applicant's official seal, or imprint of the applicant's official rubber stamp.

SECTION 2830p. 137.01 (2) (am) of the statutes is created to read:

137.01 **(2)** (am) If a United States resident has his or her license to practice law in this state suspended or revoked, upon reinstatement of his or her license to practice law in this state, the person may be entitled to receive a certificate of appointment as a notary public for a term of 4 years. An eligible notary appointed under this paragraph is entitled to reappointment for 4−year increments. At least 30 days before the expiration of a commission under this paragraph the secretary of state shall mail notice of the expiration date to the holder of the commission.

SECTION 2830r. 137.01 (2) (b) of the statutes is amended to read:

137.01 **(2)** (b) The secretary of state shall issue a certificate of appointment as a notary public to persons who qualify under the requirements of this subsection. ~~Such~~ The certificate shall state that the notary commission is permanent or is for 4 years.

SECTION 2833g. 137.01 (6) (b) of the statutes is repealed.

SECTION 2833j. 137.01 (6m) of the statutes is amended to read:

137.01 **(6m)** CHANGE OF RESIDENCE. A notary public ~~shall~~ does not vacate his or her office by reason of his or her change of residence within the ~~state~~ United States. Written notice of any change of address shall be given to the secretary of state within ~~5~~ 10 days of ~~such~~ the change.

SECTION 2833m. 137.01 (7) of the statutes is amended to read:

137.01 **(7)** OFFICIAL RECORDS TO BE FILED. When any notary public ceases to hold office the notary public, or in case of the notary public's death the notary public's executor or administrator, shall deposit the notary public's official records and papers in the office of the ~~clerk of the circuit court of the county of the notary public's residence~~ secretary of state. If any such notary or any executor or administrator, after such records and papers come to his or her hands, neglects for 3 months to deposit them, he or she shall forfeit not less than $50 nor more than $500. If any person knowingly destroys, defaces or conceals any records or papers of any notary public, the person shall forfeit not less than $50 nor more than $500, and shall be liable to the party injured for all damages thereby sustained. The ~~clerks of the circuit courts~~ secretary of state shall receive and safely keep all such papers and records in their office.

SECTION 2841m. 139.03 (5) (b) 2. of the statutes is amended 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 ~~6~~ 16 liters without paying the tax imposed under this subchapter on that amount.

SECTION 2842. 139.30 (7) of the statutes is amended to read:

139.30 **(7)** "Manufacturer" means any person who manufactures cigarettes for the purpose of sale, including the authorized agent of a person who manufactures cigarettes for the purpose of sale.

SECTION 2842m. 139.31 (1) (a) of the statutes is amended to read:

139.31 **(1)** (a) On cigarettes weighing not more than 3 pounds per thousand, ~~29.5~~ 38.5 mills on each cigarette.

SECTION 2842n. 139.31 (1) (b) of the statutes is amended to read:

139.31 **(1)** (b) On cigarettes weighing more than 3 pounds per thousand, ~~59~~ 77 mills on each cigarette.

SECTION 2843. 139.31 (4) of the statutes is created to read:

139.31 **(4)** No person may sell or distribute in this state, acquire, store, possess, or transport for sale or distribution in this state, import or cause to be imported into this state for sale or distribution in this state, or affix stamps as described under s. 139.32 to, any of the following:

(a) A cigarette package on which a statement, label, stamp, sticker, or notice indicates that the manufacturer did not intend the cigarettes in the package to be sold, distributed, or used in the United States, including labels stating "for export only," "U.S. tax exempt," "for use outside U.S.," or similar wording.

(b) A cigarette package that does not comply with 15 USC 1333 and 15 USC 1335 or other federal law.

(c) A cigarette package that has been altered as described in sub. (5).

(d) Any cigarettes that are imported into the United States in violation of federal law.

SECTION 2844. 139.31 (5) of the statutes is created to read:

139.31 **(5)** (a) No person may alter a cigarette package before the sale or distribution to the ultimate consumer so as to remove, conceal, or obscure any of the following:

1. Any statement, label, stamp, sticker, or notice described in sub. (4) (a).

2. Any health warning that is not specified in or that does not conform with the requirements under 15 USC 1333.

(b) No person may affix stamps, as described in s. 139.32, to any cigarette package that is altered as described in par. (a).

SECTION 2845m. 139.31 (6) of the statutes is created to read:

139.31 **(6)** Subsections (4) and (5) do not apply to cigarettes that may be brought into the United States for personal use and cigarettes that are sold or intended for sale by a duty−free enterprise, as provided under 19 USC 1555, not including cigarettes that are brought into a customs territory, as defined under 19 USC 1555 (2) (b) (C), for resale within the customs territory.

Vetoed In Part

SECTION 2846. 139.34 (3) of the statutes is created to read:

139.34 **(3)** No distributor may affix stamps to cigarette packages, as provided in s. 139.32, unless the distributor certifies to the department, in a manner prescribed by the department, that the distributor purchases cigarettes directly from a manufacturer.

SECTION 2847m. 139.39 (4m) of the statutes is created to read:

139.39 **(4m)** Any person who sells, distributes, or manufactures cigarettes and who sustains direct economic or commercial injury as the result of a violation of this chapter may bring an action for injunctive relief.

SECTION 2847n. 139.40 (1) of the statutes is amended to read:

139.40 **(1)** All cigarettes acquired, owned, imported, possessed, kept, stored, made, sold, distributed or transported in violation of this chapter, and all personal property used in connection therewith is unlawful property and subject to seizure by the secretary or any peace officer. All cigarettes seized for violating s. 139.31 (4) or (5) shall be destroyed.

SECTION 2848m. 139.76 (1) of the statutes is amended to read:

139.76 **(1)** An 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%~~ 25% 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%~~ 25% of the amount obtained by adding the manufacturer's list price to the federal tax, duties and transportation costs to the United States. The tax attaches at the time the tobacco products are received by the distributor in this state. The tax shall be passed on to the ultimate consumer of the tobacco products. All tobacco products received in this state for sale or distribution within this state, except tobacco products actually sold as provided in sub. (2), shall be subject to such tax.

SECTION 2848n. 139.78 (1) of the statutes is amended to read:

139.78 **(1)** A tax is imposed upon the use or storage by consumers of tobacco products in this state at the rate of ~~20%~~ 25% of the cost of the tobacco products. The tax does not apply if the tax imposed by s. 139.76 (1) on the tobacco products has been paid or if the tobacco products are exempt from the tobacco products tax under s. 139.76 (2).

SECTION 2848r. 146.185 (3) of the statutes is amended to read:

146.185 **(3)** From the appropriation under s. 20.435 (5) ~~(fh)~~ (kb), the department shall in each fiscal year award up to $200,000 in 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~~ An awardee of a grant under this subsection ~~may not exceed 50% of the cost of the activities. An applicant's required contribution for a grant~~ shall provide, for at least 50% of the grant amount, matching funds that may consist of funding or an in−kind contribution. An applicant that is not a federally qualified health center, as defined under 42 CFR

405.2401 (b) shall receive priority for grants awarded under this subsection.

SECTION 2848s. 146.185 (4) of the statutes is amended to read:

146.185 **(4)** From the appropriation under s. 20.435 (5) ~~(fh)~~ (kb), the department shall award a grant of up to ~~$100,000~~ $50,000 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 2850. 146.55 (2m) (a) of the statutes is repealed and recreated to read:

146.55 **(2m)** (a) The department shall contract with a physician to direct the state emergency medical services program. The department may expend from the funding under the federal preventive health services project grant program under 42 USC 2476 under the appropriation under s. 20.435 (1) (mc), $25,000 in each fiscal year for this purpose.

SECTION 2850ag. 146.56 (1) of the statutes is amended to read:

146.56 **(1)** Not later than July 1, 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, and, as part of the system, shall develop regional trauma advisory councils .

Vetoed In Part

SECTION 2850ah. 146.56 (2) of the statutes is amended to read:

146.56 **(2)** The department shall promulgate rules to develop and implement the system. The rules shall include a method by which to classify all hospitals as to their respective emergency care capabilities. The classification rule shall be based on standards developed by the American College of Surgeons. Within 180 days after promulgation of the classification rule, and every ~~4~~ 3 years thereafter, each hospital shall certify to the department the classification level of trauma care services that is provided by the hospital, based on the rule. The department may require a hospital to document the basis for its certification. The department may not direct a hospital to establish a certain level of certification. Confidential injury data that is collected under this subsection shall be used for confidential review relating to performance improvements in the trauma care system, and may be used for no other purpose.

Vetoed In Part

SECTION 2850bc. 146.65 of the statutes is created to read:

146.65 Rural health dental clinics. (1) From the appropriation under s. 20.435 (5) (dm), the department shall distribute moneys as follows:

(a) In state fiscal year 2001−02, not more than $618,000 and in fiscal year 2002−03, not more than $232,000, to the rural health dental clinic located in Ladysmith that provides dental services to persons who are developmentally disabled or elderly or who have low income, in the counties of Rusk, Price, Taylor, Sawyer, and Chippewa.

(b) In fiscal year 2001−02, not more than $294,500 and in state fiscal year 2002−03, not more than $355,600, to the rural health dental clinic located in Menomonie that provides dental services to persons who are developmentally disabled or elderly or who have low income, in the counties of Barron, Chippewa, Dunn, Pepin, Pierce, Polk, and St. Croix.

(2) The department shall also seek federal funding to support the operations of the rural health dental clinics under sub. (1).

SECTION 2850bg. 146.83 (1) (b) of the statutes is amended to read:

Vetoed In Part

146.83 **(1)** (b) Receive a copy of the patient's health care records upon payment of ~~reasonable costs~~ fees, as established by rule under sub. (3m).

SECTION 2850bh. 146.83 (1) (c) of the statutes is amended to read:

146.83 **(1)** (c) Receive a copy of the health care provider's X−ray reports or have the X−rays referred to another health care provider of the patient's choice upon payment of ~~reasonable costs~~ fees, as established by rule under sub. (3m).

SECTION 2850bi. 146.83 (3m) of the statutes is created to read:

146.83 **(3m)** (a) The department shall, by rule, prescribe fees that are based on an approximation of actual costs. The fees, plus applicable tax, are the maximum amount that a health care provider may charge under sub. (1) (b) for duplicate patient health care records and under sub. (1) (c) for duplicate X−ray reports or the referral of X−rays to another health care provider of the patient's choice. The rule shall also permit the health care provider to charge for actual postage or other actual delivery costs. In determining the approximation of actual costs for the purposes of this subsection, the department may consider all of the following factors:

1. Operating expenses, such as wages, rent, utilities, and duplication equipment and supplies.

2. The varying cost of retrieval of records, based on the different media on which the records are maintained.

3. The cost of separating requested patient health care records from those that are not requested.

4. The cost of duplicating requested patient health care records.

5. The impact on costs of advances in technology.

(b) By January 1, 2006, and every 3 years thereafter, the department shall revise the rules under par. (a) to account for increases or decreases in actual costs.

SECTION 2850bm. 148.19 (2) of the statutes is amended to read:

148.19 **(2)** Legal counsel, certified public accountants licensed or certified under ch. 442, or other persons as to matters the director or officer believes in good faith

are within the person's professional or expert competence.

SECTION 2850c. 149.115 of the statutes is amended to read:

149.115 Rules relating to creditable coverage. The commissioner, in consultation with the department, shall promulgate rules that specify how creditable coverage is to be aggregated for purposes of ~~ss.~~ s. 149.10 (2t) (a) ~~and 149.14 (6) (b) 1. a.~~ and that determine the creditable coverage to which ~~ss.~~ s. 149.10 (2t) (b) and (d) ~~and 149.14 (6) (b) 1. b. and d. apply~~ applies. The rules shall comply with section 2701 (c) of P.L. 104−191.

SECTION 2850d. 149.13 (4) of the statutes is created to read:

149.13 **(4)** Notwithstanding subs. (1) to (3), the department, with the agreement of the commissioner, may perform various administrative functions related to the assessment of insurers participating in the cost of administering the plan.

Vetoed In Part

SECTION 2850dm. 149.135 of the statutes is created to read:

149.135 Special small employer insurer assessment. (1) In this section:

(a) "Discontinued individual" means an individual who was covered under the health benefit plan subject to ch. 635 that was discontinued by the small employer insurer that provided the health benefit plan and who obtained coverage under the plan under this chapter after the coverage under the health benefit plan was discontinued.

(b) "Health benefit plan" has the meaning given in s. 632.745 (11).

(c) "Small employer" has the meaning given in s. 635.02 (7).

(d) "Small employer insurer" has the meaning given in s. 635.02 (8).

(2) (a) Except as provided in sub. (3), a small employer insurer that discontinues coverage under a health benefit plan that is subject to ch. 635 shall pay a special assessment for each discontinued individual.

(b) The assessment under this subsection shall be determined by multiplying the small employer insurer's number of discontinued individuals by the average cost of an eligible person in the year in which the small employer insurer discontinued the coverage under the health benefit plan. The average cost of an eligible person in the year in which the health benefit plan was discontinued shall be determined by deducting from the total costs of the plan under this chapter in that year all premiums paid in that year by all persons with coverage under the plan under this chapter, and then by dividing that amount by the total number of persons with coverage under the plan under this chapter in that year.

(c) The assessment under this subsection shall also include all costs that are incurred by the small employer insurer's discontinued individuals during their first 6 months of coverage under the plan under this chapter and that are attributable to preexisting conditions.

(d) The board shall determine when a small employer insurer must pay the assessment under this section.

(3) The assessment under sub. (2) does not apply if the small employer insurer discontinued coverage under the health benefit plan subject to ch. 635 for any of the following reasons:

(a) The small employer failed to pay premiums or contributions in accordance with the terms of the health benefit plan or in a timely manner.

(b) The small employer performed an act or engaged in a practice that constitutes fraud or made an intentional misrepresentation of material fact under the terms of the coverage.

(c) The small employer failed to meet participation or contribution requirements under the health benefit plan.

SECTION 2850e. 149.14 (3) (nm) of the statutes is created to read:

149.14 **(3)** (nm) Hospice care provided by a hospice licensed under subch. IV of ch. 50.

SECTION 2850f. 149.14 (5) (title) of the statutes is amended to read:

149.14 **(5)** (title) DEDUCTIBLES, COPAYMENTS ~~AND~~, COINSURANCE, AND OUT−OF−POCKET LIMITS.

SECTION 2850g. 149.14 (5) (b) of the statutes is amended to read:

149.14 **(5)** (b) Except as provided in ~~par.~~ pars. (c) and (e), 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.

SECTION 2850h. 149.14 (5) (c) of the statutes is amended to read:

149.14 **(5)** (c) ~~If~~ Except as provided in par. (e), if the aggregate of the covered costs not paid by the plan under par. (b) and the deductible exceeds $500 for an eligible person receiving medicare, $2,000 for any other eligible person during a calendar year or $4,000 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 paragraph are exceeded.

Vetoed In Part

SECTION 2850i. 149.14 (5) (e) of the statutes is amended 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) copayment amounts, coinsurance rates, and copayment and coinsurance out−of−pocket limits over which the plan will pay 100% of covered costs under sub. (3) (d). Any copayment ~~amounts or rates~~ amount, coinsurance rate, or out−of−pocket limit established ~~are~~ under this paragraph is subject to the approval of the board. Copayments and

coinsurance paid by an eligible person under this paragraph ~~shall~~ are separate from and do not count toward the deductible and covered costs not paid by the plan under pars. (a) to (c).

SECTION 2850j. 149.14 (6) (b) 1. of the statutes is repealed.

SECTION 2850k. 149.14 (6) (b) 2. of the statutes is renumbered 149.14 (6) (b) and amended to read:

149.14 **(6)** (b) An eligible individual who obtains coverage under the plan ~~on or after June 17, 1998,~~ may not be subject to any preexisting condition exclusion under the plan. ~~An eligible individual who is covered under the plan on June 17, 1998, may not be subject to any preexisting condition exclusion on or after June 17, 1998.~~

SECTION 2850Lc. 149.142 (1) (b) of the statutes is amended to read:

149.142 **(1)** (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. Notwithstanding s. 149.17 (4), the department may not reduce the payment rate for prescription drugs below the rate specified in this paragraph, and the rate may not be adjusted under s. 149.143 or 149.144.

SECTION 2850Ld. 149.142 (2) of the statutes is amended to read:

149.142 **(2)** ~~The~~ Except as provided in sub. (1) (b), the rates established under this section are subject to adjustment under ss. 149.143 and 149.144.

Vetoed In Part

SECTION 2850Ldc. 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 under s. 149.13, 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 2850Ldm. 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 (2) (a) 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 and from eligible persons with coverage under s. 149.14 (2) (b) set in accordance with s. 149.14 (5m), including amounts received for premium and deductible subsidies under s. 149.144 and under the transfer to the fund from the appropriation account under s. 20.435 (4) (ah), ~~and~~ from premiums collected from eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b), and from 50% of small employer insurer assessments under s. 149.135.

SECTION 2850Le. 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 under s. 149.13 , excluding assessments under s. 149.144, and adjusting provider payment rates, subject to s. 149.142 (1) (b) and excluding adjustments to those rates under s. 149.144, in equal proportions and to the extent that the amounts under subd. 1. a. to c. are insufficient to pay 60% of plan costs.

Vetoed In Part

SECTION 2850Lem. 149.143 (1) (b) 2. a. of the statutes is amended to read:

Vetoed In Part

149.143 **(1)** (b) 2. a. Fifty percent from insurer assessments under s. 149.13, excluding assessments under s. 149.144, and from 50% of small employer insurer assessments under s. 149.135.

SECTION 2850Lf. 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, subject to s. 149.142 (1) (b) and excluding adjustments to those rates under s. 149.144.

SECTION 2850Lg. 149.143 (2) (a) 4. of the statutes is amended to read:

149.143 **(2)** (a) 4. By the same rule as under subd. 3. adjust the provider payment rate for the new plan year, subject to s. 149.142 (1) (b), by estimating and setting the rate at the level necessary to equal the amounts specified in sub. (1) (b) 1. d. and 2. b. and as provided in s. 149.145.

SECTION 2850Lgj. 149.143 (2m) (b) 3. of the statutes is created to read:

149.143 **(2m)** (b) 3. For distribution to eligible persons, notwithstanding any requirements in this chapter related to setting premium amounts. The department, with the approval of the board and the concurrence of the plan actuary, shall determine the policies, eligibility criteria, methodology, and other factors to be used in making any distribution under this subdivision.

SECTION 2850Lh. 149.143 (3) (a) of the statutes is amended to read:

Vetoed In Part

149.143 **(3)** (a) If, during a plan year, the department determines that the amounts estimated to be received as a result of the rates and amount set under sub. (2) (a) 2. to 4. and any adjustments in insurer assessments and the provider payment rate under s. 149.144 will not be sufficient to cover plan costs, the department may by rule increase the premium rates set under sub. (2) (a) 2. for the remainder of the plan year, subject to s. 149.146 (2) (b) and the maximum specified in sub. (2) (a) 2., by rule increase the assessments set under sub. (2) (a) 3. for the remainder of the plan year, subject to sub. (1) (b) 2. a., and by the same rule under which assessments are increased adjust the provider payment rate set under sub. (2) (a) 4. for the remainder of the plan year, subject to sub. (1) (b) 2. b. and s. 149.142 (1) (b).

SECTION 2850Li. 149.143 (3) (b) of the statutes is amended to read:

149.143 **(3)** (b) If the department increases premium rates and insurer assessments and adjusts the provider payment rate under par. (a) 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 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. but subject to s. 149.142 (1) (b).

SECTION 2850Lj. 149.143 (5) (a) of the statutes is amended 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 under s. 149.13, or provider payment rates, subject to s. 149.142 (1) (b), for the fiscal year beginning on the first July 1 after the reconciliation, as provided in sub. (2) (b).

Vetoed In Part

SECTION 2850Lk. 149.143 (5) (b) of the statutes is amended to read:

149.143 **(5)** (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, subject to s. 149.142 (1) (b). 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, subject to s. 149.142 (1) (b).

SECTION 2850Lm. 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 (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 (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 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.~~ ss. 149.142 (1) (b) and 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). 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 2850Ln. 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. 149.142 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 under s. 149.13, and provider payment rates. Except as otherwise provided in s. 149.143 (3) (a) and (b) and subject to s. 149.142 (1) (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.

Vetoed In Part

SECTION 2850m. 149.146 (1) (b) 1. of the statutes is repealed.

SECTION 2850p. 149.146 (1) (b) 2. of the statutes is renumbered 149.146 (1) (b).

SECTION 2850q. 149.146 (2) (am) 2. of the statutes is amended to read:

149.146 **(2)** (am) 2. Except as provided in ~~subd.~~ subds. 3. and 5., 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.

SECTION 2850r. 149.146 (2) (am) 3. of the statutes is amended to read:

149.146 **(2)** (am) 3. ~~If~~ Except as provided in subd. 5., 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.

SECTION 2850s. 149.146 (2) (am) 5. of the statutes is created to read:

149.146 **(2)** (am) 5. Subject to s. 149.14 (8) (b), the department may, by rule under s. 149.17 (4), establish for prescription drug coverage under this section copayment amounts, coinsurance rates, and copayment and coinsurance out−of−pocket limits over which the plan will pay 100% of covered costs for prescription drugs. Any copayment amount, coinsurance rate, or out−of−pocket limit established under this subdivision is subject to the approval of the board. Copayments and coinsurance paid by an eligible person under this subdivision are separate

from and do not count toward the deductible and covered costs not paid by the plan under subds. 1. to 3.

SECTION 2850w. 149.15 (1) of the statutes is amended to read:

149.15 **(1)** The plan shall have a board of governors consisting of representatives of 2 participating insurers ~~which~~ that are nonprofit corporations, representatives of 2 other participating insurers, 3 health care provider representatives, including one representative of the State Medical Society of Wisconsin, one representative of the Wisconsin Health and Hospital Association and one representative of an integrated multidisciplinary health system, and ~~3~~ 4 public members, including one representative of small businesses in the state, appointed by the secretary for staggered 3−year terms. In addition, the commissioner, or a designated representative from the office of the commissioner, and the secretary, or a designated representative from the department, shall be members of the board. The public members shall not be professionally affiliated with the practice of medicine, a hospital, or an insurer. At least ~~2~~ one of the public members shall be ~~individuals reasonably expected to qualify for~~ an individual who has coverage under the plan ~~or the parent or spouse of such an individual~~. The secretary or the secretary's representative shall be the chairperson of the board. Board members, except the commissioner or the commissioner's representative and the secretary or the secretary's representative, shall be compensated at the rate of $50 per diem plus actual and necessary expenses.

SECTION 2850x. 149.25 of the statutes is created to read:

149.25 Case management pilot program. (1) DEFINITIONS. In this section:

(a) "Chronic disease" means any disease, illness, impairment, or other physical condition that requires health care and treatment over a prolonged period and, although amenable to treatment, is irreversible and frequently progresses to increasing disability or death.

(b) "Health professional shortage area" means an area that is designated by the federal department of health and human services under 42 CFR part 5, appendix A, as having a shortage of medical care professionals.

(2) PROGRAM AND ELIGIBILITY REQUIREMENTS. (a) The department shall conduct a 3−year pilot program, beginning on July 1, 2002, under which eligible persons who qualify under par. (b) are provided community−based case management services.

(b) To be eligible to participate in the pilot program, an eligible person must satisfy any of the following criteria:

1. Be diagnosed as having a chronic disease.

2. Be taking 2 or more prescribed medications on a regular basis.

3. Within 6 months of applying for the pilot program, have been treated 2 or more times at a hospital emergency room or have been admitted 2 or more times to a hospital as an inpatient.

(c) 1. Participation in the pilot program shall be voluntary and limited to no more than 300 eligible persons. The department shall ensure that all eligible persons are advised in a timely manner of the opportunity to participate in the pilot program and of how to apply for participation.

2. If more than 300 eligible persons apply to participate, the department shall select pilot program participants from among those who qualify under par. (b) according to standards determined by the department, except that the department shall give preference to eligible persons who reside in medically underserved areas or health professional shortage areas.

(3) PROVIDER ORGANIZATION AND SERVICES REQUIREMENTS. (a) The department shall select and contract with an organization to provide the community−based case management services under the pilot program. To be eligible to provide the services, an organization must satisfy all of the following criteria:

1. Be a private, nonprofit, integrated health care system that provides access to health care in a medically underserved area of the state or in a health professional shortage area.

2. Operate an existing community−based case management program with demonstrated successful client and program outcomes.

3. Demonstrate an ability to assemble and coordinate an interdisciplinary team of health care professionals, including physicians, nurses, and pharmacists, for assessment of a program participant's treatment plan.

(b) The community−based case management services under the pilot program shall be provided by a team, consisting of a nurse case manager, a pharmacist, and a social worker, working in collaboration with the eligible person's primary care physician or other provider. Services to be provided include all of the following:

1. An initial intake assessment.

2. Development of a treatment plan based on best practices.

3. Coordination of health care services.

4. Patient education.

5. Family support.

6. Monitoring and reporting of patient outcomes and costs.

(c) The department shall pay contract costs from the appropriation under s. 20.435 (4) (u).

(4) EVALUATION STUDY. The department shall conduct a study that evaluates the pilot program in terms of health care outcomes and cost avoidance. In the study, the department shall measure and compare, for pilot program participants and similarly situated eligible persons not participating in the pilot program, plan costs and utilization of services, including inpatient hospital days, rates of hospital readmission within 30 days for the same

diagnosis, and prescription drug utilization. The department shall submit a report on the results of the study, including the department's conclusions and recommendations, to the legislature under s. 13.172 (2) and to the governor.

SECTION 2850y. 150.345 of the statutes is created to read:

150.345 Nursing home bed transfers. (1) Notwithstanding ss. 150.33 and 150.34, a nursing home may transfer a licensed bed to another nursing home, if all of the following apply:

(a) The receiving nursing home is within the same area for allocation of nursing home beds, as determined by the department, as is the transferring nursing home, or is in a county adjoining that area.

(b) The transferring nursing home and the receiving nursing home are owned by corporations that are owned by the same person.

(c) The transferring and receiving nursing homes notify the department of the proposed transfer within 30 days before the transfer occurs.

(d) The department reviews and approves the transfer.

(2) Upon receiving the notification specified in sub. (1) (c), the department shall adjust the allocation of licensed beds under s. 150.31 for each nursing home in accordance with the transfer that was made.

Vetoed In Part

SECTION 2852bb. 157.061 (1) of the statutes is renumbered 157.061 (1c) and amended to read:

157.061 **(1c)** "Burial" means entombment, inurnment ~~or~~, interment, or placement in a mausoleum, vault, crypt, or columbarium.

SECTION 2852bf. 157.061 (1d) of the statutes is created to read:

157.061 **(1d)** "Burial space" means a space that is used or intended to be used for the burial of human remains and, when used in reference to the sale, purchase, or ownership of a burial space, includes the right to bury human remains in the burial space.

Vetoed In Part

SECTION 2852bj. 157.061 (1p) of the statutes is created to read:

157.061 **(1p)** "Cemetery" means a place that is dedicated to and used or intended to be used for the final disposition of human remains.

SECTION 2852bL. 157.061 (2m) of the statutes is amended to read:

157.061 **(2m)** "Cemetery lot" means a grave or 2 or more contiguous graves ~~and, when used in reference to the sale, purchase or ownership of a cemetery lot, includes the right to bury human remains in that cemetery lot~~.

SECTION 2852bn. 157.061 (3) of the statutes is amended to read:

157.061 **(3)** "Cemetery merchandise" means goods associated with the burial of human remains, including monuments, markers, nameplates, vases, and urns, and any services that are associated with supplying or delivering those goods or with the burial of human remains and that may be lawfully provided by a cemetery authority, including opening and closing of a burial space. The term does not include caskets or outer burial containers.

SECTION 2852bp. 157.061 (3g) of the statutes is created to read:

157.061 **(3g)** "Columbarium" means a building, structure, or part of a building or structure that is used or intended to be used for the inurnment of cremains.

SECTION 2852br. 157.061 (3r) of the statutes is created to read:

157.061 **(3r)** "Columbarium space" means a niche, crypt, or specific place in a columbarium that contains or is intended to contain cremains.

SECTION 2852bt. 157.061 (8g) of the statutes is created to read:

157.061 **(8g)** "Lawn crypt" means an interment space in chambers that are preplaced at either a single depth or multiple depths and that are located primarily underground.

SECTION 2852bx. 157.061 (11r) of the statutes is amended to read:

157.061 **(11r)** "Payment of principal" means the portion of a payment for the purchase of ~~a cemetery lot,~~ cemetery merchandise or a ~~mausoleum~~ burial space that represents the principal amount owed by the purchaser for the ~~cemetery lot,~~ cemetery merchandise or ~~mausoleum~~ burial space, and does not include any portion of the payment that represents any taxes, finance or interest charges, or insurance premiums.

SECTION 2852da. 157.061 (15) of the statutes is amended to read:

157.061 **(15)** "Religious association" means any church, synagogue, or mosque ~~or any~~, incorporated college of a religious order, or religious society organized under ch. 187.

Vetoed In Part

SECTION 2852dc. 157.061 (15m) of the statutes is created to read:

157.061 **(15m)** "Religious cemetery authority" means a cemetery authority of a cemetery owned and operated by a religious association.

SECTION 2852de. 157.061 (17) of the statutes is amended to read:

157.061 **(17)** "Undeveloped space" means a mausoleum space, columbarium space, or lawn crypt that is not ready for the burial of human remains on the date of the sale of the mausoleum space, columbarium space, or lawn crypt.

SECTION 2852dk. 157.062 (3) of the statutes is amended to read:

157.062 **(3)** VALIDATION. When there shall have been a bona fide attempt to organize a cemetery association, but a failure to record a properly drawn and executed certificate of organization, and it has in good faith bought

and platted grounds and conveyed ~~cemetery lots~~ burial spaces and carried on business for over 25 years, the same shall be a body corporate from the date of conveyance to it of real estate, and its transfers and other transactions are validated.

SECTION 2852dm. 157.062 (4) (a) of the statutes is amended to read:

157.062 **(4)** (a) An annual election shall be held during the annual meeting. The annual meeting, and any special meeting described in sub. (2), shall be held at a place in the county chosen by the trustees upon public notice as required by the bylaws. Trustees chosen after the first election shall be proprietors of ~~cemetery lots~~ burial spaces in the cemetery, residents of the state, and hold office for 3 years. Election shall be by ballot and a plurality shall elect. Each owner of one or more ~~cemetery lots~~ burial spaces is entitled to one vote, and one of several owners of a ~~cemetery lot~~ burial space, designated by the majority of them, shall cast the vote.

SECTION 2852ds. 157.062 (6) (c) of the statutes is amended to read:

157.062 **(6)** (c) If an association is dissolved under par. (a) or any group has never been properly organized as cemetery association, and there are fewer than 5 members living or residing in the county where the cemetery is located, the circuit judge for the county shall upon the petition of any person interested, make an order determining who are persons interested in the cemetery. Any adult person who owns an interest in any ~~cemetery lot~~ burial space in the cemetery, who is related to any person buried in the cemetery, or who is a descendant, brother, sister, nephew, niece, or surviving spouse of a member of the dissolved association, is an interested person. The circuit judge may make the order upon evidence he or she deems sufficient, with or without hearing. The order need not contain the names of all persons interested, but shall contain the names of at least 5 such persons.

Vetoed In Part

SECTION 2852dt. 157.062 (9) of the statutes is amended to read:

157.062 **(9)** EXEMPTIONS FOR CERTAIN NONPROFIT CEMETERIES. In lieu of delivering a certification, resolution, or copy of proceedings to the department of financial institutions under sub. (1), (2), or (6) (b), a cemetery association that is not required to be registered under s. 440.91 (1) ~~and~~, that is not organized or conducted for pecuniary profit, and that does not operate a cemetery that is located in a county with a population greater than 600,000 shall deliver the certification, resolution, or copy of proceedings to the office of the register of deeds of the county in which the cemetery is located.

SECTION 2852dy. 157.064 (2) of the statutes is amended to read:

157.064 **(2)** A cemetery or religious association incorporated in this state and having a cemetery in or near a 1st or 2nd class city and any cemetery described under s. 157.065 (3m) (d) may acquire by gift or purchase up to 30 acres of adjoining lands for cemetery purposes, and may pay for it wholly or partly from its ~~cemetery lot~~ burial space sales.

SECTION 2852fb. 157.064 (6) of the statutes is amended to read:

157.064 **(6)** Whenever the majority of the members of a cemetery association, or of a religious association authorized to hold lands for cemetery purposes, present at an annual meeting or special meeting called for such purpose vote to convey all of the cemetery association's or religious association's cemetery property, trust funds and other property used for cemetery purposes to another cemetery association or religious association, the trustees of the association shall transfer the property upon the acceptance of the transfer by the other association by affirmative vote of a majority of its members present at an annual meeting or special meeting called for that purpose. Upon such acceptance, the title to the cemetery property, trust funds and other property of the transferring association vests in the accepting association under the control of the trustees of the accepting association. A conveyance under this subsection is subject to s. 157.08 (2). This subsection does not apply to a religious ~~society organized under ch. 187~~ cemetery authority.

SECTION 2852fd. 157.065 (1) (b) 4. of the statutes is repealed.

SECTION 2852fh. 157.07 (1) of the statutes is amended to read:

157.07 **(1)** A cemetery authority shall cause to be surveyed and platted by a land surveyor registered in this state those portions of the lands that are from time to time required for burial, into ~~cemetery lots~~ burial spaces, drives, and walks, and record a plat or map of the land in the office of the register of deeds. The plat or map may not be recorded unless laid out and platted to the satisfaction of the county board of the county, and the town board of the town, in which the land is situated, or, if the land is situated within a 1st class city, then only by the common council of that city.

Vetoed In Part

SECTION 2852fj. 157.07 (5) of the statutes is amended to read:

157.07 **(5)** The cemetery authority may vacate or replat any portion of its cemetery upon the filing of a petition with the circuit court describing the portion and setting forth the facts and reasons therefor. The court shall fix a time for hearing and direct publication of a class 3 notice, under ch. 985, and the court shall order a copy of the notice to be mailed to at least one interested person, as to each separate parcel involved, whose post−office address is known or can be ascertained with reasonable diligence, at least 20 days before such hearing. If the court finds that the proposed vacating or replatting is for the best interest of the cemetery authority and that the rights of none to whom ~~cemetery lots~~ burial

spaces have been conveyed will be injured, it shall enter an order reciting the jurisdictional facts and its findings and authorizing the vacating or replatting of the lands of the cemetery. The order shall be effective when recorded by the register of deeds.

SECTION 2852fL. 157.07 (6) of the statutes is amended to read:

157.07 **(6)** This section does not apply to a religious ~~society organized under ch. 187~~ cemetery authority.

SECTION 2852fn. 157.08 (1) of the statutes is amended to read:

157.08 **(1)** After the plat or map is recorded under s. 157.07, the cemetery authority may sell and convey ~~cemetery lots~~ burial spaces. Conveyances shall be signed by the chief officer of the cemetery authority, and by the secretary or clerk of the cemetery authority, if any. Before delivering the conveyance to the grantee, the cemetery authority shall enter on records kept for that purpose, the date and consideration and the name and residence of the grantee. The conveyances may be recorded with the register of deeds.

SECTION 2852fp. 157.08 (2) (a) of the statutes is amended to read:

157.08 **(2)** (a) If a ~~cemetery lot or mausoleum~~ burial space is sold by a cemetery authority and used or intended to be used for the burial of the human remains of the purchaser or the purchaser's family members, the purchaser's interests in the ownership of, title to, or right to use the ~~cemetery lot or mausoleum~~ burial space are not affected or limited by any claims or liens of other persons against the cemetery authority.

SECTION 2852fr. 157.08 (2) (b) of the statutes is amended to read:

157.08 **(2)** (b) 1. Before a cemetery authority sells or encumbers any cemetery land, except for a sale described in par. (a), the cemetery authority shall notify the department in writing.

Vetoed In Part

3. If within 60 days after the department is notified ~~of the proposed sale or encumbrance~~ under subd. 1. or 1m. the department notifies the cemetery authority in writing that the department objects to the ~~sale or encumbrance~~ proposed action, the cemetery authority may not ~~sell or encumber the cemetery land~~ take the action unless the department subsequently notifies the cemetery authority in writing that the objection is withdrawn.

4. The department may object to ~~a sale or encumbrance~~ an action under subd. 3. only if it determines that the cemetery authority will not be financially solvent or that the rights and interests of owners of ~~cemetery lots and mausoleum~~ burial spaces will not be adequately protected if the ~~sale or encumbrance occurs~~ action is taken. The department shall promulgate rules that establish requirements and procedures for making a determination under this subdivision.

5. The department may, before the expiration of the 60−day period under subd. 3., notify the cemetery authority in writing that the department approves of the ~~sale or encumbrance~~ action. Upon receipt of the department's written approval, the cemetery authority may ~~sell or encumber the cemetery land~~ take the action and is released of any liability under this paragraph.

6. The department shall make every effort to make determinations under this paragraph in an expeditious manner.

SECTION 2852ft. 157.08 (2) (b) 1m. of the statutes is created to read:

157.08 **(2)** (b) 1m. Before a cemetery authority of a cemetery in a county with a population greater than 600,000 takes any of the following actions, the cemetery authority shall notify the department in writing:

a. Transfers ownership or control of 50% or more of the assets or stock of the cemetery.

b. Engages in a transaction that results in a person acquiring ownership or control of 50% or more of the stock of the cemetery.

c. Transfers responsibility for management or operation of the cemetery authority.

SECTION 2852fu. 157.08 (2) (b) 2. of the statutes is created to read:

157.08 **(2)** (b) 2. The department shall promulgate rules that specify the documentation that must be submitted with a notification under subds. 1. and 1m.

SECTION 2852fw. 157.08 (5) of the statutes is amended to read:

157.08 **(5)** Subsections (1) and (2) (b) do not apply to a religious ~~society organized under ch. 187,~~ cemetery authority and sub. (2) (b) does not apply to a cemetery authority that is not required to be registered under s. 440.91 (1) and, that is not organized or conducted for pecuniary profit, and that does not operate a cemetery that is located in a county with a population greater than 600,000.

Vetoed In Part

SECTION 2852fx. 157.10 (title) of the statutes is amended to read:

157.10 (title) **Alienation and use of ~~cemetery lots~~ burial spaces.**

SECTION 2852gb. 157.10 of the statutes is renumbered 157.10 (1) and amended to read:

157.10 **(1)** While any person is buried in a ~~cemetery lot~~ burial space, the ~~cemetery lot~~ burial space shall be inalienable, without the consent of the cemetery authority, and on the death of the owner, ownership of the ~~cemetery lot~~ burial space shall descend to the owner's heirs; but any one or more of such heirs may convey to any other heir his or her interest in the ~~cemetery lot~~ burial space. No human remains may be buried in a ~~cemetery lot~~ burial space except the human remains of one having an interest in the ~~cemetery lot~~ burial space, or a relative, or the husband or wife of such person, or his or her

relative, except by the consent of all persons having an interest in the ~~cemetery lot~~ burial space.

SECTION 2852hb. 157.10 (2) of the statutes is created to read:

157.10 **(2)** The department shall promulgate rules that interpret the requirements of this section and require any person who transfers an interest in a burial space to provide the transferee with a written notice, prepared by the department, that describes the requirements of this section.

SECTION 2852jd. 157.11 (title) of the statutes is amended to read:

157.11 (title) **Improvement and care of ~~cemetery lots~~ burial spaces and grounds.**

SECTION 2852jf. 157.11 (1m) of the statutes is created to read:

157.11 **(1m)** DUTY TO MAINTAIN. A cemetery authority of a cemetery in a county with a population greater than 600,000 shall maintain a cemetery, including burial spaces, grounds, landscaping, roads, parking lots, fences, buildings, and other structures, in a reasonable manner at all times.

SECTION 2852jh. 157.11 (2) of the statutes is amended to read:

157.11 **(2)** REGULATIONS. The cemetery authority may make regulations for management and care of the cemetery. No person may plant, in the cemetery, trees or shrubs, nor erect wooden fences or structures or offensive or dangerous structures or monuments, nor maintain them if planted or erected in violation of the regulations. The cemetery authority may require any person owning or controlling a ~~cemetery lot~~ burial space to do anything necessary to comply with the regulations by giving reasonable personal notice in writing if the person is a resident of the state, otherwise by publishing a class 3 notice, under ch. 985, in the county. If the person fails to comply within 20 days thereafter, the cemetery authority may cause it to be done and recover from the person the expense. The cemetery authority may also impose a forfeiture not exceeding $10 for violation of the regulations posted in 3 conspicuous places in the cemetery, recoverable under ch. 778. Each employee and agent of the cemetery authority shall have constable powers in enforcing the regulations.

Vetoed In Part

SECTION 2852jj. 157.11 (3) of the statutes is amended to read:

157.11 **(3)** CONTRACTS. The cemetery authority may contract with persons who own or are interested in a ~~cemetery lot~~ burial space for its care. The contract shall be in writing, may provide that the ~~cemetery lot~~ burial space shall be forever exempt from taxes, assessments, or charges for its care and the care and preservation of the grounds, shall express the duty of the cemetery authority, shall be recorded in a book kept for that purpose, and shall be effective when the consideration is paid or secured.

SECTION 2852jL. 157.11 (4) of the statutes is amended to read:

157.11 **(4)** ASSOCIATIONS OF RELATIVES. Persons owning a ~~cemetery lot~~ burial space or having relatives buried in a cemetery may incorporate an association to hold and occupy a previously constituted cemetery, and to preserve and care for the same. Section 157.062 shall apply to the association. Nothing in this subsection shall give rights of burial. A municipality may lease a municipal cemetery to a cemetery association for preservation and may contract to permit the association to use cemetery funds therefor. Such leases and contracts may be revoked at will by the municipal board.

SECTION 2852jn. 157.11 (5) of the statutes is amended to read:

157.11 **(5)** SUM REQUIRED. The cemetery authority shall annually fix the sum necessary for the care of ~~cemetery lots~~ burial spaces and care and improvement of the cemetery, or to produce a sufficient income for those purposes.

SECTION 2852jp. 157.11 (7) (a) of the statutes is amended to read:

157.11 **(7)** (a) The cemetery authority may annually assess upon the ~~cemetery lots~~ burial spaces amounts not to exceed the amounts reasonably required for actual and necessary costs for cleaning and care of ~~cemetery lots~~ burial spaces and care and improvement of the cemetery. Notice of the assessment, along with a copy of this section, shall be mailed to each owner or person having charge of a ~~cemetery lot~~ burial space, at the owner's or person's last−known post−office address, directing payment to the cemetery authority within 30 days and specifying that such assessments are a personal liability of the owner or person.

SECTION 2852jr. 157.11 (7) (b) of the statutes is amended to read:

Vetoed In Part

157.11 **(7)** (b) The cemetery authority may fix and determine the sum reasonably necessary for the care of the ~~grave or cemetery lot~~ burial space in reasonable and uniform amounts, which amounts shall be subject to the approval of the court, and may collect those amounts as part of the funeral expenses.

SECTION 2852jt. 157.11 (7) (c) of the statutes is amended to read:

157.11 **(7)** (c) Before ordering distribution of the estate of a deceased person, the court shall order paid any assessment under this section, or the sum so fixed for the care of the ~~cemetery lot or grave~~ burial space of the deceased.

SECTION 2852jv. 157.11 (7) (d) of the statutes is amended to read:

157.11 **(7)** (d) When uniform care of a ~~cemetery lot~~ burial space has been given for 2 consecutive years or more, for which assessments are unpaid, after notice as provided in sub. (2), right to burial is forfeited until

delinquent assessments are paid. When uniform care has been given for 5 consecutive years or more and the assessments are unpaid, upon like notice, title to all unoccupied parts of the ~~cemetery lot~~ burial space shall pass to the cemetery authority and may be sold, the payment of principal to be deposited into the care fund. Before depositing the payment of principal into the care fund, the cemetery authority may retain an amount necessary to cover the cemetery authority's administrative and other expenses related to the sale, but the amount retained may not exceed 50% of the proceeds.

SECTION 2852jx. 157.11 (8) (title) of the statutes is repealed.

SECTION 2852jy. 157.11 (8) of the statutes is renumbered 157.11 (9) (am) and amended to read:

157.11 **(9)** (am) ~~The~~ A cemetery authority shall take, hold, and use any gifts, or the income and proceeds of any gifts, as may be made in trust or otherwise, for the improvement, maintenance, repair, preservation, or ornamentation of any ~~cemetery lot~~ burial space or structure in the cemetery, according to the terms of the gift and regulations by the cemetery authority.

SECTION 2852jz. 157.11 (9) (title) of the statutes is repealed and recreated to read:

157.11 **(9)** (title) GIFTS.

SECTION 2852Lb. 157.11 (9) (a) of the statutes is renumbered 157.11 (9) (b) and amended to read:

157.11 **(9)** (b) Before a cemetery authority receives a gift, the surety bonds of the cemetery authority shall be increased to cover such amount if it does not then do so. ~~If the bonds are not filed, or the~~

(d) If a cemetery authority fails to do anything required by this subsection, the judge may appoint a trustee, and all property and money ~~so~~ given in the manner described under par. (am) or (c) and evidences of title and securities shall be delivered to the trustee.

Vetoed In Part

SECTION 2852Ld. 157.11 (9) (c) of the statutes is created to read:

157.11 **(9)** (c) If a cemetery authority of a cemetery in a county with a population greater than 600,000 receives a gift for the improvement, maintenance, repair, preservation, or ornamentation of any burial space or structure in the cemetery, it shall either expend the income and proceeds of the gift or deposit the proceeds into a trust account at a financial institution, as defined in s. 705.01 (3), according to the terms of the gift and regulations of the cemetery authority. A cemetery authority of a cemetery in a county with a population greater than 600,000 that receives a gift shall maintain a gift ledger that accounts for all receipts and disbursements of gifts.

SECTION 2852Lf. 157.11 (9g) (title) of the statutes is amended to read:

157.11 **(9g)** (title) CARE FUND FOR ~~CEMETERY LOTS~~ BURIAL SPACES.

SECTION 2852Lh. 157.11 (9g) (a) 1. (intro.) of the statutes is amended to read:

157.11 **(9g)** (a) 1. (intro.) Except as provided in ss. ~~66.0603 (1) (c)~~ 66.0603 (1m) (c) and 157.19 (5) (b), funds that are received by a cemetery authority for the care of a ~~cemetery lot~~ burial space shall be invested in one or more of the following manners:

SECTION 2852Lj. 157.11 (9g) (a) 1. c. of the statutes is amended to read:

157.11 **(9g)** (a) 1. c. If not invested as provided in subd. 1. a. or b., otherwise deposited by the cemetery authority in an investment ~~approved by the department~~ if the care funds are segregated and invested separately from all other moneys held by the cemetery authority. A cemetery authority of a cemetery in a county with a population of 600,000 or less may invest funds in the manner described in this subd. 1. c. only if the department approves the investment. A cemetery authority of a cemetery in a county with a population greater than 600,000 may invest funds in the manner described in this subd. 1. c. only if the cemetery authority submits to the department a written statement by an investment advisor licensed under ch. 551, or a broker, as defined in s. 408.102 (1) (c), that the investment is made in accordance with the standards specified in s. 881.01.

SECTION 2852LL. 157.11 (9g) (a) 2. of the statutes is amended to read:

157.11 **(9g)** (a) 2. The manner in which the care funds are invested may not permit the cemetery authority to withdraw the care fund's principal amount~~. The~~, but, for a cemetery authority of a cemetery in a county with a population greater than 600,000, may permit the withdrawal of interest, dividends, or capital gains earned during the most recently completed calendar year. For any cemetery authority, the income from the investment of a care fund for the care of ~~cemetery lots~~ burial spaces may be used only to maintain the ~~cemetery lots~~ burial spaces and grounds, except that if the amount of income exceeds the amount necessary to maintain the ~~cemetery lots~~ burial spaces or grounds properly, the excess amount may be used to maintain any other portion of the cemetery, including mausoleums. If the care funds are deposited with a city or county, or previously deposited with a village, there shall be paid to the cemetery authority annually interest on funds so deposited of not less than 2% per year. The governing body of any city or county, or any village or town in the case of previous deposits, may determine to return all or a part of any funds deposited by a cemetery authority, and that cemetery authority shall accept the returned funds within 30 days after receiving written notice of that action. If the cemetery authority is dissolved or becomes inoperative, the county or city shall use the interest on the funds for the care and upkeep of the cemetery. Deposit shall be made and the income paid over from time to time, not less

Vetoed In Part

frequently than once each year, and receipts in triplicate shall be given, one filed with the county clerk, one with the cemetery authority and one given to the person making the deposit. Deposits shall be in the amount of $5 or a multiple thereof. Records and receipts shall specify the ~~cemetery lot~~ burial space for the care of which the deposit is made. Reports of money received for care and of money and property received as gifts shall be made annually as provided in s. 157.62 (2).

SECTION 2852Ln. 157.11 (9g) (c) of the statutes is amended to read:

157.11 **(9g)** (c) Except as provided in sub. (11), any cemetery authority that sells a cemetery lot, lawn crypt, or columbarium space on or after ~~November 1, 1991~~ the effective date of this paragraph .... [revisor inserts date], shall deposit 15% of each payment of principal into a care fund under par. (a) within 30 days after the last day of the month in which the payment is received, except as provided in sub. (7) (d) and s. 157.115 (2) (f). The total amount deposited must equal 15% of the total amount of all payments of principal that have been received, but not less than $25.

SECTION 2852Lp. 157.11 (10) of the statutes is amended to read:

157.11 **(10)** EXEMPTION FOR RELIGIOUS ~~SOCIETIES~~ CEMETERY AUTHORITIES. Subsections (1) to (9), (9g) (a) and (b), (9m) and (9r) do not apply, but sub. (9g) (c) does apply, to a religious ~~society organized under ch. 187~~ cemetery authority.

SECTION 2852Lt. 157.11 (11) of the statutes is amended to read:

157.11 **(11)** EXEMPTION FOR CERTAIN NONPROFIT CEMETERIES. Subsection (9g) does not apply to a cemetery authority that is not required to be registered under s. 440.91 (1) ~~and~~, that is not organized or conducted for pecuniary profit, and that does not operate a cemetery in a county with a population that is greater than 600,000.

SECTION 2852n. 157.114 of the statutes is created to read:

Vetoed In Part

157.114 Duty to provide for burials. (1) In this section, "cemetery authority" does not include a municipality that takes control of a cemetery under s. 157.115 (1) (b).

(2) A cemetery authority shall, insofar as practicable, provide for burials during each season, including winter. Nothing in this subsection may be construed to prohibit a cemetery authority from charging a reasonable fee to recover the costs related to providing for a burial during difficult weather conditions.

SECTION 2852ob. 157.115 (title) of the statutes is amended to read:

157.115 (title) **Abandonment of cemeteries and ~~cemetery lots~~ burial spaces.**

SECTION 2852obm. 157.115 (1) (title) of the statutes is amended to read:

157.115 **(1)** (title) ABANDONMENT OF CEMETERIES; ALL COUNTIES.

SECTION 2852oc. 157.115 (1) (a) of the statutes is renumbered 157.115 (1) (ar).

SECTION 2852od. 157.115 (1) (ag) of the statutes is created to read:

157.115 **(1)** (ag) This subsection applies to cemeteries in any county.

SECTION 2852oh. 157.115 (1) (b) and (c) of the statutes are renumbered 157.115 (1g) (b) and (c).

SECTION 2852of. 157.115 (1g) (title) of the statutes is created to read:

157.115 **(1g)** (title) ABANDONMENT OF CEMETERIES; NONPOPULOUS COUNTIES.

SECTION 2852og. 157.115 (1g) (a) of the statutes is created to read:

157.115 **(1g)** (a) This subsection applies to cemeteries in counties with a population that is 600,000 or less.

SECTION 2852oj. 157.115 (1r) of the statutes is created to read:

157.115 **(1r)** ABANDONMENT OF CEMETERIES; POPULOUS COUNTIES. (a) This subsection applies to cemeteries in counties with a population greater than 600,000.

(b) If a municipality in which a cemetery is located determines that the cemetery authority has failed to care for the cemetery for a period of 6 months or more, the municipality shall notify the cemetery authority that it has 90 days to correct the failure. Upon a showing of good cause, the municipality may grant the cemetery authority one 90−day extension to correct the failure. If the municipality finds that the cemetery authority has failed to correct the failure within the deadline specified in the notice or extension, the municipality may, after a public hearing, take control of the cemetery, manage and care for the cemetery, collect and manage all trust funds connected with the cemetery other than trust funds received by a will, or take any other action necessary to provide for the care of the cemetery. The municipality may collect from the cemetery authority any costs incurred by the municipality in exercising its authority under this paragraph.

SECTION 2852ok. 157.115 (1t) of the statutes is created to read:

157.115 **(1t)** INJUNCTION. Upon application by the department, a court may enjoin a person from acquiring ownership or control of a cemetery in a county with a population greater than 600,000 if the person has abandoned another cemetery anywhere in this state, or has owned or operated another cemetery anywhere in this state that is subsequently controlled by a municipality under sub. (1g) (b) or (c) or (1r) (b).

Vetoed In Part

SECTION 2852oL. 157.115 (2) (title) of the statutes is amended to read:

157.115 **(2)** (title) ABANDONMENT OF ~~CEMETERY LOTS~~ BURIAL SPACES.

SECTION 2852on. 157.115 (2) (a) 1. (intro.) of the statutes is amended to read:

157.115 **(2)** (a) 1. (intro.) "Abandoned ~~lot~~ space" means one or more ~~graves of a cemetery lot~~ burial spaces that ~~is~~ are not owned by the cemetery authority of the cemetery in which the ~~cemetery lot is~~ burial spaces are located if those ~~graves~~ burial spaces have not been used for the burial of human remains and if, according to the records of the cemetery authority, all of the following apply during the 50−year period immediately preceding the date on which the notice requirement under par. (c) is satisfied:

SECTION 2852op. 157.115 (2) (a) 1. a. of the statutes is amended to read:

157.115 **(2)** (a) 1. a. No owner has transferred any ownership interest in the ~~cemetery lot~~ burial space to any other person.

SECTION 2852or. 157.115 (2) (a) 1. b. of the statutes is amended to read:

157.115 **(2)** (a) 1. b. No owner has purchased or sold another ~~cemetery lot or a mausoleum~~ burial space in the cemetery.

SECTION 2852ot. 157.115 (2) (a) 1. c. of the statutes is amended to read:

157.115 **(2)** (a) 1. c. No other grave in that ~~cemetery lot~~ burial space or ~~adjoining cemetery lot or~~ adjoining ~~mausoleum~~ burial space that is owned or partially owned by an owner has been used for the burial of human remains.

SECTION 2852ov. 157.115 (2) (a) 1. d. of the statutes is amended to read:

157.115 **(2)** (a) 1. d. No grave marker, monument, or other memorial has been installed on the ~~cemetery lot~~ burial space.

Vetoed In Part

SECTION 2852ox. 157.115 (2) (a) 1. e. of the statutes is amended to read:

157.115 **(2)** (a) 1. e. No grave marker, monument, or other memorial has been installed on any other ~~cemetery lot~~ burial space, in the same cemetery, that is owned or partially owned by an owner.

SECTION 2852oz. 157.115 (2) (a) 1. g. of the statutes is amended to read:

157.115 **(2)** (a) 1. g. The cemetery authority has not been contacted by an owner or assignee or received any other notice or evidence to suggest that an owner or assignee intends to use the ~~cemetery lot~~ burial space for a future burial of human remains.

SECTION 2852pb. 157.115 (2) (a) 2. of the statutes is amended to read:

157.115 **(2)** (a) 2. "Assignee" means a person who has been assigned in the deceased owner's will or in any other legally binding written agreement, or who is entitled to receive under ch. 852, an ownership interest in the abandoned ~~cemetery lot~~ space.

SECTION 2852pd. 157.115 (2) (a) 3. of the statutes is amended to read:

157.115 **(2)** (a) 3. "Owner" means a person who, according to the records of the cemetery authority of the cemetery in which an abandoned ~~cemetery lot~~ space is located, owns or partially owns the abandoned ~~cemetery lot~~ space.

SECTION 2852pf. 157.115 (2) (b) of the statutes is amended to read:

157.115 **(2)** (b) No cemetery authority may resell an abandoned ~~cemetery lot~~ space unless the cemetery authority complies with the requirements in this subsection or the abandoned space is sold by a trustee under s. 157.117.

SECTION 2852ph. 157.115 (2) (c) of the statutes is amended to read:

157.115 **(2)** (c) The cemetery authority shall mail to each owner, at each owner's last−known address, a notice of the cemetery authority's intent to resell the abandoned ~~cemetery lot~~ space as provided in this subsection. If an owner is buried in the cemetery in which the abandoned ~~cemetery lot~~ space is located or if the cemetery authority has any other evidence that reasonably supports a determination by the cemetery authority that the owner is deceased, no notice is required under this paragraph.

SECTION 2852pj. 157.115 (2) (d) (intro.) of the statutes is amended to read:

157.115 **(2)** (d) (intro.) If no notice is required under par. (c) or if, within 60 days after notice is mailed under par. (c), no owner or assignee contacts the cemetery authority to express an intent to use the abandoned ~~cemetery lot~~ space for a future burial of human remains, the cemetery authority shall publish in a newspaper of general circulation in the county in which the abandoned ~~lot~~ space is located, a class 3 notice under ch. 985 that includes all of the following:

SECTION 2852pL. 157.115 (2) (d) 1. of the statutes is amended to read:

157.115 **(2)** (d) 1. The location of the abandoned ~~lot~~ space. **Vetoed In Part**

SECTION 2852pn. 157.115 (2) (d) 3. of the statutes is amended to read:

157.115 **(2)** (d) 3. A statement that, unless an owner or assignee contacts the cemetery authority within the period specified in par. (e), the cemetery authority intends to resell the abandoned ~~lot~~ space as provided in this subsection.

SECTION 2852pp. 157.115 (2) (e) of the statutes is amended to read:

157.115 **(2)** (e) If within 60 days after notice is published under par. (c) no owner or assignee contacts the cemetery authority to express an intent to use the abandoned ~~lot~~ space for a future burial of human remains, the cemetery authority shall bring an action in the circuit court of the county in which the abandoned ~~lot~~ space is located for a judgment that the ~~cemetery lot~~ burial space

is an abandoned ~~lot~~ space and an order transferring ownership of the abandoned ~~lot~~ space to the cemetery authority.

SECTION 2852pr. 157.115 (2) (f) of the statutes is amended to read:

157.115 **(2)** (f) If within one year after the circuit court enters a judgment and order under par. (e) no owner or assignee contacts the cemetery authority to express an intent to use the abandoned ~~lot~~ space for a future burial of human remains, the cemetery authority may resell the abandoned ~~lot~~ space, except as provided in par. (g). The payment of principal shall be deposited into the care fund. Before depositing the payment of principal into the care fund, the cemetery authority may retain an amount necessary to cover the cemetery authority's administrative and other expenses related to the sale, but the amount retained may not exceed 50% of the proceeds.

SECTION 2852pt. 157.115 (2) (g) of the statutes is amended to read:

157.115 **(2)** (g) If at any time before an abandoned ~~lot~~ space is resold under par. (f) an owner or assignee contacts the cemetery authority to express an intent to use the abandoned ~~lot~~ space for a future burial of human remains, the authority may not resell the abandoned ~~lot~~ space, and ownership of the abandoned ~~lot~~ space shall be transferred to the owner or assignee. The cemetery authority shall pay all costs of transferring ownership under this paragraph.

SECTION 2852pv. 157.115 (2) (h) of the statutes is amended to read:

157.115 **(2)** (h) Nothing in this subsection prohibits a cemetery authority from seeking the authority to resell more than one abandoned ~~lot~~ space by publishing a single class 3 notice under par. (d) or bringing a single action under par. (e) that applies to all of the abandoned ~~lots~~ spaces for which such authority is sought.

Vetoed In Part

SECTION 2852px. 157.117 of the statutes is created to read:

157.117 Trustees for certain cemeteries and mausoleums. (1) DEFINITIONS. In this section:

(a) "Cemetery" means a cemetery in a county with a population greater than 600,000, but does not include a cemetery the ownership, control, or management of which has been assumed by a municipality. For purposes of this paragraph, a municipality is considered to have assumed the ownership, control, or management of a cemetery only if the municipality has adopted a resolution or enacted an ordinance that has the effect of assuming ownership, control, or management of the cemetery. "Cemetery" also does not include a cemetery owned and operated by a religious cemetery authority.

(b) "Local governmental unit" means a municipality or county.

(c) "Mausoleum" does not include a mausoleum owned and operated by a religious cemetery authority.

(d) "Municipality" means a city, village, or town.

(e) "Trustee" means a trustee appointed under sub. (2) (b).

(2) APPOINTMENT OF TRUSTEE. (a) In response to a petition from the department or upon his or her own motion, the attorney general may petition the circuit court for the county in which a cemetery or mausoleum is located for the appointment of a trustee for the cemetery or mausoleum. If the attorney general petitions the court on his or her own motion, the attorney general shall serve a copy of the petition on the department and the municipality and county within which the cemetery is located.

(b) A court shall schedule a hearing on a petition filed under par. (a) within 90 days after the petition is filed with the court. If the court finds after a hearing that a cemetery or mausoleum is neglected, abandoned, in disuse, improperly maintained, or financially unsound, the court shall appoint as a trustee for the cemetery or mausoleum a capable and competent person to serve as trustee of the cemetery or mausoleum under this section, except that the court may not appoint the department as a trustee.

(c) An owner of a cemetery or mausoleum may petition the court in a proceeding under par. (b) for an order surrendering title to the cemetery or mausoleum to a new owner, other than the state, if the owner believes itself to be incapable of continuing to operate the cemetery or mausoleum. The court may grant the petition if it finds that the cemetery or mausoleum is neglected, abandoned, in disuse, improperly maintained, or financially unsound. If the court grants the petition, it shall transfer title to the cemetery or mausoleum to the new owner and appoint a trustee under par. (b).

(d) All disputes relating to the appointment of a trustee or the actions of a trustee appointed under this section shall be resolved by the court that appointed the trustee.

(3) TRUSTEE POWERS AND DUTIES. (a) A trustee shall do each of the following: **Vetoed In Part**

1. Be responsible for the management, maintenance, and operation of each cemetery or mausoleum under trusteeship.

2. Comply with reporting requirements of s. 157.62 (2). A trustee shall provide the court with a copy of all reports filed under this subdivision.

3. Provide the court with any additional information, records, or reports that the court may direct.

(b) A trustee may petition the court that appointed the trustee for any of the following:

1. Termination of the trusteeship and reversion of ownership and operation of a cemetery or mausoleum to the previous owner.

2. Termination of the trusteeship and transfer of ownership and operation of a cemetery or mausoleum to a new owner other than the state.

3. Removal and reinternment of human remains in accordance with the requirements of this subchapter.

4. Termination of the trusteeship and closure of a cemetery or mausoleum after removal and reinternment of human remains under subd. 3.

(c) A trustee may do any of the following:

1. Seek a new owner or operator of a cemetery or mausoleum, other than the state, including actively marketing the cemetery or mausoleum and taking any other action necessary or useful to effect the sale of the cemetery or mausoleum.

2. Assess burial spaces for cleaning, care, or improvement under s. 157.11 (7).

3. Expend funds disbursed from the cemetery management insurance fund for the purpose of exercising its powers or carrying out its duties under this section.

4. Employ professional, legal, and technical experts, and any such other managers, management personnel, agents, and employees as may be required, to exercise the trustee's powers or carry out the trustee's duties under this section.

5. Take any other action necessary or useful to the management or trusteeship of a cemetery or mausoleum.

(4) DEPARTMENT POWERS AND DUTIES. (a) From the appropriation under s. 20.165 (1) (q), the department shall make disbursements to trustees. The department shall promulgate rules establishing requirements and procedures for making the disbursements.

(b) The department may promulgate rules to carry out the purposes of this section.

(5) TERMINATION OF TRUSTEESHIP. A court that appointed a trustee shall terminate the trusteeship if any of the following applies:

(a) The owner or operator of a cemetery or mausoleum demonstrates to the satisfaction of the court that the conditions that necessitated the trusteeship have been remedied and that it is competent and capable of managing the cemetery or mausoleum.

Vetoed In Part

(b) The court finds that a new operator is competent and capable of managing the cemetery or mausoleum. Upon making a finding under this paragraph, the court shall approve the transfer of the management of the cemetery or mausoleum to the new operator.

(c) The court approves the sale or transfer of a cemetery or mausoleum to a new owner, other than the state, that the court finds is capable and competent to manage the cemetery or mausoleum on a financially sound basis.

(d) The court approves the closure of a cemetery or mausoleum after all human remains have been removed and reinterred.

SECTION 2852pz. 157.12 (2) (b) of the statutes is amended to read:

157.12 **(2)** (b) The department shall supervise construction of any public mausoleum and conversion of any building to a public mausoleum. Within 30 days after receiving written notice from the cemetery authority that the construction or conversion has been completed, the department shall inspect the public mausoleum and provide the cemetery authority with a written certification as to whether the construction or conversion complies with approved plans. If the department determines that, except for certain minor defects, the construction or conversion complies with the approved plans, the department may provide the cemetery authority with a written temporary certification of compliance that is contingent on the correction of those minor defects. A temporary certification is valid for a period designated by the department, not to exceed 6 months. No person may sell a mausoleum space, except an undeveloped space that is sold in accordance with ~~s.~~ ss. 440.92 and 440.922, or bury human remains in a public mausoleum unless a care fund has been established for the mausoleum under sub. (3) and the department has provided the cemetery authority with a certification or a temporary certification under this paragraph. If a cemetery authority that has been provided with a temporary certification notifies the department in writing before the date on which the temporary certification expires that the defects in the construction or conversion of the public mausoleum have been corrected, the department shall, within 30 days after receiving the notice, reinspect the public mausoleum and provide the cemetery authority with a written certification as to whether the construction or conversion complies with the approved plans. If a cemetery authority that has been provided with a temporary certification does not receive a written certification from the department before the date on which the temporary certification expires that the construction or conversion complies with the approved plans, then, beginning on the date on which the certification expires, no person may sell a mausoleum space, except an undeveloped space that is sold in accordance with ~~s.~~ ss. 440.92 and 440.922, or bury human remains in the public mausoleum until the defects are corrected and the department subsequently inspects the public mausoleum and provides the cemetery authority with a certification that the construction or conversion complies with the approved plans. The department may charge a reasonable fee to the cemetery authority for each inspection and certification provided under this paragraph if the inspection and certification are provided within the applicable 30−day period prescribed under this paragraph.

Vetoed In Part

SECTION 2852qb. 157.12 (3) (b) of the statutes is amended to read:

157.12 **(3)** (b) The cemetery's treasurer is the custodian of the fund. The treasurer shall file with the cemetery, at the cemetery's expense, a bond with sureties approved by the department of regulation and licensing to indemnify the cemetery against loss if the treasurer fails to maintain the fund. ~~No~~ For a cemetery in a county with a population greater than 600,000, the amount of the

bond shall be no less than the total of all payments of principal required under this section as stated in the most recent annual report filed by the cemetery authority under s. 157.62. For any cemetery, no indemnity is required if the terms of sale of a mausoleum space require the purchaser to pay directly to a trust company in the state, designated by the cemetery as custodian of the fund. The fund shall be invested as provided in s. 157.19. ~~Income~~ For a cemetery in a county with a population greater than 600,000, the manner in which the care funds are invested may not permit the withdrawal of the fund's principal amount, but may permit the withdrawal of interest, dividends, or capital gains earned during the most recently completed calendar year. For any cemetery, income from investment may be used only to maintain the mausoleum, except that if the amount of income exceeds the amount necessary to properly maintain the mausoleum the excess amount may be used to maintain any portion of the cemetery.

SECTION 2852qd. 157.125 (title) of the statutes is amended to read:

157.125 (title) **Trustees for the care of cemeteries or ~~cemetery lots~~ burial spaces.**

SECTION 2852qf. 157.125 (2) of the statutes is amended to read:

157.125 **(2)** If the burial place or grave is located in a cemetery owned and operated by a religious ~~society organized under ch. 187~~ cemetery authority, the court shall name the religious ~~society~~ cemetery authority as the trustee unless the religious ~~society~~ cemetery authority petitions the court to name the county treasurer as the trustee.

SECTION 2852qh. 157.128 (2) (a) of the statutes is amended to read:

Vetoed In Part

157.128 **(2)** (a) The cemetery is owned by a religious ~~association~~ cemetery authority.

SECTION 2852qhk. 157.128 (2) (b) of the statutes is amended to read:

157.128 **(2)** (b) The religious ~~association~~ cemetery authority is responsible for all liabilities of the cemetery.

SECTION 2852qhL. 157.128 (2) (c) of the statutes is amended to read:

157.128 **(2)** (c) The total acreage of all other cemeteries owned by the religious ~~association~~ cemetery authority exceeds 20 acres.

SECTION 2852qj. 157.128 (3) (b) of the statutes is amended to read:

157.128 **(3)** (b) A cemetery consisting of less than 20 contiguous acres may be dedicated by a cemetery authority that is not required to be registered under s. 440.91 (1) ~~and~~, that is not organized or conducted for pecuniary profit, and that is not located in a county with a population greater than 600,000.

SECTION 2852qL. 157.19 (2) (c) of the statutes is amended to read:

157.19 **(2)** (c) Upon request of the financial institution, the preneed seller, as defined in s. 440.90 (8), shall furnish the financial institution with a copy of the preneed sales contract. Except as provided in ~~s. 440.92 (2) (c), (f) and (j) and (5)~~ ss. 440.922 (3), (5) (c), and (8), and 440.924, preneed trust funds, and any interest or dividends that have accumulated on the preneed trust funds, may not be withdrawn until all obligations under the preneed sales contract have been fulfilled. The financial institution is not responsible for the fulfillment of any part of the preneed sales contract, except that the financial institution shall release the preneed trust funds, and any interest or dividends that have accumulated on the preneed trust funds, as provided by the terms of the preneed sales contract. The trustee of a preneed trust fund may not be changed without the department's written approval. If the trustee or account number of a preneed trust fund is changed, the cemetery authority shall notify the department in writing within 30 days after the change.

SECTION 2852qn. 157.19 (4m) of the statutes is created to read:

157.19 **(4m)** The department shall request proposals from financial institutions located in this state for the purpose of selecting a financial institution that cemetery authorities and preneed sellers may use as the trustee for care funds under s. 157.11 (9g) and 157.12 (3) and preneed trust funds under s. 440.92. Except as provided in sub. (5) (c), a cemetery authority or preneed seller is not required to use the financial institution selected by the department. The financial institution selected under this subsection shall submit an annual report to the department, in a form and manner satisfactory to the department, that provides an accounting of all care funds and preneed trust funds for which the financial institution is the trustee. **Vetoed In Part**

SECTION 2852qp. 157.19 (5) (a) of the statutes is amended to read:

157.19 **(5)** (a) This section does not apply to care funds under s. 157.11 (9g) that are deposited with a city or county as provided under s. 157.11 (9g) (a), to care funds of a cemetery for which a certification under s. 157.63 is effective, or to preneed trust funds of a cemetery for which a certification under s. 440.92 (9) is effective, or to care funds or preneed trust funds of a cemetery authority that is not required to be registered under s. 440.91 (1) ~~and~~, that is not organized or conducted for pecuniary profit, and that is not located in a county with a population greater than 600,000.

SECTION 2852qr. 157.19 (5) (c) of the statutes is created to read:

157.19 **(5)** (c) If the department determines that a cemetery authority of a cemetery in a county with a population greater than 600,000, or a preneed seller for such a cemetery authority, has violated any requirement

under this subchapter or subch. VIII of ch. 440 relating to care funds under s. 157.11 (9g) and 157.12 (3) or preneed trust funds under s. 440.92, the department may require the cemetery authority or preneed seller to use the financial institution selected under sub. (4m) as the trustee for the care funds or preneed trust funds.

SECTION 2852qt. 157.60 of the statutes is amended to read:

157.60 Public easement in cemetery. Any person who shall open or make any highway, town way, or private way or shall construct any railroad, turnpike, or canal or anything in the nature of a public easement over, through, in, or upon such part of any enclosure, being the property of any town, city, village, or religious ~~society~~ cemetery authority or of private proprietors, as may be used for the burial of the dead, unless an authority for that purpose shall be specially granted by law or unless the consent of such town, city, village, religious ~~society~~ cemetery authority, or private proprietors, respectively, shall be first obtained, shall be punished by imprisonment in the county jail not more than one year or by fine not exceeding $300.

SECTION 2852qv. 157.61 of the statutes is created to read:

157.61 Identification of human remains. A person may not provide an outer burial container or, if an outer burial container is not used, a casket, to a cemetery authority of a cemetery in a county with a population greater than 600,000, other than a religious cemetery authority, for the burial of human remains, unless the person identifies the decedent by name on the exterior of the outer burial container or casket.

SECTION 2852se. 157.62 (2) (b) 1m. of the statutes is created to read:

Vetoed In Part

157.62 **(2)** (b) 1m. If the cemetery authority operates a cemetery in a county with a population greater than 600,000, the percentage of burial spaces at the cemetery that are available for sale.

SECTION 2852sh. 157.62 (3) (a) of the statutes is amended to read:

157.62 **(3)** (a) Every cemetery authority shall keep a copy of the report required under sub. (2) (a) at its principal place of business and, except for those records relating to accountings of trust funds described under sub. (2) (b) 3. to 7., shall make the report available for inspection, upon reasonable notice, by any person with an interest in a ~~cemetery lot or a mausoleum~~ burial space in a cemetery owned or operated by the cemetery authority.

SECTION 2852si. 157.62 (3) (b) 3. of the statutes is amended to read:

157.62 **(3)** (b) 3. A copy of each contract for the sale of a ~~cemetery lot, mausoleum~~ burial space or cemetery merchandise.

SECTION 2852sj. 157.62 (3) (c) of the statutes is created to read:

157.62 **(3)** (c) Every cemetery authority of a cemetery in a county with a population greater than 600,000 that is registered under s. 440.91 (1) shall maintain records identifying the section, lot, and site of each burial space and showing the location of each burial space on a map.

SECTION 2852sk. 157.62 (4) (title) of the statutes is amended to read:

157.62 **(4)** (title) RECORDS MAINTENANCE; INSPECTION.

SECTION 2852sL. 157.62 (4) of the statutes is renumbered 157.62 (4) (a).

SECTION 2852sm. 157.62 (4) (b) of the statutes is created to read:

157.62 **(4)** (b) A cemetery authority that operates a cemetery in a county with a population greater than 600,000 that is registered shall, upon reasonable notice, make the records and contract copies under sub. (3) (b) available for inspection and copying by the department.

SECTION 2852sn. 157.62 (5) of the statutes is renumbered 157.62 (5) (b).

SECTION 2852snb. 157.62 (5) (a) of the statutes is created to read:

157.62 **(5)** (a) The department may promulgate rules establishing minimum standards for the format and maintenance of records required under this section, except under sub. (1).

SECTION 2852so. 157.62 (6) of the statutes is renumbered 157.62 (6) (a) and amended to read:

157.62 **(6)** (a) Except as provided in ss. 157.625, 157.63 (5) and 440.92 (9) (e), the department may audit, at reasonable times and frequency, the records, trust funds, and accounts of any cemetery authority and shall audit the records, trust funds, and accounts of each registered cemetery authority of a cemetery in a county with a population greater than 600,000, including records, trust funds, and accounts pertaining to services provided by a cemetery authority which are not otherwise subject to the requirements under this chapter. The department may conduct audits under this subsection on a random basis, and ~~shall conduct all audits under this subsection~~ without providing prior notice to the cemetery authority.

Vetoed In Part

SECTION 2852sp. 157.62 (6) (b) of the statutes is created to read:

157.62 **(6)** (b) If the department has cause to believe that a registered cemetery authority of a cemetery in a county with a population greater than 600,000 has not complied with the requirements of this subchapter or subch. VIII of ch. 440 pertaining to trust funds and accounts, the department may require the cemetery authority to submit an audit conducted at the cemetery authority's expense by an independent certified public accountant in accordance with generally accepted auditing standards.

SECTION 2852sq. 157.625 of the statutes is amended to read:

157.625 Reporting exemption for certain cemeteries. (1) A cemetery authority of a cemetery that is not located in a county with a population that is greater than 600,000 and that is not required under this chapter or under s. 440.92 to maintain any care funds or preneed trust funds is not required to file an annual report under s. 157.62 (2).

(2) A cemetery authority of a cemetery that is not located in a county with a population that is greater than 600,000 and whose annual operating budget for the cemetery is $2,500 or less is not required to file an annual report under s. 157.62 (2).

(3) Section 157.62 does not apply to a cemetery authority that is not required to be registered under s. 440.91 (1) ~~and~~, that is not organized or conducted for pecuniary profit, and that does not operate a cemetery in a county with a population that is greater than 600,000.

SECTION 2852sr. 157.63 (title) of the statutes is amended to read:

157.63 (title) **Reporting and auditing exemptions; certification of compliance of religious cemetery ~~affiliated with religious society~~ authority.**

SECTION 2852ss. 157.63 (1) of the statutes is amended to read:

157.63 **(1)** In lieu of filing an annual report under s. 157.62 (2), a religious cemetery authority ~~of a cemetery that is affiliated with a religious society organized under ch. 187 or that religious society~~ or the church, synagogue, mosque, incorporated college of a religious order, or religious society organized under ch. 187 that is affiliated with a religious cemetery authority may file an annual certification with the department as provided in this section.

Vetoed In Part

SECTION 2852st. 157.63 (2) (b) of the statutes is amended to read:

157.63 **(2)** (b) A notarized statement of a person who is legally authorized to act on behalf of the religious ~~society~~ cemetery authority under this section that, during the reporting period under s. 157.62, each cemetery and the religious cemetery authority of each cemetery specified under par. (a) have either fully complied or have substantially complied with ss. 157.11 (9g) and 157.12 (3).

SECTION 2852sv. 157.63 (3) of the statutes is amended to read:

157.63 **(3)** If the statement under sub. (2) (b) includes a statement of substantial compliance, the statement under sub. (2) (b) must also specify those instances when the cemetery or religious cemetery authority did not fully comply with s. 157.11 (9g) or 157.12 (3).

SECTION 2852sx. 157.63 (4) of the statutes is amended to read:

157.63 **(4)** A certification under this section is effective for the 12−month period immediately following the reporting period under s. 157.62 (2) for which the religious cemetery authority is certified under this section to have fully or substantially complied with ss. 157.11 (9g) and 157.12 (3).

SECTION 2852sz. 157.63 (6) of the statutes is amended to read:

157.63 **(6)** The church, synagogue, mosque, incorporated college of a religious order, or religious society that is affiliated with a cemetery to which a certification under this section applies is liable for the damages of any person that result from the failure of the cemetery or religious cemetery authority to fully comply with s. 157.11 (9g) or 157.12 (3) during the reporting period under s. 157.62 (2) for which such compliance has been certified under this section.

SECTION 2852w. 157.635 of the statutes is amended to read:

157.635 Regulations of religious cemetery ~~affiliated with religious society~~ authorities. Nothing in this subchapter prohibits a religious cemetery authority ~~of a cemetery that is affiliated with a religious society organized under ch. 187~~ from prohibiting the burial of the human remains of an individual in the cemetery if the individual was in a class of individuals who are prohibited from being buried in the cemetery under regulations adopted by the religious cemetery authority or church, synagogue, mosque, incorporated college of a religious order, or religious society ~~from being buried in the cemetery~~ that is affiliated with the religious cemetery authority.

SECTION 2852yh. 157.64 (2) (e) of the statutes is amended to read:

157.64 **(2)** (e) Fails to maintain records as required in s. 157.62 (3) and (4) (a).

Vetoed In Part

SECTION 2852yL. 157.64 (2) (h) of the statutes is created to read:

157.64 **(2)** (h) Violates s. 157.112, if the violation occurs in a county with a population greater than 600,000.

SECTION 2852yu. 157.65 (1) (b) of the statutes is amended to read:

157.65 **(1)** (b) If the department of commerce has reason to believe that any person is violating s. 157.12 or any rule promulgated under s. 157.12 and that the continuation of that activity might cause injury to the public interest, the department of commerce ~~may~~ shall investigate.

SECTION 2853. 157.70 (2) (i) of the statutes is amended to read:

157.70 **(2)** (i) Cause a cataloged burial site to be recorded by the register of deeds of the county in which the burial site is located. The historical society shall reimburse the county for the cost of recording under this paragraph from the appropriation under s. 20.245 ~~(3)~~ (1) (a).

SECTION 2853r. 165.017 (1) of the statutes is repealed.

SECTION 2853s. 165.017 (2) of the statutes is amended to read:

165.017 **(2)** The attorney general or his or her designee shall review and approve or disapprove all proposed petitions ~~or petitions~~ for commitment of individuals as specified under s. 51.20 (1) (ad) 1.

SECTION 2853t. 165.017 (3) of the statutes is repealed.

SECTION 2853u. 165.017 (5) of the statutes is repealed.

SECTION 2854. 165.055 (3) of the statutes is repealed.

Vetoed In Part

SECTION 2854m. 165.10 of the statutes is created to read:

165.10 Civil rights enforcement. If any person, whether or not acting under color of law, interferes with the exercise or enjoyment by any individual of a right secured by the constitution or laws of the United States, or of a right secured by the constitution or laws of this state, the attorney general may bring an action for injunction or other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right secured.

Vetoed In Part

SECTION 2854r. 165.25 (4) (a) of the statutes is amended to read:

165.25 **(4)** (a) The department of justice shall furnish all legal services required by the investment board, the lottery division in the department of revenue, the public service commission, the department of transportation, the department of natural resources, the department of forestry, the department of tourism, and the department of employee trust funds, together with any other services, including stenographic and investigational, as are necessarily connected with the legal work.

SECTION 2855. 165.25 (4) (ar) of the statutes is amended to read:

165.25 **(4)** (ar) The department of justice shall furnish all legal services required by the department of agriculture, trade and consumer protection relating to the enforcement of ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18, 100.182, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42, 100.50, and 100.51 and chs. 136, 344, 704, 707, and 779, together with any other services as are necessarily connected to the legal services.

SECTION 2856b. 165.25 (4) (ar) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

165.25 **(4)** (ar) The department of justice shall furnish all legal services required by the department of agriculture, trade and consumer protection relating to the enforcement of ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18, 100.182, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42, 100.50 and 100.51 and chs. 126, 136, 344, 704, 707, and 779, together with any other services as are necessarily connected to the legal services.

SECTION 2856d. 165.25 (10) of the statutes is created to read:

165.25 **(10)** REPORT ON RESTITUTION. Semiannually submit a report to the department of administration and the joint committee on finance regarding money received by the department of justice under a court order or a settlement agreement for providing restitution to victims. The report shall specify the amount of restitution received by the department of justice during the reporting period; the persons to whom the department of justice paid restitution and the amount that the department of justice paid to each recipient during the reporting period; and the department of justice's methodology for selecting recipients and determining the amount paid to each recipient.

SECTION 2857g. 165.72 (title) of the statutes is amended to read:

165.72 (title) **~~Controlled~~ Dangerous weapons in public schools and controlled substances hotline and rewards for controlled substances tips.**

SECTION 2857h. 165.72 (1) (a) of the statutes is renumbered 165.72 (1) (aj).

SECTION 2857i. 165.72 (1) (ad) of the statutes is created to read:

165.72 **(1)** (ad) "Dangerous weapon" has the meaning given in s. 939.22 (10).

SECTION 2857j. 165.72 (2) (intro.) of the statutes is amended to read:

165.72 **(2)** HOTLINE. (intro.) The department of justice shall maintain a single toll−free telephone number during normal retail business hours, as determined by departmental rule, for ~~both~~ all of the following:

Vetoed In Part

SECTION 2857k. 165.72 (2) (c) of the statutes is created to read:

165.72 **(2)** (c) For persons to provide information anonymously regarding dangerous weapons in public schools.

SECTION 2857L. 165.72 (2g) of the statutes is created to read:

165.72 **(2g)** AFTER−HOURS MESSAGE FOR CALLS CONCERNING DANGEROUS WEAPONS IN PUBLIC SCHOOLS. The department of justice shall provide for a person to answer telephone calls that are made after normal retail business hours to the telephone number under sub. (2). If a caller makes a telephone call after normal retail business hours regarding dangerous weapons in a public school, the person answering the telephone call shall request that the caller call the telephone number "911" or a local law enforcement agency.

SECTION 2857m. 165.72 (2m) of the statutes is created to read:

165.72 **(2m)** TRANSMISSION OF INFORMATION CONCERNING DANGEROUS WEAPONS IN PUBLIC SCHOOLS.

Immediately upon receiving any information under sub. (2) (c) regarding dangerous weapons in a public school, or immediately at the beginning of the next retail business day if the information is not received during normal retail business hours, the department of justice shall provide the information to all of the following:

(a) The administration of the public school.

(b) The appropriate law enforcement agency, as defined in s. 165.83 (1) (b), for the municipality in which the public school is located.

SECTION 2857n. 165.72 (7) of the statutes is amended to read:

165.72 **(7)** PUBLICITY. ~~The~~ From the appropriation under s. 20.455 (2) (a), the department shall purchase public information and promotion services regarding the toll−free telephone number under sub. (2). The department and any agency providing publicity services under this subsection shall cooperate with the department of public instruction in publicizing, in public schools, the use of the toll−free telephone number ~~under sub. (2)~~.

SECTION 2857t. 165.755 (1) (b) of the statutes is amended to read:

165.755 **(1)** (b) A court may not impose the crime laboratories and drug law enforcement assessment under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar) ~~or~~, (bm), or (br) or (5) (b) or for a violation of a state law or municipal or county ordinance involving a nonmoving traffic violation or a safety belt use violation under s. 347.48 (2m).

SECTION 2858. 165.755 (4) of the statutes is amended to read:

165.755 **(4)** If a municipal court imposes a forfeiture, after determining the amount due under sub. (1) (a) the court shall collect and transmit such amount to the treasurer of the county, city, town or village, and that treasurer shall make payment to the state treasurer as provided in s. 66.0114 (1) ~~(b)~~ (bm).

SECTION 2858c. 165.77 (2) (a) 2. of the statutes is amended to read:

165.77 **(2)** (a) 2. The laboratories may compare the data obtained from the specimen with data obtained from other specimens. The laboratories may make data obtained from any analysis and comparison available to law enforcement agencies in connection with criminal or delinquency investigations and, upon request, to any prosecutor, defense attorney or subject of the data. The data may be used in criminal and delinquency actions and proceedings. ~~In this state, the use is subject to s. 972.11 (5).~~ The laboratories shall not include data obtained from deoxyribonucleic acid analysis of those specimens received under this paragraph in the data bank under sub. (3). The laboratories shall destroy specimens obtained under this paragraph after analysis has been completed and the applicable court proceedings have concluded.

SECTION 2858e. 165.77 (2m) of the statutes is created to read:

165.77 **(2m)** (a) If the laboratories receive biological material under a court order issued under s. 974.07 (8), the laboratories shall analyze the deoxyribonucleic acid in the material and submit the results of the analysis to the court that ordered the analysis.

(b) The laboratories may compare the data obtained from material received under par. (a) with data obtained from other specimens. The laboratories may make data obtained from any analysis and comparison available to law enforcement agencies in connection with criminal or delinquency investigations and, upon request, to any prosecutor, defense attorney, or subject of the data. The data may be used in criminal and delinquency actions and proceedings. The laboratories shall not include data obtained from deoxyribonucleic acid analysis of material received under par. (a) in the data bank under sub. (3).

(c) Paragraph (b) does not apply to specimens received under s. 51.20 (13) (cr), 165.76, 938.34 (15), 971.17 (1m) (a), 973.047, or 980.063.

SECTION 2858g. 165.77 (3) of the statutes is amended to read:

165.77 **(3)** If the laboratories receive a human biological specimen under s. 51.20 (13) (cr), 165.76, 938.34 (15), 971.17 (1m) (a), 973.047 or 980.063, the laboratories shall analyze the deoxyribonucleic acid in the specimen. The laboratories shall maintain a data bank based on data obtained from deoxyribonucleic acid analysis of those specimens. The laboratories may compare the data obtained from one specimen with the data obtained from other specimens. The laboratories may make data obtained from any analysis and comparison available to law enforcement agencies in connection with criminal or delinquency investigations and, upon request, to any prosecutor, defense attorney or subject of the data. The data may be used in criminal and delinquency actions and proceedings. ~~In this state, the use is subject to s. 972.11 (5).~~ The laboratories shall destroy specimens obtained under this subsection after analysis has been completed and the applicable court proceedings have concluded.

SECTION 2858i. 165.81 (1) of the statutes is amended to read:

165.81 **(1)** Whenever the department is informed by the submitting officer or agency that physical evidence in the possession of the laboratories is no longer needed the department may, except as provided in sub. (3) or unless otherwise provided by law, ~~either~~ destroy the ~~same~~ evidence, retain it in the laboratories, return it to the submitting officer or agency, or turn it over to the University of Wisconsin upon the request of the head of any department~~. Whenever~~ of the University of Wisconsin. If the department returns the evidence to the submitting officer or agency, any action taken by the officer or agency with respect to the evidence shall be in accordance with s. 968.20. Except as provided in sub. (3), whenever the department receives information from which it appears probable that the evidence is no longer needed, the

department may give written notice to the submitting agency and the appropriate district attorney, by registered mail, of the intention to dispose of the evidence. If no objection is received within 20 days after the notice was mailed, it may dispose of the evidence.

SECTION 2858k. 165.81 (3) of the statutes is created to read:

165.81 **(3)** (a) In this subsection:

1. "Custody" has the meaning given in s. 968.205 (1) (a).

2. "Discharge date" has the meaning given in s. 968.205 (1) (b).

(b) Except as provided in par. (c), if physical evidence that is in the possession of the laboratories includes any biological material that was collected in connection with a criminal investigation that resulted in a criminal conviction, a delinquency adjudication, or commitment under s. 971.17 or 980.06, the laboratories shall preserve the physical evidence until every person in custody as a result of the conviction, adjudication, or commitment has reached his or her discharge date.

(c) Subject to par. (e), the department may destroy biological material before the expiration of the time period specified in par. (b) if all of the following apply:

1. The department sends a notice of its intent to destroy the biological material to all persons who remain in custody as a result of the criminal conviction, delinquency adjudication, or commitment, and to either the attorney of record for each person in custody or the state public defender.

2. No person who is notified under subd. 1. does either of the following within 90 days after the date on which the person received the notice:

a. Files a motion for testing of the biological material under s. 974.07 (2).

b. Submits a written request to preserve the biological material to the department.

3. No other provision of federal or state law requires the department to preserve the biological material.

(d) A notice provided under par. (c) 1. shall clearly inform the recipient that the biological material will be destroyed unless, within 90 days after the date on which the person receives the notice, either a motion for testing of the material is filed under s. 974.07 (2) or a written request to preserve the material is submitted to the department.

(e) If, after providing notice under par. (c) 1. of its intent to destroy biological material, the department receives a written request to preserve the material, the department shall preserve the material until the discharge date of the person who made the request or on whose behalf the request was made, subject to a court order issued under s. 974.07 (7), (9) (a), or (10) (a) 5., unless the court orders destruction or transfer of the biological material under s. 974.07 (9) (b) or (10) (a) 5.

(f) Unless otherwise provided in a court order issued under s. 974.07 (9) (a) or (b) or (10) (a) 5., nothing in this subsection prohibits the laboratories from returning evidence that must be preserved under par. (b) or (e) to the agency that submitted the evidence to the laboratories. If the laboratories return evidence that must be preserved under par. (b) or (e) to a submitting agency, any action taken by the agency with respect to the evidence shall be in accordance with s. 968.205.

SECTION 2858L. 165.85 (2) (a) of the statutes is renumbered 165.85 (2) (ah).

SECTION 2858m. 165.85 (2) (ac) of the statutes is created to read:

165.85 **(2)** (ac) "Alzheimer's disease" has the meaning given in s. 46.87 (1) (a).

SECTION 2858n. 165.85 (4) (b) 1. of the statutes is amended to read:

165.85 **(4)** (b) 1. No person may be appointed as a law enforcement or tribal law enforcement officer, except on a temporary or probationary basis, unless the person has satisfactorily completed a preparatory program of law enforcement training approved by the board and has been certified by the board as being qualified to be a law enforcement or tribal law enforcement officer. The program shall include 400 hours of training, except the program for law enforcement officers who serve as rangers for the department of natural resources includes 240 hours of training. The board shall promulgate a rule under ch. 227 providing a specific curriculum for a 400−hour conventional program and a 240−hour ranger program. The rule shall ensure that there is an adequate amount of training for each program to enable the person to deal effectively with domestic abuse incidents, including training that addresses the emotional and psychological effect that domestic abuse has on victims. The training under this subdivision shall include training on emergency detention standards and procedures under s. 51.15, emergency protective placement standards and procedures under s. 55.06 (11) and information on mental health and developmental disabilities agencies and other resources that may be available to assist the officer in interpreting the emergency detention and emergency protective placement standards, making emergency detentions and emergency protective placements and locating appropriate facilities for the emergency detentions and emergency protective placements of persons. The training under this subdivision shall include at least one hour of instruction on recognizing the symptoms of Alzheimer's disease or other related dementias and interacting with and assisting persons who have Alzheimer's disease or other related dementias. The training under this subdivision shall include training on police pursuit standards, guidelines and driving techniques established under par. (cm) 2. b. The period of temporary or probationary employment established at the time of initial

employment shall not be extended by more than one year for an officer lacking the training qualifications required by the board. The total period during which a person may serve as a law enforcement and tribal law enforcement officer on a temporary or probationary basis without completing a preparatory program of law enforcement training approved by the board shall not exceed 2 years, except that the board shall permit part−time law enforcement and tribal law enforcement officers to serve on a temporary or probationary basis without completing a program of law enforcement training approved by the board to a period not exceeding 3 years. For purposes of this section, a part−time law enforcement or tribal law enforcement officer is a law enforcement or tribal law enforcement officer who routinely works not more than one−half the normal annual work hours of a full−time employee of the employing agency or unit of government. Law enforcement training programs including municipal, county and state programs meeting standards of the board are acceptable as meeting these training requirements.

Vetoed In Part

SECTION 2858no. 165.85 (4) (b) 1. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

165.85 **(4)** (b) 1. No person may be appointed as a law enforcement or tribal law enforcement officer, except on a temporary or probationary basis, unless the person has satisfactorily completed a preparatory program of law enforcement training approved by the board and has been certified by the board as being qualified to be a law enforcement or tribal law enforcement officer. The program shall include 400 hours of training, except that the program for law enforcement officers who serve as rangers for the department of natural resources or the department of forestry includes 240 hours of training. The board shall promulgate a rule under ch. 227 providing a specific curriculum for a 400−hour conventional program and a 240−hour ranger program. The rule shall ensure that there is an adequate amount of training for each program to enable the person to deal effectively with domestic abuse incidents, including training that addresses the emotional and psychological effect that domestic abuse has on victims. The training under this subdivision shall include training on emergency detention standards and procedures under s. 51.15, emergency protective placement standards and procedures under s. 55.06 (11) and information on mental health and developmental disabilities agencies and other resources that may be available to assist the officer in interpreting the emergency detention and emergency protective placement standards, making emergency detentions and emergency protective placements and locating appropriate facilities for the emergency detentions and emergency protective placements of persons. The training under this subdivision shall include at least one hour of instruction on recognizing the symptoms of Alzheimer's disease or other related dementias and interacting with and assisting persons who have Alzheimer's disease or other related dementias. The training under this subdivision shall include training on police pursuit standards, guidelines and driving techniques established under par. (cm) 2. b. The period of temporary or probationary employment established at the time of initial employment shall not be extended by more than one year for an officer lacking the training qualifications required by the board. The total period during which a person may serve as a law enforcement and tribal law enforcement officer on a temporary or probationary basis without completing a preparatory program of law enforcement training approved by the board shall not exceed 2 years, except that the board shall permit part−time law enforcement and tribal law enforcement officers to serve on a temporary or probationary basis without completing a program of law enforcement training approved by the board to a period not exceeding 3 years. For purposes of this section, a part−time law enforcement or tribal law enforcement officer is a law enforcement or tribal law enforcement officer who routinely works not more than one−half the normal annual work hours of a full−time employee of the employing agency or unit of government. Law enforcement training programs including municipal, county and state programs meeting standards of the board are acceptable as meeting these training requirements.

Vetoed In Part

SECTION 2858p. 165.85 (4) (bn) 1m. of the statutes is amended to read:

165.85 **(4)** (bn) 1m. Each officer who is subject to subd. 1. shall biennially complete at least 4 hours of training from curricula based upon model standards promulgated by the board under par. (cm) 2. b. and at least one hour of training on recognizing the symptoms of Alzheimer's disease or other related dementias and interacting with and assisting persons who have Alzheimer's disease or other related dementias. Hours of training completed under this subdivision shall count toward the hours of training required under subd. 1.

Vetoed In Part

SECTION 2863. 166.20 (1) (gk) of the statutes is created to read:

166.20 **(1)** (gk) "Local emergency response team" means a team that the committee identifies under s. 166.21 (2m) (e).

SECTION 2864. 166.20 (1) (im) of the statutes is created to read:

166.20 **(1)** (im) "Regional emergency response team" means a team that the division contracts with under s. 166.215 (1).

SECTION 2865. 166.20 (2) (bm) 1. of the statutes is amended to read:

166.20 **(2)** (bm) 1. If a regional or local emergency response team has made a good faith effort to identify a person responsible for the emergency involving a release

or potential release of a hazardous substance under s. 166.215 (3) or 166.22 (4).

SECTION 2866. 166.20 (2) (bm) 2. of the statutes is amended to read:

166.20 **(2)** (bm) 2. If a person responsible for the emergency involving a release or potential release of a hazardous substance under s. 166.215 (3) or 166.22 (4) is financially able or has the money or resources necessary to reimburse a regional or local emergency response team for the expenses incurred by the regional or local emergency response team in responding to the ~~release~~ emergency.

SECTION 2867. 166.20 (2) (bs) of the statutes is created to read:

166.20 **(2)** (bs) 1. Promulgate rules that establish the procedures that a regional emergency response team shall follow to determine if an emergency that requires the team's response exists as the result of a level A release or a potential level A release.

2. Promulgate rules that establish the procedures that a local emergency response team shall follow to determine if an emergency that requires the team's response exists as the result of a release or potential release of a hazardous substance, as defined in s. 299.01 (6).

SECTION 2868. 166.21 (2m) (e) of the statutes is amended to read:

166.21 **(2m)** (e) Identification of a ~~county~~ local emergency response team that is capable of responding to a level B release that occurs at any place in the county and whose members meet the standards for hazardous materials technicians in 29 CFR 1910.120 (q) (6) (iii) and national fire protection association standards NFPA 471 and 472.

SECTION 2869. 166.21 (2m) (f) of the statutes is amended to read:

166.21 **(2m)** (f) Procedures for ~~county~~ local emergency response team actions that are consistent with local emergency response plans developed under s. 166.20 (3) and the state contingency plan established under s. 292.11 (5).

SECTION 2871. 166.215 (2) of the statutes is amended to read:

166.215 **(2)** The division shall reimburse a regional emergency response team for costs incurred by the team in responding to an emergency involving a level A release ~~under sub. (1)~~, or a potential level A release, if the team followed the procedures in the rules promulgated under s. 166.20 (2) (bs) 1. to determine if an emergency requiring a response existed. Reimbursement under this subsection is limited to amounts collected under sub. (3) and the amounts appropriated under s. 20.465 (3) (dr). Reimbursement is available under s. 20.465 (3) (dr) only if the regional emergency response team has made a good faith effort to identify the person responsible under sub. (3) and that person cannot be identified, or, if that person is identified, the team has received reimbursement from that person to the extent that the person is financially able or has determined that the person does not have adequate money or other resources to reimburse the regional emergency response team.

SECTION 2872. 166.215 (3) of the statutes is repealed and recreated to read:

166.215 **(3)** A person shall reimburse the division for costs incurred by a regional emergency response team in responding to an emergency if the team followed the procedures established under s. 166.20 (2) (bs) 1. to determine if an emergency requiring the team's response existed and if any of the following conditions applies:

(a) The person possessed or controlled a hazardous substance that was involved in the emergency.

(b) The person caused the emergency.

SECTION 2873. 166.22 (1) (a) of the statutes is repealed.

SECTION 2874. 166.22 (1) (c) of the statutes is amended to read:

166.22 **(1)** (c) "Local agency" means an agency of a county, city, village, or town, including a municipal police or fire department, a municipal health organization, a county office of emergency management, a county sheriff, an emergency medical service, a local emergency response team, or a public works department.

SECTION 2875. 166.22 (1) (d) of the statutes is created to read:

166.22 **(1)** (d) "Local emergency response team" means a team that the committee identifies under s. 166.21 (2m) (e).

SECTION 2876. 166.22 (2) of the statutes is amended to read:

166.22 **(2)** A person who possesses or controls a hazardous substance that is ~~discharged~~ released or who causes the ~~discharge~~ release of a hazardous substance shall take the actions necessary to protect public health and safety and prevent damage to property.

SECTION 2877. 166.22 (3) of the statutes is amended to read:

166.22 **(3)** If action required under sub. (2) is not being adequately taken or the identity of the person responsible for ~~a discharge~~ an emergency involving a release or potential release of a hazardous substance is unknown and the ~~discharge~~ emergency involving a release or potential release threatens public health or safety or damage to property, a local agency may take any emergency action that is consistent with the contingency plan for the undertaking of emergency actions in response to the ~~discharge~~ release or potential release of hazardous substances established by the department of natural resources under s. 292.11 (5) and that it considers appropriate under the circumstances.

SECTION 2878. 166.22 (3m) of the statutes is amended to read:

166.22 **(3m)** The division shall reimburse a local emergency response team for costs incurred by the team

in responding to an emergency involving a hazardous substance ~~discharge under sub. (3)~~ release, or potential release, if the team followed the procedures in the rules promulgated under s. 166.20 (2) (bs) 2. to determine if an emergency requiring the team's response existed. Reimbursement under this subsection is limited to the amount appropriated under s. 20.465 (3) (dr). Reimbursement is available under s. 20.465 (3) (dr) only if the local emergency response team has made a good faith effort to identify the person responsible under sub. (4) and that person cannot be identified, or, if that person is identified, the team has received reimbursement from that person to the extent that the person is financially able or has determined that the person does not have adequate money or other resources to reimburse the local emergency response team.

SECTION 2879. 166.22 (4) of the statutes is repealed and recreated to read:

166.22 **(4)** (a) Except as provided in par. (b), a person shall reimburse a local agency as provided in sub. (5) for actual, reasonable, and necessary expenses incurred in responding to an emergency involving the release or potential release of a hazardous substance if any of the following conditions applies:

1. The person possessed or controlled a hazardous substance involved in the emergency.

2. The person caused the emergency.

(b) A local emergency response team may receive reimbursement under par. (a) only if the team followed the procedures established under s. 166.20 (2) (bs) 2. to determine if an emergency requiring the team's response existed.

SECTION 2880. 166.22 (5) (am) of the statutes is amended to read:

Vetoed In Part

166.22 **(5)** (am) A local agency seeking reimbursement under sub. (4) shall submit a claim stating its expenses to the reviewing entity for the county in which the ~~discharge~~ emergency occurred.

SECTION 2881. 166.22 (5) (b) of the statutes is amended to read:

166.22 **(5)** (b) The reviewing entity shall review claims submitted under par. (am) and determine the amount of reasonable and necessary expenses incurred. The reviewing entity shall provide a person who is liable for reimbursement under sub. (4) with a notice of the amount of expenses it has determined to be reasonable and necessary that ~~arise from one discharge and are~~ arose from the emergency involving the release or potential release of a hazardous substance and that were incurred by all local agencies from which the reviewing entity receives a claim.

SECTION 2881ae. 167.10 (2) of the statutes is amended to read:

167.10 **(2)** SALE. No person may sell ~~or possess with intent to sell~~ fireworks, except to any of the following:

(a) ~~To a~~ A person holding a permit under sub. (3) (c)~~;~~.

(b) ~~To a~~ A city, village, or town~~; or~~.

(c) ~~For~~ A person for a purpose specified under sub. (3) (b) 2. to 6.

SECTION 2881af. 167.10 (2) (d) of the statutes is created to read:

167.10 **(2)** (d) A nonresident person who, prior to the sale, gives the seller a signed statement indicating that the fireworks are for use outside of this state.

SECTION 2881ag. 167.10 (3) (title) of the statutes is repealed and recreated to read:

167.10 **(3)** (title) POSSESSION AND USE.

SECTION 2881ah. 167.10 (3) (a) of the statutes is amended to read:

167.10 **(3)** (a) ~~No~~ Except as otherwise provided in this paragraph, no person may possess or use fireworks without a user's permit from the mayor of the city, president of the village, or chairperson of the town in which the possession or use is to occur or from an official or employee of that municipality designated by the mayor, president, or chairperson. This paragraph does not prohibit the possession of fireworks with intent to sell the fireworks in compliance with sub. (2). No person may use fireworks or a device listed under sub. (1) (e) to (g) or (i) to (n) while attending a fireworks display for which a permit has been issued to a person listed under par. (c) 1. to 5. or under par. (c) 6. if the display is open to the general public.

SECTION 2881aj. 167.10 (3) (b) (intro.) of the statutes is amended to read:

167.10 **(3)** (b) (intro.) ~~Paragraph (a) does~~ The prohibitions under par. (a) do not apply to:

SECTION 2881ak. 167.10 (3) (b) 8. of the statutes is created to read:

167.10 **(3)** (b) 8. Except as provided in par. (bm), the possession of fireworks by a nonresident person in any city, town, or village if the nonresident person intends to use the fireworks outside of this state and is transporting the fireworks to a location outside of this state.

SECTION 2881am. 167.10 (3) (bm) of the statutes is amended to read:

167.10 **(3)** (bm) Paragraph (a) applies to a person transporting fireworks under par. (b) 7. or 8. if, in the course of transporting the fireworks through a city, town, or village, the person remains in that city, town, or village for a period of at least 12 hours.

SECTION 2881an. 167.10 (4) of the statutes is amended to read:

167.10 **(4)** ~~OUT-OF-STATE AND IN-STATE SHIPPING.~~ SHIPPING AND TRANSPORTING. This section does not prohibit a resident wholesaler or jobber from selling fireworks to a nonresident person ~~outside of this state~~ or to a person or group granted a permit under sub. (3) (c) 1. to 7. A resident wholesaler or resident jobber that ships the fireworks sold under this subsection shall package and ship the fireworks in accordance with applicable state and federal law by, as defined in s. 194.01 (1), (2),

Vetoed In Part

and (11), common motor carrier, contract motor carrier, or private motor carrier.

SECTION 2881ap. 167.10 (8) (b) of the statutes is amended to read:

167.10 **(8)** (b) Fireworks stored, handled, sold, possessed, or used by a person who violates ~~this section, an ordinance adopted under sub. (5)~~ sub. (6m) (a), (b), or (c); a rule promulgated under sub. (6m) (e); or a court order under par. (a) may be seized and held as evidence of the violation. Except as provided in s. 968.20 (4), only the fireworks that are the subject of a violation of this section, an ordinance adopted under sub. (5), or a court order under par. (a) may be destroyed after conviction for a violation. Except as provided in s. 968.20 (4), fireworks that are seized as evidence of a violation for which no conviction results shall be returned to the owner in the same condition as they were when seized to the extent practicable.

SECTION 2881b. 173.40 of the statutes is created to read:

173.40 Pet dealers, pet breeders, kennels, and animal shelters. (1) DEFINITIONS. In this section:

(a) "Adequate food" means wholesome food that is accessible to an animal, is appropriate for the type of animal, and is sufficient in amount to maintain the animal in good health.

(b) "Adequate water" means potable water that is accessible to an animal and is sufficient in amount to maintain the animal in good health.

(c) "Animal shelter" means any of the following:

1. A facility that is used to impound or harbor at least 25 seized, stray, abandoned, or unwanted dogs, cats, or other animals in a year and that is operated by this state, a political subdivision, or a veterinarian licensed under ch. 453.

2. A facility that is operated for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals, that is used to shelter at least 25 animals in a year, and that is operated by a humane society, an animal welfare society, or a nonprofit association.

(d) "Humane care" includes the provision of adequate heating, cooling, ventilation, sanitation, shelter, and medical care consistent with the normal requirements of an animal's size, species, and breed, adequate food, and adequate water.

(e) "Kennel" means a facility where dogs or cats are kept for 24 hours or more for boarding, training, or similar purposes for compensation, except that "kennel" does not include any of the following:

1. An animal shelter.

2. A facility owned or operated by a veterinarian licensed under ch. 453 where animals are boarded only in conjunction with the provision of veterinary care.

(em) "Livestock" means cattle, horses, swine, sheep, goats, deer, llamas, and related species, including game species.

(f) "Nonprofit association" means an incorporated or unincorporated organization consisting of 3 or more members joined by mutual consent for a common, nonprofit purpose.

(fm) "Pet breeder" means a person who sells or offers to sell at least 25 dogs or cats for resale as pets in a year, except that "pet breeder" does not include a pet dealer.

(g) "Pet dealer" means a person who sells, or offers to sell at retail, exchanges, or offers for adoption at least 25 mammals, other than livestock, as pets in a year.

(2) LICENSE REQUIRED. (a) Except as provided in par. (c), no person may operate an animal shelter or kennel without a license from the department. A person shall obtain a license under this paragraph for each separate location at which the person operates an animal shelter or kennel.

(b) Except as provided in par. (c), no person may act as a pet dealer or pet breeder without a license from the department. A person shall obtain a license under this paragraph for each separate location at which the person conducts business as a pet dealer or pet breeder.

(c) The department may issue an interim permit that authorizes a person to operate an animal shelter or kennel or to act as a pet dealer or pet breeder until the department makes the initial inspection required under sub. (4) (a).

(d) Licenses issued under pars. (a) and (b) expire on October 31 of each even−numbered year.

(e) A license issued under par. (a) or (b) is not transferable.

(3) LICENSE FEES. The department shall promulgate rules specifying fees that must be paid by applicants for licenses under sub. (2). A fee paid under this subsection is not refundable if the department denies the license.

(4) INSPECTIONS. (a) The department shall inspect each location for which a person is required to obtain a license under sub. (2) before issuing the initial license and at least once during each biennial licensing period after the initial license period.

(b) In addition to the inspections required under par. (a), the department may enter and inspect a facility for which a person is required to obtain a license under sub. (2) at any reasonable time.

(5) RULES. The department may promulgate rules that specify any of the following:

(a) Minimum standards for animal shelter and kennel facilities and facilities at which pet dealers and pet breeders operate.

(b) Minimum requirements for humane care to be provided by persons required to obtain licenses under sub. (2).

(c) Requirements relating to the transportation of animals by persons required to obtain licenses under sub. (2).

(d) Grounds for revocation of licenses issued under sub. (2).

(e) Grounds for the department to issue orders prohibiting a person required to be licensed under this section from selling or moving an animal.

(f) Minimum ages for the sale of animals by persons required to be licensed under sub. (2).

(g) Reinspection fees to be charged when an inspection by the department under this section reveals conditions that require correction and reinspection.

(h) Requirements for record keeping by persons required to be licensed under sub. (2).

(i) Requirements relating to space and opportunity for exercise to be provided to animals by persons required to be licensed under sub. (2).

Vetoed In Part

(6) PENALTIES. (a) A person who operates without a license required under sub. (2) may be fined not more than $10,000 or imprisoned for not more than 9 months, or both.

(b) 1. Except as provided under par. (a), a person who violates this section or a rule promulgated under this section may be required to forfeit not more than $1,000 for the first offense and may be required to forfeit not less than $200 nor more than $2000 for the 2nd or any subsequent offense within 5 years.

2. If a violation under subd. 1. involves the keeping of animals, each animal with respect to which the statute or rule is violated constitutes a separate violation.

SECTION 2881c. 174.001 (2m) of the statutes is repealed.

Vetoed In Part

SECTION 2881d. 174.05 (2) of the statutes is amended to read:

174.05 **(2)** TAX. The minimum dog license tax is ~~$3~~ $4.50 for a neutered male dog or spayed female dog, upon presentation of evidence that the dog is neutered or spayed, and ~~$8~~ $10.00 for an unneutered male dog or unspayed female dog, or one−half of these amounts if the dog became 5 months of age after July 1 of the license year.

SECTION 2881e. 174.053 of the statutes is amended to read:

174.053 ~~Kennel~~ Multiple dog licenses. (1) ~~KENNEL~~ MULTIPLE DOG LICENSE OPTION. Any person who keeps ~~or operates a kennel~~ more than one dog may, instead of the license tax for each dog required by this chapter, apply to the collecting official for a ~~kennel~~ multiple dog license for the keeping ~~or operating of the kennel~~ of the dogs. Such person shall pay for the license year a license tax of ~~$35~~ $45.50 for ~~a kennel of~~ 12 or fewer dogs and an additional ~~$3~~ $4.50 for each dog in excess of 12. Upon payment of the required ~~kennel~~ multiple dog license tax and upon presentation of evidence that all dogs over 5 months of age are currently immunized against rabies, the collecting official shall issue the ~~kennel~~ multiple dog license and a number of tags equal to the number of dogs authorized to be kept ~~in the kennel~~ by the person.

(2) ~~KENNEL~~ MULTIPLE DOG LICENSE TAGS. ~~Kennel~~ Multiple dog license tags shall be made in a form so that they may be readily distinguishable from the individual license tags for the same year. The owner or keeper of ~~a kennel~~ dogs for which a multiple dog license has been issued shall keep at all times a ~~kennel~~ multiple dog license tag attached to the collar of each dog over 5 months old kept by the owner or keeper under a ~~kennel~~ multiple dog license, but this requirement does not apply to a dog during competition or training, to a dog securely confined indoors, to a dog while hunting, or to a dog securely confined in a fenced area. ~~These tags may be transferred from one dog to another within the kennel whenever any dog is removed from the kennel.~~ An owner or keeper may transfer a multiple dog license tag from a dog that the owner or keeper no longer owns or keeps to another dog if the other dog is currently immunized against rabies. The rabies vaccination tag or substitute tag shall remain attached to the dog for which it is issued at all times, but this requirement does not apply to a dog during competition or training, to a dog securely confined indoors, to a dog while hunting, or to a dog securely confined in a fenced area. No dog bearing a ~~kennel~~ multiple dog license tag shall be permitted to stray or to be taken anywhere outside the limits of the ~~kennel~~ owner's or keeper's premises unless the dog is in leash or temporarily out for the purposes of hunting, breeding, trial, training, or competition.

(3) APPLICABILITY OF OTHER REQUIREMENTS. Unless clearly inapplicable, all the provisions of this chapter relating to the individual dog license tax, licenses, and tags shall apply to the ~~kennel~~ multiple dog license and tags.

SECTION 2881f. 174.06 (6) of the statutes is amended to read:

Vetoed In Part

174.06 **(6)** ~~KENNEL~~ MULTIPLE DOG LICENSE RECORDS. The listing official shall make in triplicate a list of the names of persons ~~owning and operating kennels~~ holding multiple dog licenses and the number of dogs kept ~~in each~~ by each of those persons.

SECTION 2881g. 174.06 (7) of the statutes is amended to read:

174.06 **(7)** LIST DELIVERY. The listing official shall, by September 15, deliver one copy of the list under sub. (5) or (6) to the county clerk~~,~~ and one copy to the ~~collecting~~ official to whom license taxes are paid under s. 174.08, and retain one copy for his or her files.

SECTION 2881h. 174.065 (1) of the statutes is amended to read:

Vetoed In Part

174.065 **(1)** COLLECTING OFFICIAL. The collecting official is ~~the~~ any city, village, or town treasurer or other tax collecting officer or ~~a~~ any person deputized by the treasurer or tax collecting official, unless the common

council or village or town board provides by ordinance or resolution for the appointment of a different person. Veterinarians and humane societies may voluntarily become collecting officials for a city, village, or town if the governing body of the city, village, or town by resolution or ordinance provides that veterinarians and humane societies may be collecting officials for the city, village, or town.

SECTION 2881i. 174.07 (1) (c) of the statutes is amended to read:

174.07 **(1)** (c) *Copies.* The collecting official shall keep a duplicate copy of the license on file. In counties having a population of 500,000 or more, the collecting official shall immediately send to the county clerk or whatever agency the county board may direct, a triplicate copy of the license. A collecting official who is not the official to whom license taxes are paid under s. 174.08 shall provide a copy of each license issued to the official to whom license taxes are paid under s. 174.08.

SECTION 2881j. 174.07 (2) (d) of the statutes is amended to read:

174.07 **(2)** (d) The department shall furnish county clerks with suitable ~~kennel~~ multiple dog license tags and blank licenses for distribution to the collecting officials.

Vetoed In Part

SECTION 2881k. 174.07 (3) (c) of the statutes is amended to read:

174.07 **(3)** (c) *Reimbursement.* The collecting official may retain ~~25~~ 75 cents, or a greater amount established by the county board by ordinance or resolution, for each license issued as compensation for the service, if not a full−time, salaried municipal employee. If the collecting official is a full−time, salaried municipal employee this compensation shall be paid into the treasury of the town, village, or city.

SECTION 2881L. 174.09 (1) of the statutes is amended to read:

174.09 **(1)** The dog license taxes ~~so~~ paid to the county treasurer shall be kept in a separate account and shall be known as the "dog license ~~fund" and shall be appropriated and disbursed for the purposes and in the manner following:~~ fund." Within 30 days after receipt of the ~~same~~ dog license taxes the county treasurer shall pay into the state treasury ~~5% of the minimum tax as provided for~~ $1 for each license issued under s. 174.05 (2) ~~of all dog license taxes which shall have been received by the county treasurer~~ for a neutered or spayed dog, $1.50 for each license issued under s. 174.05 (2) for a dog that has not been neutered or spayed, $10 for each multiple dog license issued under s. 174.053 (1), and $1 for each dog in excess of 12 for which a multiple dog license is issued under s. 174.053 (1).

SECTION 2882m. 175.50 of the statutes is created to read:

175.50 Use of passive alcohol sensors. (1) In this section:

(a) "Law enforcement officer" means a Wisconsin law enforcement officer, as defined in s. 175.46 (1) (g).

(b) "Passive alcohol sensor" means a device that is used to determine the presence of alcohol in the air but that does not require a person to breathe directly into it through a mouthpiece, tube, or similar device.

(2) A law enforcement officer may not use a passive alcohol sensor for the purpose of detecting the presence of alcohol in a person's breath unless the person consents to its use.

SECTION 2883. 177.06 (3) (b) of the statutes is amended to read:

177.06 **(3)** (b) Assess a service charge after December 31 of the ~~2nd~~ calendar year covered in the report filed under s. 177.17 concerning that property.

SECTION 2884. 177.06 (4) of the statutes is amended to read:

177.06 **(4)** Any property described in sub. (1) that is automatically renewable is matured for purposes of sub. (1) upon the expiration of its initial time period, or after one year if the initial period is less than one year, except that in the case of any renewal to which the owner consents at or about the time of renewal by communicating in writing with the banking or financial organization or otherwise indicating consent as evidenced by a memorandum or other record on file prepared by an employee of the organization, the property is matured upon the expiration of the last time period for which consent was given or one year from the date of the last consent, whichever is longer. If, at the time provided for delivery in s. ~~177.19~~ 177.17 (4) (a), a penalty or forfeiture in the payment of interest would result from the delivery of the property, the time for delivery is extended until the time when no penalty or forfeiture would result.

SECTION 2885. 177.10 (1) (intro.) of the statutes is amended to read:

Vetoed In Part

177.10 **(1)** (intro.) Except as provided in subs. (2) and (5), any stock or other intangible ownership interest in a business association, the existence of which is evidenced by records available to the association, is presumed abandoned and, with respect to the interest, the association is the holder, if a dividend, distribution or other sum payable as a result of the interest has remained unclaimed by the owner for ~~7~~ 5 years and the owner has not done either of the following within ~~7~~ 5 years:

SECTION 2886. 177.10 (2) and (3) of the statutes are amended to read:

Vetoed In Part

177.10 **(2)** At the expiration of a ~~7−year~~ 5−year period following the failure of the owner to claim a dividend, distribution or other sum payable to the owner as a result of the interest, the interest is not presumed abandoned unless there have been at least ~~7~~ 5 dividends, distributions or other sums paid during the period, none of which has been claimed by the owner. If ~~7~~ 5 dividends, distributions or other sums are paid during the ~~7−year~~

5−year period, the period leading to a presumption of abandonment commences on the date on which payment of the first such unclaimed dividend, distribution or other sum became due and payable. If ~~7~~ 5 dividends, distributions or other sums are not paid during the presumptive period, the period continues to run until there have been ~~7~~ 5 dividends, distributions or other sums that have not been claimed by the owner.

(3) The running of the ~~7−year~~ 5−year period of abandonment ceases immediately upon the occurrence of a communication specified under sub. (1). If any future dividend, distribution or other sum payable to the owner as a result of the interest is subsequently not claimed by the owner, a new period of abandonment commences and relates back to the time a subsequent dividend, distribution or other sum became due and payable.

SECTION 2887. 177.10 (5) of the statutes is amended to read:

177.10 **(5)** This chapter does not apply to any stock or other intangible ownership interest enrolled in a plan that provides for the automatic reinvestment of dividends, distributions or other sums payable as a result of the interest unless the records available to the administrator of the plan show, with respect to any intangible ownership interest not enrolled in the reinvestment plan, that the owner has not within ~~7~~ 5 years communicated in any manner specified under sub. (1).

SECTION 2888. 177.17 (title) of the statutes is amended to read:

177.17 (title) **~~Report~~ Reporting, payment, and delivery of abandoned property.**

SECTION 2889. 177.17 (4) of the statutes is renumbered 177.17 (4) (a) 1. and amended to read:

177.17 **(4)** (a) 1. Before ~~May~~ November 1 of each ~~even−numbered~~ year, each holder shall file a report covering the ~~2~~ previous calendar ~~years~~ year. On written request by any person required to file a report, the administrator may ~~postpone the reporting date~~ extend the deadline established in this paragraph.

SECTION 2890. 177.17 (4) (a) 2. of the statutes is created to read:

177.17 **(4)** (a) 2. Except as otherwise provided in this subdivision and s. 177.06 (4), upon filing the report under subd. 1., the holder shall pay or deliver to the administrator all abandoned property required to be reported. This subdivision does not apply to abandoned property that is in the form of amounts credited under s. 20.912 (1) to the support collections trust fund or amounts not distributable from the support collections trust fund to the persons for whom the amounts were awarded.

SECTION 2891. 177.18 (title) of the statutes is amended to read:

177.18 (title) **Notice and publication of lists of abandoned or escheated property.**

SECTION 2892. 177.18 (1) of the statutes is amended to read:

177.18 **(1)** ~~The~~ Before July 1 of each year, the administrator shall publish a notice entitled "Notice of names of persons appearing to be owners of abandoned property" ~~not later than the September 20 following the report required under s. 177.17~~. Except as provided in sub. (1m), the notice shall include the name of each person identified in a report filed under s. 177.17 since the publication of the previous notice. The administrator shall publish the notice as a class 1 notice under ch. 985, in a newspaper of general circulation in the county in which is located the last−known address of the person to be named in the notice. If no address is listed or the address is outside this state, the notice shall be published in the county in which the holder of the property has its principal place of business within this state.

SECTION 2893. 177.18 (2) (intro.) of the statutes is amended to read:

177.18 **(2)** (intro.) ~~The published~~ A notice under sub. (1) shall contain all of the following:

SECTION 2894. 177.18 (2) (c) of the statutes is repealed.

SECTION 2895. 177.18 (2) (d) of the statutes is renumbered 177.18 (2m) and amended to read:

177.18 **(2m)** For money or other property received under s. 852.01 (3), 863.37 (2) or 863.39 (1), ~~the~~ a notice shall be published at least annually in the official state newspaper and shall include the name of the decedent, the time and place of the decedent's death, the amount paid to the administrator, the name of the decedent's personal representative, the county in which the estate is probated and a statement that the money will be paid to the heirs or legatees without interest, on proof of ownership, if claimed within 10 years from the date of publication as provided in s. 863.39 (3).

SECTION 2896. 177.19 (title), (1) and (2) of the statutes are repealed.

SECTION 2897. 177.19 (4) of the statutes is renumbered 177.17 (4) (b) and amended to read:

177.17 **(4)** (b) The holder of an interest under s. 177.10 shall deliver to the administrator, upon filing the report required under this section, a duplicate certificate or other evidence of ownership if the holder does not issue certificates of ownership. Upon delivery of a duplicate certificate to the administrator, the holder and any transfer agent, registrar or other person acting for or on behalf of a holder in executing or delivering the duplicate certificate are relieved of all liability, as provided under s. 177.20, to any person, including any person acquiring the original certificate or the duplicate of the certificate issued to the administrator, for any loss or damage caused by the issuance and delivery of the duplicate certificate to the administrator.

SECTION 2898. 177.22 (1) of the statutes is amended to read:

177.22 **(1)** Except as provided in subs. (2) and ~~(3)~~ (4), the administrator, within 3 years after the receipt of aban-

doned property, shall sell it to the highest bidder at public sale in the city, village or town in this state which, in the judgment of the administrator, affords the most favorable market for the property. The administrator may decline the highest bid and reoffer the property for sale if, in his or her judgment, the bid is insufficient. If the administrator determines that the probable cost of sale exceeds the value of the property, it need not be offered for sale. Any sale held under this section shall be preceded by the publication of one notice, at least 3 weeks in advance of sale, in a newspaper of general circulation in the county in which the property is to be sold.

SECTION 2899. 177.22 (3) of the statutes is repealed.

SECTION 2900. 177.22 (4) of the statutes is amended to read:

177.22 **(4)** Unless the administrator determines that it is in the best interest of this state to do otherwise, he or she shall hold all securities ~~presumed abandoned under s. 177.10, and delivered to the administrator,~~ for at least ~~3 years~~ one year before selling them. ~~If the administrator sells any securities delivered under s. 177.10 before the expiration of the 3−year period, any person making a claim under this chapter before the end of the 3−year period is entitled either to the proceeds of the sale of the securities or to the market value of the securities at the time the claim is made, whichever amount is greater, less any deduction for fees under s. 177.23 (2). A person making a claim under this chapter after the expiration of the 3−year period is entitled to receive either the securities delivered to the administrator by the holder, if the administrator still has them, or to the proceeds from their sale, less any amounts deducted under s. 177.23 (2).~~ No person has any claim under this chapter against this state, the holder, any transfer agent, registrar or other person acting for or on behalf of a holder for any appreciation in the value of the property occurring after delivery by the holder to the administrator.

SECTION 2901. 177.23 (1) of the statutes is amended to read:

177.23 **(1)** Except as provided in sub. (2), the administrator shall deposit in the school fund all funds received under this chapter, including the clear proceeds from the sale of abandoned property under s. 177.22. Before making the deposit, the administrator shall record the name and last−known address of each person appearing from the holders' reports to be entitled to the property and the name and last−known address of each insured person or annuitant and beneficiary and, with respect to each policy or contract listed in the report of an insurance company, its number, the name of the company and the amount due. The information recorded by the administrator under this subsection is not available for inspection or copying under s. 19.35 (1) until 24 months after payment or delivery of the property is due under s. ~~177.19 (1)~~ 177.17 (4) (a).

SECTION 2902. 177.24 (1) of the statutes is renumbered 177.24 (1) (a).

SECTION 2903. 177.24 (1) (b) of the statutes is created to read:

177.24 **(1)** (b) Any person, except another state, claiming an interest in any property that is reported to the administrator under s. 177.17 and that is in the form of amounts credited under s. 20.912 (1) to the support collections trust fund or amounts not distributable from the support collections trust fund to the persons for whom the amounts were awarded may file a claim with the administrator, after December 1 following the report, on a form prescribed by the administrator and verified by the claimant.

SECTION 2904. 177.24 (2) of the statutes is amended to read:

177.24 **(2)** The administrator shall consider each claim within 90 days after it is filed and may refer any claim to the attorney general for an opinion. For each claim referred, the attorney general shall advise the administrator either to allow it or to deny it in whole or in part. The administrator shall give written notice to the claimant if the claim is denied in whole or in part. The notice ~~may~~ shall be given by mailing it to the last address, if any, stated in the claim as the address to which notices are to be sent. If no address for notices is stated in the claim, the notice ~~may~~ shall be mailed to the last address, if any, ~~of the claimant as~~ stated in the claim as the address of the claimant. No notice of denial need be given if the claim fails to state either the last address to which notices are to be sent or the address of the claimant.

SECTION 2905. 177.24 (3) of the statutes is renumbered 177.24 (3) (a) and amended to read:

177.24 **(3)** (a) ~~If~~ Except as provided in par. (b), if a claim is allowed, the administrator shall deliver the property to the claimant or pay the claimant the amount the administrator actually received or the net proceeds of the sale of the property, together with any additional amount required under s. 177.21. ~~If the claim is for property presumed abandoned under s. 177.10 which was sold by the administrator within 3 years after the date of delivery, the amount payable for that claim is the value of the property at the time the claim was made or the net proceeds of sale, whichever is greater.~~ If the property claimed was interest bearing to the owner on the date of surrender by the holder, the administrator shall pay interest at a rate of 6% per year or any lesser rate the property earned while in the possession of the holder. Interest begins to accrue when the property is delivered to the administrator and ceases on the earlier of the expiration of 10 years after delivery or the date on which payment is made to the owner. No interest on interest−bearing property is payable for any period before December 31, 1984.

SECTION 2906. 177.24 (3) (b) of the statutes is created to read:

177.24 **(3)** (b) If the administrator allows a claim made under sub. (1) (b), the administrator shall pay the claimant the amount reported to the administrator under s. 177.17.

SECTION 2907. 177.24 (4) of the statutes is amended to read:

177.24 **(4)** Any holder who pays the owner for property that has been delivered to this state which, if claimed from the administrator, would be subject to sub. (3) (a) shall add interest as provided under sub. (3) (a). The added interest shall be repaid to the holder by the administrator in the same manner as the principal.

SECTION 2908. 177.25 (1m) of the statutes is created to read:

177.25 **(1m)** At any time after December 1 following the reporting, under s. 177.17, of property that is in the form of amounts credited under s. 20.912 (1) to the support collections trust fund or amounts not distributable from the support collections trust fund to the persons for whom the amounts were awarded, another state may recover the property under any of the circumstances described in sub. (1) (a) to (d).

SECTION 2909. 177.25 (2) of the statutes is amended to read:

177.25 **(2)** The claim of another state to recover escheated or abandoned property shall be presented in a form prescribed by the administrator, who shall decide the claim within 90 days after it is presented. The administrator shall allow the claim if he or she determines that the other state is entitled to the abandoned property under sub. (1) or (1m).

SECTION 2910. 177.265 of the statutes is created to read:

177.265 Reimbursement for claims and administrative expenses. (1) At least quarterly, the department of workforce development shall reimburse the administrator, based on information provided by the administrator, for all of the following:

(a) Any claims paid under ss. 177.24 to 177.26, since the last reimbursement was made, with respect to abandoned property in the form of amounts credited under s. 20.912 (1) to the support collections trust fund and amounts not distributable from the support collections trust fund to the persons for whom the amounts were awarded.

(b) Any administrative expenses specified in s. 177.23 (2) (a) to (e), incurred since the last reimbursement was made, with respect to abandoned property in the form of amounts credited under s. 20.912 (1) to the support collections trust fund and amounts not distributable from the support collections trust fund to the persons for whom the amounts were awarded.

(2) The administrator shall deposit in the general fund all moneys received under sub. (1).

SECTION 2911. 177.35 (2) of the statutes is renumbered 177.35 (2) (a) and amended to read:

177.35 **(2)** (a) An agreement entered into under this section is not enforceable if the agreement is entered into within ~~24~~ 12 months after payment or delivery of the property is due under s. ~~177.19 (1)~~ 177.17 (4) (a).

SECTION 2912. 177.35 (2) (b) of the statutes is created to read:

177.35 **(2)** (b) An agreement entered into under this section that relates to property that is in the form of amounts credited under s. 20.912 (1) to the support collections trust fund or amounts not distributable from the support collections trust fund to the persons for whom the amounts were awarded is not enforceable if the agreement is entered into within 12 months after December 1 following the reporting of the property under s. 177.17.

SECTION 2913. 178.48 (2) of the statutes is amended to read:

178.48 **(2)** The department shall collect ~~a $10~~ the fee established under s. 182.01 (4) (c) each time process is served on the department under this chapter.

SECTION 2914. 178.48 (3) of the statutes is amended to read:

178.48 **(3)** In addition to the fees required under sub. (1), the department shall collect ~~$25~~ the fee established under s. 182.01 (4) (d) for processing in an expeditious manner a document required or permitted to be filed with the department under this chapter.

SECTION 2915. 179.16 (4) of the statutes is repealed.

SECTION 2916. 179.16 (5) of the statutes is amended to read:

179.16 **(5)** The department shall charge and collect, for processing a document required or permitted to be filed under this chapter in an expeditious manner, ~~or preparing the information under sub. (4) in an expeditious manner, the expedited service~~ the fee established under s. 182.01 (4) (d) in addition to the fee required by other provisions of this chapter.

SECTION 2917. 179.88 of the statutes is amended to read:

179.88 Substituted service. Service of process on the department under this subchapter shall be made by serving of duplicate copies of the process on the department, together with ~~a~~ the fee ~~of $10~~ established under s. 182.01 (4) (c). The department shall mail notice of the service and a copy of the process within 10 days addressed to the foreign limited partnership at its office in the state of its organization. The time within which the foreign limited partnership may answer or move to dismiss under s. 802.06 (2) does not start to run until 10 days after the date of the mailing. The department shall keep a record of service of process under this section showing the day and hour of service and the date of mailing.

SECTION 2917b. 180.0122 (1) (a) of the statutes is amended to read:

180.0122 **(1)** (a) Articles of incorporation, ~~1 cent for each authorized share, except the minimum fee is $90 and the maximum fee is $10,000 and except that the fee for~~

~~investment companies is determined under sub. (1m)~~ $100.

SECTION 2917d. 180.0122 (1) (m) of the statutes is amended to read:

180.0122 **(1)** (m) Amendment of articles of incorporation, $40~~; plus 1 cent for each authorized share after the amendment, less a credit of 1 cent for each authorized share immediately before the amendment; except the maximum fee under this paragraph is $10,000 and except that the fee for investment companies is determined under sub. (1m)~~.

SECTION 2917f. 180.0122 (1) (n) of the statutes is amended to read:

180.0122 **(1)** (n) Restatement of articles of incorporation with or without amendment of articles, $40~~; plus 1 cent for each authorized share after the restatement and any amendment, less a credit of 1 cent for each authorized share immediately before the restatement and any amendment; except the maximum fee under this paragraph is $10,000 and except that the fee for investment companies is determined under sub. (1m)~~.

SECTION 2917h. 180.0122 (1) (o) of the statutes is amended to read:

180.0122 **(1)** (o) Articles of merger, $50 for each domestic corporation and each foreign corporation authorized to transact business in this state that is a party to the merger~~; plus 1 cent for each authorized share of the surviving domestic corporation after the merger, less a credit of 1 cent for each share that is authorized immediately before the merger by each domestic corporation that is a party to the merger; except the maximum fee under this paragraph is $10,000 and except that the fee for investment companies is determined under sub. (1m)~~.

SECTION 2917j. 180.0122 (1) (om) of the statutes is amended to read:

180.0122 **(1)** (om) Articles of share exchange, $50 for each domestic corporation and each foreign corporation authorized to transact business in this state that is a party to the share exchange~~; plus 1 cent for each authorized share of the acquiring domestic corporation after the share exchange, less a credit of 1 cent for each share that is authorized immediately before the share exchange by the acquiring domestic corporation; except the maximum fee under this paragraph is $10,000~~.

SECTION 2917m. 180.0122 (1) (x) of the statutes is amended to read:

180.0122 **(1)** (x) Annual report of a domestic corporation that is submitted to the department by authorized electronic means, $25; annual report of a domestic corporation that is submitted to the department on paper, $40.

SECTION 2917p. 180.0122 (1) (y) of the statutes is amended to read:

180.0122 **(1)** (y) Annual report of a foreign corporation~~, $50,~~ that is submitted to the department by authorized electronic means, $65, and annual report submitted to the department on paper, $80, and in case the annual report shows that the foreign corporation employs in this state capital in excess of the amount of capital on which a fee has previously been paid, computed as provided in s. 180.1503, an additional fee which, with previous payments made on account of capital employed in this state, will amount to $2 for each $1,000 or fraction thereof of the excess.

SECTION 2918. 180.0122 (1) (z) of the statutes is amended to read:

180.0122 **(1)** (z) Request for certificate or statement of status, ~~$5~~ the fee established under s. 182.01 (4) (b).

SECTION 2918m. 180.0122 (1m) of the statutes is repealed.

SECTION 2919. 180.0122 (2) of the statutes is amended to read:

180.0122 **(2)** The department shall collect ~~a $10~~ the fee established under s. 182.01 (4) (c) each time process is served on the department under this chapter. The party to a civil, criminal, administrative or investigatory proceeding causing service of process may recover this fee as costs if the party prevails in the proceeding.

SECTION 2920. 180.0122 (4) of the statutes is amended to read:

180.0122 **(4)** In addition to the fees required under sub. (1), the department shall collect the expedited service fee established under s. 182.01 (4) (d) for processing in an expeditious manner a document required or permitted to be filed under this chapter ~~or~~ and shall collect the fee established under s. 182.01 (4) (f) for preparing in an expeditious manner a certificate of status under s. 180.0128 (1) to (3) or a statement of status under s. 180.0128 (4).

SECTION 2920c. 180.0701 (4) (c) of the statutes is amended to read:

180.0701 **(4)** (c) Ratification of the selection of independent certified public accountants licensed or certified under ch. 442.

SECTION 2920g. 180.0826 (2) of the statutes is amended to read:

180.0826 **(2)** Legal counsel, certified public accountants licensed or certified under ch. 442, or other persons as to matters that the director or officer believes in good faith are within the person's professional or expert competence.

SECTION 2920n. 180.1903 (1) of the statutes is amended to read:

180.1903 **(1)** ~~One~~ Except as provided in sub. (1m), one or more natural persons licensed, certified, or registered pursuant to any provisions of the statutes, if all have the same license, certificate, or registration or if all are health care professionals, may organize and own shares in a service corporation. A service corporation may own, operate, and maintain an establishment and otherwise serve the convenience of its shareholders in carrying on the particular profession, calling, or trade for which the

licensure, certification, or registration of its organizers is required.

SECTION 2920r. 180.1903 (1m) of the statutes is created to read:

180.1903 **(1m)** A service corporation for carrying on the profession of certified public accounting may be organized under sub. (1) if more than 50% of the shareholders are certified public accountants.

SECTION 2920w. 180.1921 (2) of the statutes is amended to read:

180.1921 **(2)** The report shall show the address of this service corporation's principal office and the name and post−office address of each shareholder, director, and officer of the service corporation and shall certify that, with the exceptions permitted in ~~s.~~ ss. 180.1903 (1m) and 180.1913, each shareholder, director, and officer is licensed, certified, registered, or otherwise legally authorized to render the same professional or other personal service in this state or is a health care professional. The service corporation shall prepare the report on forms prescribed and furnished by the department, and the report shall contain no fiscal or other information except that expressly called for by this section. The department shall forward report blanks by 1st class mail to every service corporation in good standing, at least 60 days before the date on which the service corporation is required by this section to file an annual report.

SECTION 2921. 181.0122 (1) (zm) of the statutes is amended to read:

181.0122 **(1)** (zm) Request for certificate or statement of status, ~~$5 or, if information other than the information provided under s. 181.0128 (2) is requested, $10~~ the fee established under s. 182.01 (4) (b).

SECTION 2922. 181.0122 (2) of the statutes is amended to read:

181.0122 **(2)** PROCESS FEE. The department shall collect ~~a $10~~ the fee established under s. 182.01 (4) (c) each time process is served on the department under this chapter. The party to a civil, criminal, administrative or investigatory proceeding who is causing service of process may recover this fee as costs if the party prevails in the proceeding.

SECTION 2923. 181.0122 (4) of the statutes is amended to read:

181.0122 **(4)** EXPEDITED SERVICE FEE. In addition to the fees required under sub. (1), the department shall collect the expedited service fee established under s. 182.01 (4) (d) for processing, in an expeditious manner, a document required or permitted to be filed under this chapter ~~or~~ and shall collect the fee established under s. 182.01 (4) (f) for preparing, in an expeditious manner, a certificate of status under s. 181.0128 (2) or a statement of status under s. 181.0128 (4).

SECTION 2923g. 181.0850 (2) of the statutes is amended to read:

181.0850 **(2)** PROFESSIONALS AND EXPERTS. Legal counsel, certified public accountants licensed or certified under ch. 442, or other persons as to matters the director or officer believes in good faith are within the person's professional or expert competence.

SECTION 2923r. 181.1620 (2) (intro.) of the statutes is amended to read:

181.1620 **(2)** (intro.) ~~ACCOUNTANT'S~~ CERTIFIED PUBLIC ACCOUNTANT'S REPORT OR OFFICER'S STATEMENT. If annual financial statements are reported upon by a certified public accountant licensed or certified under ch. 442, the certified public accountant's report must accompany them. If not, the statements must be accompanied by a statement of the president or the person responsible for the corporation's financial accounting records that includes all of the following:

SECTION 2924. 182.01 (4) of the statutes is repealed and recreated to read:

182.01 **(4)** PREPARATION OF COPIES, ISSUANCE OF CERTIFICATES, AND PERFORMANCE OF SERVICES. The department shall establish by rule the fees for all of the following:

(a) Providing electronic access to, or preparing and supplying copies or certified copies of, any resolution, deed, bond, record, document, or paper deposited with or kept by the department under this section.

(b) Issuing certificates or statements, in any form, relating to the results of searches of records and files of the department.

(c) Processing any service of process, notice, or demand served on the department.

(d) Processing, in an expeditious manner, a document required or permitted to be filed with the department.

(e) Providing, in an expeditious manner, electronic access to any resolution, deed, bond, record, document, or paper deposited with or kept by the department under this section.

(f) Preparing, in an expeditious manner, any copies, certified copies, certificates, or statements provided under this section.

SECTION 2927. 183.0114 (1) (t) of the statutes is amended to read:

183.0114 **(1)** (t) Request for certificate or statement of status, ~~$5~~ the fee established under s. 182.01 (4) (b).

SECTION 2928. 183.0114 (1) (u) of the statutes is amended to read:

183.0114 **(1)** (u) Processing in an expeditious manner a document required or permitted to be filed under this chapter, or preparing in an expeditious manner a certificate or statement of status, ~~$25~~ the fee established under s. 182.01 (4) (d).

SECTION 2928r. 183.0114 (1) (w) of the statutes is amended to read:

183.0114 **(1)** (w) Annual report of a foreign limited liability company~~, $50~~ that is submitted to the department

by authorized electronic means, $65; annual report submitted to the department on paper, $80.

SECTION 2932d. 185.363 (2) of the statutes is amended to read:

185.363 **(2)** Legal counsel, certified public accountants licensed or certified under ch. 442, or other persons as to matters the director or officer believes in good faith are within the person's professional or expert competence.

SECTION 2932h. 185.61 (1) of the statutes is amended to read:

185.61 **(1)** (a) If otherwise lawful, any 2 or more associations may merge or consolidate under this chapter or under the law of the state where the surviving or new association will exist.

(b) Before a cooperative may merge or consolidate with any other association, a written plan of merger or consolidation shall be prepared by the board or by a committee selected by the board or the members for that purpose. The plan shall set forth all the terms of the merger or consolidation, including any provisions for abandonment of the plan, and the proposed effect of the plan on all members and stockholders of the cooperative, including the treatment of the equity interest of the members upon merger or consolidation.

(c) In case of consolidation, the plan of consolidation shall also contain the articles of the new association.

SECTION 2932r. 185.62 (5) of the statutes is created to read:

185.62 **(5)** The surviving association, in the case of a merger, or the new association, in the case of consolidation, shall prepare an annual report on the implementation of any provision in the plan of merger or consolidation relating to the equity interest of any member that was affected by the merger or consolidation. The report shall be kept in the principal office of the surviving association, in the case of a merger, or in the principal office of the new association, in the case of consolidation, and shall be available for inspection by any member whose equity interest was affected by the merger or consolidation. The surviving association, in the case of a merger, or the new association, in the case of consolidation, shall prepare the report until such time that the implementation of any provision in the plan of merger or consolidation relating to the equity interest of any member that was affected by the merger or consolidation is complete.

Vetoed In Part

SECTION 2933. 185.83 (1) (d) of the statutes is amended to read:

185.83 **(1)** (d) Receiving services of any process, notice or demand, authorized to be served on the department by this chapter, ~~$10~~ the fee established under s. 182.01 (4) (c).

SECTION 2934. 185.83 (1) (f) of the statutes is repealed.

SECTION 2935. 185.83 (1) (fm) of the statutes is repealed.

SECTION 2936. 185.83 (1) (h) of the statutes is amended to read:

185.83 **(1)** (h) Processing a document required or permitted to be filed or recorded under this chapter in an expeditious manner, ~~or preparing the information under par. (f) or (fm) in an expeditious manner, $25~~ the fee established under s. 182.01 (4) (d) in addition to the fee required by other provisions of this chapter.

SECTION 2943m. 186.094 (2) of the statutes is amended to read:

186.094 **(2)** Legal counsel, certified public accountants licensed or certified under ch. 442, or other persons as to matters the director or officer believes in good faith are within the person's professional or expert competence.

SECTION 2952m. 186.15 (1) of the statutes is amended to read:

186.15 **(1)** ANNUAL AUDIT. Except as provided in sub. (2), the board of directors shall hire a ~~licensed~~ certified public accountant licensed or certified under ch. 442 or other qualified person to conduct a comprehensive annual audit of the records, accounts and affairs of the credit union.

SECTION 2972d. 187.31 (2) of the statutes is amended to read:

187.31 **(2)** Legal counsel, certified public accountants licensed or certified under ch. 442, or other professional persons or experts employed by the incorporated Roman Catholic church, as to matters the director or officer believes in good faith are within the person's professional or expert competence.

SECTION 2972g. 187.41 (2) of the statutes is amended to read:

187.41 **(2)** Legal counsel, certified public accountants licensed or certified under ch. 442, or other professional persons or experts employed by the religious organization, as to matters the director or officer believes in good faith are within the person's professional or expert competence.

SECTION 2972k. 194.01 (7) of the statutes is amended to read:

194.01 **(7)** "Motor vehicle" means any automobile, truck, trailer, semitrailer, tractor, motor bus or any self−propelled or motor driven vehicle, except a low−speed vehicle, motorcycle, moped, motor bicycle or a vehicle operated on rails.

SECTION 2972t. 195.60 (2) of the statutes is amended to read:

195.60 **(2)** The office shall annually, within 90 days after the close of each fiscal year, ascertain the total of its expenditures during such year which are reasonably attributable to the performance of its duties relating to railroads. For purposes of such calculation, 90% of the expenditures so determined shall be expenditures of the office and 10% of the expenditures so determined shall be expenditures for state government operations. The

office shall deduct therefrom all amounts chargeable to railroads under sub. (1) and s. 201.10 (3). A sum equal to the remainder plus 10% of the remainder shall be assessed by the office to the several railroads in proportion to their respective gross operating revenues during the last calendar year, derived from intrastate operations. Such assessment shall be paid within 30 days after the bill has been mailed to the several railroads, which bill shall constitute notice of assessment and demand of payment thereof. The total amount which may be assessed to the railroads under authority of this subsection shall not exceed ~~1.75%~~ 1.85% of the total gross operating revenues of such railroads, during such calendar year, derived from intrastate operations. Ninety percent of the payment shall be credited to the appropriation account under s. 20.155 (2) (g). The railroads shall furnish such financial information as the office requires.

SECTION 2973. 196.01 (3n) of the statutes is repealed.

SECTION 2974. 196.01 (3p) of the statutes is repealed.

SECTION 2975. 196.01 (3q) of the statutes is renumbered 101.91 (6m) and amended to read:

101.91 **(6m)** "~~Mobile~~ Manufactured home park contractor" means a person, other than a public utility, as defined in s. 196.01 (5) (a), who, under a contract with a ~~mobile~~ manufactured home park operator, provides water or sewer service to a ~~mobile~~ manufactured home park occupant or performs a service related to providing water or sewer service to a ~~mobile~~ manufactured home park occupant.

SECTION 2976. 196.01 (3s) of the statutes is renumbered 101.91 (7) and amended to read:

101.91 **(7)** "~~Mobile~~ Manufactured home park occupant" means a person who rents or owns a ~~mobile~~ manufactured home in a ~~mobile~~ manufactured home park.

SECTION 2977. 196.01 (3t) of the statutes is renumbered 101.91 (8) and amended to read:

101.91 **(8)** "~~Mobile~~ Manufactured home park operator" means a person engaged in the business of owning or managing a ~~mobile~~ manufactured home park.

SECTION 2977b. 196.01 (5) (b) 6. of the statutes is created to read:

196.01 **(5)** (b) 6. A person that owns an electric generating facility or improvement to an electric generating facility that is subject to a leased generation contract, as defined in s. 196.52 (9) (a) 3., unless the person furnishes, directly to the public, telecommunications or sewer service, heat, light, water or power or, by means of pipes or mains, natural gas.

SECTION 2978. 196.07 (2) of the statutes is amended to read:

196.07 **(2)** If a public utility fails to file a report with the commission containing its balance sheet and other information prescribed by the commission by the date the report is due under sub. (1), the commission may prepare the report from the records of the public utility. All expenses of the commission in preparing the report, plus a penalty equal to 50% of the amount of the expenses, shall be assessed against and collected from the public utility under s. 196.85. The amount of the charge to a public utility shall not be limited by s. 196.85 (1) (b) and shall be in addition to any other charges assessable under s. 196.85. The penalty provision of the charge shall be credited to the general fund under s. 20.906.

SECTION 2979. 196.195 (12) (b) 1. d. of the statutes is repealed.

SECTION 2980. 196.196 (1) (cm) of the statutes is repealed.

SECTION 2981. 196.196 (5) (b) 6. of the statutes is repealed.

SECTION 2981Lm. 196.202 (2) of the statutes is amended to read:

196.202 **(2)** SCOPE OF REGULATION. A commercial mobile radio service provider is not subject to ch. 201 or this chapter, except as provided in sub. (5), and except that a commercial mobile radio service provider is subject to s. 196.218 (3) ~~to the extent not preempted by federal law. If the application of s. 196.218 (3) to a commercial mobile radio service provider is not preempted~~ if the commission promulgates rules that designate commercial mobile radio service providers as eligible to receive universal service funding under both the federal and state universal service fund programs. If the commission promulgates such rules, a commercial mobile radio service provider shall respond, subject to the protection of the commercial mobile radio service provider's competitive information, to all reasonable requests for information about its operations in this state from the commission necessary to administer the universal service fund.

SECTION 2981m. 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" has the meaning given in s. 134.73 (1) (b).

(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 and state 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 2981p. 196.208 (10) (a) of the statutes is amended to read:

196.208 **(10)** (a) Subsections (2) to (5) apply to any pay−per−call service that a caller may access by a call originating in this state and ~~sub.~~ subs. (5p) and (5t) ~~applies~~ apply to any charitable organization, toll−free service vendor, or employee of a charitable organization or toll−free service vendor that a caller may access by a call originating in this state.

SECTION 2981r. 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 2981s. 196.208 (11) (d) 2. of the statutes is created to read:

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 2981t. 196.218 (3) (a) 3. of the statutes is renumbered 196.218 (3) (a) 3. (intro.) and amended to read:

196.218 **(3)** (a) 3. (intro.) 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 following amounts:

a. The amount appropriated under ~~ss.~~ s. 20.155 (1) (q), except that in fiscal year 2003−04 the total amount of contributions in that fiscal year under this subd. 3. a. may not exceed $5,000,000 and except that beginning in fiscal year 2004−05 the total amount of contributions in a fiscal year under this subd. 3. a. may not exceed $6,000,000.

b. The amounts appropriated under ss. 20.255 (3) (q), 20.275 (1) (s), (t) and (tm) and 20.285 (1) (q).

3m. Contributions under this paragraph 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 2982. 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 s. 44.73 (2) (d), except that no moneys in the universal service fund may be used to pay installation costs that are necessary for a political subdivision to obtain access to bandwidth under a shared service agreement under s. 44.73 (2r) (a).

SECTION 2983. 196.218 (5) (a) 6. of the statutes is amended to read:

196.218 **(5)** (a) 6. To pay the department of ~~administration~~ electronic government for telecommunications services provided under s. ~~16.973~~ 22.05 (1) to the campuses of the University of Wisconsin System at River Falls, Stout, Superior and Whitewater.

SECTION 2983m. 196.218 (5) (a) 10. of the statutes is created to read:

196.218 **(5)** (a) 10. To make the grant awarded by the technology for educational achievement in Wisconsin board to the Racine Unified School District under s. 44.72 (3).

SECTION 2984. 196.218 (5r) (a) 4. of the statutes is amended to read:

196.218 **(5r)** (a) 4. An assessment of how successful investments identified in s. 196.196 (5) (f), assistance provided by the universal service fund ~~or the Wisconsin advanced telecommunications foundation,~~ and price regulation and other alternative incentive regulations of telecommunications utilities designed to promote competition have been in advancing the public interest goals identified under s. 196.03 (6), and recommendations for further advancing those goals.

SECTION 2984m. 196.219 (3) (o) of the statutes is created to read:

196.219 **(3)** (o) Refuse to transfer or facilitate the transfer of the telecommunications utility's or telecommunications provider's local exchange service customers to another telecommunications provider on the same terms and conditions as the telecommunications utility or telecommunications provider receives from any other telecommunications provider, unless such terms and conditions violate federal law.

SECTION 2989. 196.26 (1) (a) of the statutes is amended to read:

196.26 **(1)** (a) A complaint filed with the commission that any rate, toll, charge, or schedule, joint rate, regulation, measurement, act, or practice relating to the provision of heat, light, water, power, or telecommunications service~~, or to the provision of water or sewer service by a mobile home park operator or mobile home park contractor,~~ is unreasonable, inadequate, unjustly discriminatory, or cannot be obtained.

SECTION 2990. 196.26 (1m) of the statutes is amended to read:

196.26 **(1m)** INVESTIGATION OF COMPLAINT. If any mercantile, agricultural, or manufacturing society, body politic, municipal organization, or 25 persons file a com-

plaint specified in sub. (1) (a) against a public utility, or if the commission terminates a proceeding on a complaint under s. 196.199 (3) (a) 1m. b., or if a person files a complaint specified in sub. (1) (c), the commission, with or without notice, may investigate the complaint under this section as it considers necessary. ~~If the mobile home park occupants of 25% of the total number of mobile homes in a mobile home park or the mobile home park occupants of 25 mobile homes in a mobile home park, whichever is less, files a complaint specified in sub. (1) (a) against a mobile home park contractor or mobile home park operator, the commission, with or without notice, may investigate the complaint as it considers necessary.~~ The commission may not issue an order based on an investigation under this subsection without a public hearing.

SECTION 2991. 196.26 (2) (a) of the statutes is amended to read:

196.26 **(2)** (a) Prior to a hearing under this section, the commission shall notify the public utility~~, mobile home park contractor, mobile home park operator~~ or party to an interconnection agreement complained of that a complaint has been made, and 10 days after the notice has been given the commission may proceed to set a time and place for a hearing and an investigation. This paragraph does not apply to a complaint specified in sub. (1) (b).

SECTION 2992. 196.26 (2) (b) of the statutes is amended to read:

196.26 **(2)** (b) The commission shall give the complainant and either the public utility~~, mobile home park contractor, mobile home park operator~~ or party to an interconnection agreement which is the subject of a complaint specified in sub. (1) (a) or (c) or, for a complaint specified in sub. (1) (b), a party to an interconnection agreement who is identified in a notice under s. 196.199 (3) (b) 1. b., 10 days' notice of the time and place of the hearing and the matter to be considered and determined at the hearing. The complainant and either the public utility~~, mobile home park contractor, mobile home park operator~~ or party to the interconnection agreement may be heard. The commission may subpoena any witness at the request of the public utility, ~~mobile home park contractor, mobile home park operator,~~ party to the interconnection agreement, or complainant.

SECTION 2993. 196.28 (1) of the statutes is amended to read:

196.28 **(1)** If the commission believes that any rate or charge is unreasonable or unjustly discriminatory or that any service is inadequate or cannot be obtained or that an investigation of any matter relating to any public utility ~~or to any provision of water or sewer service by a mobile home park operator or mobile home park contractor~~ should for any reason be made, the commission on its own motion summarily may investigate with or without notice.

SECTION 2994. 196.28 (3) of the statutes is amended to read:

196.28 **(3)** Notice of the time and place for a hearing under sub. (2) shall be given to the public utility~~, mobile home park contractor or mobile home park operator,~~ and to such other interested persons as the commission considers necessary. After the notice has been given, proceedings shall be had and conducted in reference to the matter investigated as if a complaint specified in s. 196.26 (1) (a) had been filed with the commission relative to the matter investigated. The same order or orders may be made in reference to the matter as if the investigation had been made on complaint under s. 196.26.

SECTION 3001b. 196.491 (1) (w) of the statutes is renumbered 196.491 (1) (w) 1., and 196.491 (1) (w) 1. (intro.), as renumbered, is amended to read:

196.491 **(1)** (w) 1. (intro.) "Wholesale merchant plant" means, except as provided in subd. 2., electric generating equipment and associated facilities located in this state that do not provide service to any retail customer and that are owned and operated by any of the following:

SECTION 3001d. 196.491 (1) (w) 2. of the statutes is created to read:

196.491 **(1)** (w) 2. "Wholesale merchant plant" does not include an electric generating facility or an improvement to an electric generating facility that is subject to a leased generation contract, as defined in s. 196.52 (9) (a) 3.

SECTION 3001m. 196.491 (3c) of the statutes is created to read:

196.491 **(3c)** COMMENCEMENT OF CONSTRUCTION OF LARGE ELECTRIC GENERATING FACILITIES. (a) Except as provided in par. (b), an electric utility that has received a certificate of public convenience and necessity under sub. (3) for constructing a large electric generating facility shall commence construction no later than one year after the latest of the following:

1. The date on which the commission issues the certificate of public convenience and necessity.

2. The date on which the electric utility has been issued every federal and state permit, approval, and license that is required prior to commencement of construction.

3. The date on which every deadline has expired for requesting administrative review or reconsideration of every federal and state permit, approval, and license that is required prior to commencement of construction.

4. The date on which the electric utility has received the final decision, after exhaustion of judicial review, in every proceeding for judicial review described in sub. (3) (j).

(b) Upon showing of good cause, the commission may grant an extension to the deadline specified in par. (a).

(c) If an electric utility does not commence construction of a large electric generating facility within the dead-

line specified in par. (a) or extended under par. (b), the certificate of public convenience and necessity is void, and the electric utility may not commence construction of the large electric generating facility.

SECTION 3001p. 196.496 of the statutes is created to read:

196.496 Distributed generation facilities. (1) DEFINITION. In this section, "distributed generation facility" means a facility for the generation of electricity with a capacity of no more than 15 megawatts that is located near the point where the electricity will be used or is in a location that will support the functioning of the electric power distribution grid.

(2) RULES. The commission shall promulgate rules establishing standards for the connection of distributed generation facilities to electric distribution facilities. To the extent technically feasible and cost effective, the standards shall be uniform and shall promote the development of distributed generation facilities. The standards shall address engineering, electric reliability, and safety concerns and the methods for determining charges for interconnection.

SECTION 3002. 196.498 (title) of the statutes is repealed.

SECTION 3003. 196.498 (2) of the statutes is renumbered 101.937 (1) and amended to read:

101.937 **(1)** RULES. The ~~commission~~ department shall promulgate rules that establish standards for providing water or sewer service by a ~~mobile~~ manufactured home park operator or ~~mobile~~ manufactured home park contractor to a ~~mobile~~ manufactured home park occupant, including requirements for metering, billing, ~~deposits,~~ depositing, arranging deferred payment ~~arrangements, installation of~~, installing service, refusing or discontinuing service, and resolving disputes with respect to service. Rules promulgated under this subsection shall ensure that any charge for water or sewer service is reasonable and not unjustly discriminatory, that the water or sewer service is reasonably adequate, and that any practice relating to providing the service is just and reasonable.

SECTION 3004. 196.498 (3) of the statutes is renumbered 101.937 (2) and amended to read:

101.937 **(2)** PERMANENT IMPROVEMENTS. A ~~mobile~~ manufactured home park operator may make a reasonable recovery of capital costs for permanent improvements related to the provision of water or sewer service to ~~mobile~~ manufactured home park occupants through ongoing rates for water or sewer service.

SECTION 3005. 196.498 (4) of the statutes is renumbered 101.937 (3) and amended to read:

101.937 **(3)** ENFORCEMENT. (a) ~~Notwithstanding s. 196.44, on~~ On its own motion or upon a complaint filed by a ~~mobile~~ manufactured home park occupant, the ~~commission~~ department may issue an order or commence a civil action against a ~~mobile~~ manufactured home park operator or ~~mobile~~ manufactured home park contractor to enforce this section, any rule promulgated under sub. ~~(2)~~ (1), or any order issued under this paragraph.

(b) The department of justice, after consulting with the ~~commission~~ department, or any district attorney may commence an action in circuit court to enforce this section.

SECTION 3006. 196.498 (5) of the statutes is renumbered 101.937 (4) and amended to read:

101.937 **(4)** PRIVATE CAUSE OF ACTION. Any person suffering pecuniary loss because of a violation of any rule promulgated under sub. ~~(2)~~ (1) or order issued under sub. ~~(4)~~ (3) (a) may sue for damages and shall recover twice the amount of any pecuniary loss, together with costs, and, notwithstanding s. 814.04 (1), reasonable attorney fees.

SECTION 3007. 196.498 (6) of the statutes is renumbered 101.937 (5) and amended to read:

101.937 **(5)** PENALTIES. (a) Any person who violates any rule promulgated under sub. ~~(2)~~ (1) or any order issued under sub. ~~(4)~~ (3) (a) shall forfeit not less than $25 nor more than $5,000. Each violation and each day of violation constitutes a separate offense.

(b) Any person who intentionally violates any rule promulgated under sub. ~~(2)~~ (1) or order issued under sub. ~~(4)~~ (3) (a) shall be fined not less than $25 nor more than $5,000 or imprisoned not more than one year in the county jail or both. Each violation and each day of violation constitutes a separate offense.

SECTION 3008mc. 196.52 (9) of the statutes is created to read:

196.52 **(9)** (a) In this subsection:

1. "Electric generating equipment" means any of the following:

a. An electric generator.

b. A machine that drives an electric generator, including an engine, turbine, water wheel, or wind mill.

c. Equipment that converts a fuel or source of energy into energy that powers a machine that drives an electric generator, including a boiler, but not including a nuclear reactor.

d. A fuel or photovoltaic cell.

2. "Electric generating facility" means electric generating equipment and associated facilities that, together, constitute a complete facility for the generation of electricity.

3. "Leased generation contract" means a contract or arrangement or set of contracts or arrangements under which an affiliated interest of a public utility agrees with the public utility to construct or improve an electric generating facility and to lease to the public utility land and the facility for operation by the public utility.

(b) The commission may approve a leased generation contract under sub. (3) only if all of the following apply:

1. The commission has not issued a certificate under s. 196.49 or a certificate of public convenience and

necessity under s. 196.491 (3) before January 1, 2002, for any construction or improvement that is subject to the leased generation contract.

2. Construction or improvement of the electric generating facility that is subject to the leased generation contract commences on or after January 1, 2002.

3. Except as provided in s. 196.795 (5) (k) 3., no electric generating facility, electric generating equipment, or associated facilities, held or used by the public utility for the provision of electric service, is transferred to the affiliated interest.

4. The estimated gross cost of the construction or improvement that is subject to the leased generation contract is at least $10,000,000.

5. The construction or improvement is not to a nuclear−powered facility.

6. Any real property that the public utility transfers to the affiliated interest for the purpose of implementing the leased generation contract is transferred at book value, which is determined on the basis of the regulated books of account at the time of the transfer.

7. If the public utility transfers real property to the affiliated interest for the purpose of implementing the leased generation contract, the leased generation contract provides for transferring that real property back to the public utility, on the same terms and conditions as the original transfer, if the commission determines that the construction or improvement that is subject to the leased generation contract has not been completed.

8. The leased generation contract provides that, upon termination of the contract, all of the following apply:

a. The public utility shall have the option, subject to commission approval, to extend the contract, or purchase the electric generating facility or the improvements to an electric generating facility, at fair market value as determined by a valuation process that is conducted by an independent third party and that is specified in the contract.

b. If the public utility exercises the option specified in subd. 8. a., the affiliated interest may require the public utility to extend the contract, rather than purchase the facilities or improvements, if the affiliated interest demonstrates to the commission that the extension avoids material adverse tax consequences and that the extension provides terms and conditions that are economically equivalent to a purchase.

Vetoed In Part

9. For any gas−fired electric generating facility that is constructed under the leased generation contract, the term of the lease is 20 years or more.

10. For any coal−fired electric generating facility that is constructed under the leased generation contract, the term of the lease is 25 years or more.

11. The leased generation contract does not take effect until the date on which the affiliated interest commences construction or improvement of the electric generating facility, except that, if the leased generation contract relates to the construction or improvement of more than one electric generating facility, the leased generation contract does not take effect with respect to the construction or improvement of an individual electric generating facility until the date on which the affiliated interest commences construction or improvement on that electric generating facility.

(c) Except as provided in par. (d), the commission may not increase or decrease the retail revenue requirements of a public utility on the basis of any income, expense, gain, or loss that is received or incurred by an affiliated interest of the public utility and that arises from the ownership of an electric generating facility or an improvement to an electric generating facility by an affiliated interest under a leased generation contract.

(d) The commission shall allow a public utility that has entered into a leased generation contract that has been approved by the commission under sub. (3) to recover fully in its retail rates that portion of any payments under the leased generation contract that the commission allocates to the public utility's retail electric service, and that portion of all other costs that is prudently incurred in the public utility's operation and maintenance of the electric generating facility or improvement that is subject to the leased generation contract and that the commission allocates to the public utility's retail electric service.

(e) Notwithstanding sub. (5) (a), the commission may not modify or terminate a leased generation contract approved under sub. (3) except as specified in the leased generation contract or the commission's order approving the leased generation contract.

(f) The commission shall maintain jurisdiction to ensure that the construction or improvement under a leased generation contract approved under sub. (3) is completed as provided in the leased generation contract.

(g) Nothing in this subsection prohibits a cooperative association organized under ch. 185, a municipal utility, as defined in s. 196.377 (2) (a) 3., or a municipal electric company, as defined in s. 66.0825 (3) (d), from acquiring an interest in an electric generating facility that is constructed pursuant to a leased generation contract or from acquiring an interest in land on which such an electric generating facility is located.

SECTION 3011d. 196.66 (3) (b) 1. and 3. of the statutes are amended to read:

196.66 **(3)** (b) 1. The appropriateness of the forfeiture to the volume of business of the public utility <u>or telecommunications provider</u>.

3. Any good faith attempt to achieve compliance after the public utility, <u>telecommunications provider,</u> agent, director, officer<u>,</u> or employee receives notice of the violation.

SECTION 3011g. 196.795 (5) (k) 1. of the statutes is amended to read:

196.795 **(5)** (k) 1. Except as provided under subd. 2. <u>or 3.</u>, no public utility affiliate may transfer, sell<u>,</u> or lease

to any nonutility affiliate with which it is in a holding company system any real property which, on or after November 28, 1985, is held or used for provision of utility service except by public sale or offering to the highest qualified bidder.

SECTION 3011jc. 196.795 (5) (k) 3. of the statutes is created to read:

196.795 **(5)** (k) 3. For the purpose of implementing a leased generation contract, as defined in s. 196.52 (9) (a) 3., that is approved under s. 196.52 (3), a public utility affiliate may transfer to a nonutility affiliate, at book value determined on the basis of the regulated books of account at the time of the transfer, any of the following:

a. Land that is held or used for the provision of utility service.

b. Electric generating equipment or associated facilities that are located on the land on which an electric generating facility subject to a leased generation contract is to be constructed, and that are part of an electric generating facility on that land that is no longer used or useful for the provision of utility service and that has been retired from the provision of utility service.

SECTION 3012. 196.85 (1) of the statutes is renumbered 196.85 (1) (a) and amended to read:

196.85 **(1)** (a) If the commission in a proceeding upon its own motion, on complaint, or upon an application to it deems it necessary in order to carry out the duties imposed upon it by law to investigate the books, accounts, practices, and activities of, or make appraisals of the property of any public utility, power district, or sewerage system or to render any engineering or accounting services to any public utility, power district, or sewerage system, the public utility, power district, or sewerage system shall pay the expenses attributable to the investigation, including the cost of litigation, appraisal, or service. The commission shall mail a bill for the expenses to the public utility, power district, or sewerage system either at the conclusion of the investigation, appraisal, or services, or during its progress. The bill constitutes notice of the assessment and demand of payment. The public utility, power district, or sewerage system shall, within 30 days after the mailing of the bill, pay to the commission the amount of the special expense for which it is billed. Ninety percent of the payment shall be credited to the appropriation account under s. 20.155 (1) (g). ~~The~~

(b) Except as provided in sub. (1m) (a), the total amount in any one calendar year for which any public utility, power district, or sewerage system is liable under this subsection, by reason of costs incurred by the commission within the calendar year, including charges under s. 201.10 (3), may not exceed four−fifths of one percent of its gross operating revenues derived from intrastate operations in the last preceding calendar year.

(c) Nothing in this subsection shall prevent the commission from rendering bills in one calendar year for costs incurred within a previous year.

(d) For the purpose of calculating the costs of investigations, appraisals, and other services under this subsection, 90% of the costs determined shall be costs of the commission and 10% of the costs determined shall be costs of state government operations.

SECTION 3013. 196.85 (1m) (a) of the statutes is amended to read:

196.85 **(1m)** (a) For the purpose of direct assessment under sub. (1) of expenses incurred by the commission in connection with its activities under s. 196.491, the term "public utility" includes electric utilities, as defined in s. 196.491 (1) (d). Subsection (1) (b) does not apply to assessments for the commission's activities under s. 196.491 related to the construction of wholesale merchant plants.

SECTION 3014b. 196.85 (2g) of the statutes is repealed.

SECTION 3015. 196.85 (3) of the statutes is amended to read:

196.85 **(3)** If any public utility, sewerage system, joint local water authority, ~~mobile home park operator~~ or power district is billed under sub. (1), (2), or (2e) ~~or (2g)~~ and fails to pay the bill within 30 days or fails to file objections to the bill with the commission, as provided in this subsection, the commission shall transmit to the state treasurer a certified copy of the bill, together with notice of failure to pay the bill, and on the same day the commission shall mail by registered mail to the public utility, sewerage system, joint local water authority, ~~mobile home park operator~~ or power district a copy of the notice ~~which~~ that it has transmitted to the state treasurer. Within 10 days after receipt of the notice and certified copy of the bill, the state treasurer shall levy the amount stated on the bill to be due, with interest, by distress and sale of any property, including stocks, securities, bank accounts, evidences of debt, and accounts receivable belonging to the delinquent public utility, sewerage system, joint local water authority, ~~mobile home park operator~~ or power district. The levy by distress and sale shall be governed by s. 74.10, 1985 stats., except that it shall be made by the state treasurer and that goods and chattels anywhere within the state may be levied upon.

SECTION 3016. 196.85 (4) (a) of the statutes is amended to read:

196.85 **(4)** (a) Within 30 days after the date of the mailing of any bill under sub. (1), (2), or (2e) ~~or (2g)~~, the public utility, sewerage system, joint local water authority, ~~mobile home park operator~~ or power district that has been billed may file with the commission objections setting out in detail the grounds upon which the objector regards the bill to be excessive, erroneous, unlawful, or

invalid. The commission, after notice to the objector, shall hold a hearing upon the objections, from 5 to 10 days after providing the notice. If after the hearing the commission finds any part of the bill to be excessive, erroneous, unlawful, or invalid, it shall record its findings upon its minutes and transmit to the objector by registered mail an amended bill, in accordance with the findings. The amended bill shall have the same force and effect under this section as an original bill rendered under sub. (1), (2), or (2e) ~~or (2g)~~.

SECTION 3017. 196.85 (5) of the statutes is amended to read:

196.85 **(5)** No suit or proceeding may be maintained in any court to restrain or delay the collection or payment of any bill rendered under sub. (1), (2), or (2e) ~~or (2g)~~. Every public utility, sewerage system, joint local water authority, ~~mobile home park operator~~ or power district that is billed shall pay the amount of the bill, and after payment may in the manner provided under this section, at any time within 2 years from the date the payment was made, sue the state to recover the amount paid plus interest from the date of payment, upon the ground that the assessment was excessive, erroneous, unlawful, or invalid in whole or in part. If the court finds that any part of the bill for which payment was made was excessive, erroneous, unlawful, or invalid, the state treasurer shall make a refund to the claimant as directed by the court. The refund shall be charged to the appropriations to the commission.

Vetoed In Part

SECTION 3017m. 196.856 of the statutes is repealed.

SECTION 3018. 196.858 (1) of the statutes is amended to read:

196.858 **(1)** The commission shall annually assess against local exchange and interexchange telecommunications utilities the total, not to exceed $5,000,000, of the amounts appropriated under s. ~~20.505 (4) (is)~~ 20.530 (1) (ir).

SECTION 3019. 196.858 (2) of the statutes is amended to read:

196.858 **(2)** The commission shall assess a sum equal to the annual total amount under sub. (1) to local exchange and interexchange telecommunications utilities in proportion to their gross operating revenues during the last calendar year. If total expenditures for telephone relay service exceeded the payment made under this section in the prior year, the commission shall charge the remainder to assessed telecommunications utilities in proportion to their gross operating revenues during the last calendar year. A telecommunications utility shall pay the assessment within 30 days after the bill has been mailed to the assessed telecommunication utility. The bill constitutes notice of the assessment and demand of payment. Payments shall be credited to the appropriation account under s. ~~20.505 (4) (is)~~ 20.530 (1) (ir).

SECTION 3020d. 198.167 of the statutes is amended to read:

198.167 Certified public accountant; annual report. The directors of the district shall employ annually the commission or a certified public accountant licensed or certified under ch. 442 approved by said commission who shall be qualified to, and who shall with all due diligence, examine and report upon the system of accounts kept by the district, all the contracts of whatsoever kind made and entered into by the board of directors within the year immediately preceding, and the properties and investments of the district. ~~Said~~ The certified public accountant shall in the report make such recommendations and suggestions as to the certified public accountant shall seem proper and required for the good of the district, and the efficient and economical or advantageous management and operation of the public utility or utilities of the district; and the certified public accountant shall in the report make such recommendations and suggestions as to the system of accounts kept, or in the certified public accountant's judgment to be kept, by the district, in connection with each public utility, the classification of the public utilities of the district and the establishment of a system of accounts for each class, the manner in which such accounts shall be kept, the form of accounts, records, and memoranda kept or to be kept, including accounts, records, and memoranda of receipts and expenditures of money, and depreciation and sinking fund accounts, as in the certified public accountant's judgment may be proper and necessary, and shall not conflict with the requirements of the commission.

SECTION 3020h. 200.49 (1) (a) of the statutes is amended to read:

200.49 **(1)** (a) "Minority business" means a ~~sole proprietorship, partnership, limited liability company, joint venture or corporation that is at least 51% owned and controlled by one or more minority group members and that is engaged in construction or construction-related activities~~ business that is certified by the department of commerce under s. 560.036 (2).

SECTION 3020i. 200.49 (3) (intro.) of the statutes is amended to read:

200.49 **(3)** REQUEST FOR PROPOSALS. (intro.) The executive director shall request proposals for prime contracts from bondable general contractors or construction contractors that are ~~bona fide independent~~ minority businesses. Each proposal submitted shall include all of the following conditions:

SECTION 3020j. 200.49 (3) (b) of the statutes is amended to read:

200.49 **(3)** (b) A subcontracting plan that provides sufficient detail to enable the executive director to determine that the prime contractor has made or will make a good faith effort to award at least 20% of the total contract amount to ~~bona fide independent~~ minority business subcontractors.

SECTION 3020k. 200.49 (4) of the statutes is repealed.

SECTION 3020L. 214.76 (2) and (4) of the statutes are amended to read:

214.76 **(2)** The certified public accountant shall deliver the audit report to a committee composed of 3 or more members of the board of directors, none of whom may be an officer, employee or agent of the savings bank. The committee shall present the nature, extent and conclusions of the report at the next meeting of the board of directors. A written summary of the committee's presentation, together with a copy of the audit report and a list of all criticisms made by the certified public accountant conducting the audit and any response of any member of the board of directors or any officer of the savings bank, shall be personally served or sent by certified mail to all members of the board of directors.

(4) The audit report filed with the division shall be certified by the certified public accountant conducting the audit. If a savings bank fails to cause an audit to be made, the division shall order an audit to be made by an independent certified public accountant at the savings bank's expense. Instead of the audit required under sub. (1), the division may accept an audit or portion of an audit made exclusively for a deposit insurance corporation or for a financial regulator of another state if the home office of the savings bank is located in that state.

SECTION 3020m. 215.523 (2) of the statutes is amended to read:

215.523 **(2)** Legal counsel, certified public accountants licensed or certified under ch. 442, or other persons as to matters the director or officer believes in good faith are within the person's professional or expert competence.

Vetoed In Part

SECTION 3020n. 217.08 (2) of the statutes is amended to read:

217.08 **(2)** ANNUAL LICENSE FEE; ADDITIONS AND DELETIONS OF LOCATIONS. Each licensee shall file with the division on or before December 1 of each year a statement listing the locations of the offices of the licensee and the names and locations of the agents authorized by the licensee. Every licensee shall also on or before December 1 of each year file a financial statement of its assets and liabilities as of a date not earlier than the preceding August 31 or, if the licensee is audited annually by an independent certified public accountant licensed or certified under ch. 442 at the end of each fiscal year, the licensee may submit financial statements certified by ~~said~~ the certified public accountant for the licensee's latest fiscal year. Such statement shall be accompanied by the annual licensee fee for the calendar year beginning the following January 1 in an amount determined under s. 217.05. The amount of the surety bond or deposit of securities required by s. 217.06 shall be adjusted to reflect the number of such locations. Licensees which do not pay the maximum license fee under s. 217.05 and which do not maintain a bond or deposit of securities in the maximum sum of $300,000 as provided in s. 217.06 shall also file a supplemental statement setting forth any changes in the list of offices and agents with the division on or before April 1, July 1 and October 1 of each year, and the principal sum of the corporate surety bond or deposit of securities required by s. 217.06 shall be adjusted to reflect any increase or decrease in the number of such locations. Any additional license fees which may become due under s. 217.05 shall be paid to the division.

SECTION 3020p. Chapter 218 (title) of the statutes is amended to read:

Vetoed In Part

CHAPTER 218
FINANCE COMPANIES, AUTO DEALERS, ADJUSTMENT COMPANIES ~~AND~~, COLLECTION AGENCIES, RENTAL−PURCHASE COMPANIES, AND RENT−TO−OWN AGREEMENTS

SECTION 3020q. 218.0101 (19m) of the statutes is created to read:

Vetoed In Part

218.0101 **(19m)** "Low−speed vehicle" has the meaning given in s. 340.01 (27m).

SECTION 3020r. 218.0101 (23) (a) 2. of the statutes is amended to read:

218.0101 **(23)** (a) 2. Is engaged wholly or in part in the business of selling or leasing motor vehicles, including motorcycles and low−speed vehicles, whether or not the motor vehicles are owned by that person, firm or corporation.

SECTION 3020s. 218.0114 (5) (a) of the statutes is amended to read:

218.0114 **(5)** (a) A motor vehicle dealer or an applicant for a motor vehicle dealer license shall provide and maintain in force a bond or irrevocable letter of credit of not less than $25,000 or, if the dealer or applicant sells or proposes to sell motorcycles or low−speed vehicles, or both, and not other types of motor vehicles, a bond or irrevocable letter of credit of not less than $5,000. The bond or letter of credit shall be executed in the name of the department of transportation for the benefit of any person who sustains a loss because of an act of a motor vehicle dealer that constitutes grounds for the suspension or revocation of a license under ss. 218.0101 to 218.0163.

SECTION 3020t. 218.0122 (3) of the statutes is amended to read:

218.0122 **(3)** This section does not apply to motorcycles or low−speed vehicles that are delivered in a crated, disassembled condition to the dealer or the dealer's agent.

SECTION 3020u. 218.0171 (2) (b) 2. b. of the statutes is amended to read:

218.0171 **(2)** (b) 2. b. Accept return of the motor vehicle and refund to the consumer and to any holder of a perfected security interest in the consumer's motor vehicle, as their interest may appear, the full purchase price plus any sales tax, finance charge, amount paid by the consumer at the point of sale and collateral costs, less a reasonable allowance for use. Under this subdivision,

a reasonable allowance for use may not exceed the amount obtained by multiplying the full purchase price of the motor vehicle by a fraction, the denominator of which is 100,000 or, for a motorcycle or low-speed vehicle, 20,000, and the numerator of which is the number of miles the motor vehicle was driven before the consumer first reported the nonconformity to the motor vehicle dealer.

Vetoed In Part

SECTION 3020v. Subchapter XI of chapter 218 [precedes 218.61] of the statutes is created to read:

CHAPTER 218

SUBCHAPTER XI

RENTAL–PURCHASE COMPANIES AND RENT–TO–OWN AGREEMENTS

218.61 Definitions. In this subchapter:

(1) "Division" means the division of banking in the department of financial institutions.

(2) "Lessee" means an individual who rents personal property under a rent–to–own agreement.

(3) "Licensee" means a rental–purchase company holding a license issued by the division under this subchapter.

(4) "Rental property" means personal property rented under a rent–to–own agreement.

(5) "Rental–purchase company" means a person engaged in the business of entering into rent–to–own agreements in this state or acquiring or servicing rent–to–own agreements that are entered into in this state.

Vetoed In Part

(6) "Rent–to–own agreement" means an agreement between a rental–purchase company and a lessee for the use of personal property if all of the following conditions are met:

(a) The personal property that is rented under the agreement is to be used primarily for personal, family, or household purposes.

(b) The agreement has an initial term of 4 months or less and is automatically renewable with each payment after the initial term.

(c) The agreement does not obligate or require the lessee to renew the agreement beyond the initial term.

(d) The agreement permits, but does not obligate, the lessee to acquire ownership of the personal property.

218.612 Scope. (1) INAPPLICABILITY OF OTHER LAWS. A rent–to–own agreement under this subchapter is not governed by the laws relating to a security interest, as defined in s. 401.201 (37), or a lease, as defined in s. 411.103 (1) (j), and is not governed by chs. 421 to 427 and 429.

(2) EXCLUSIONS. This subchapter does not apply to any of the following:

(a) A lease or bailment of personal property that is incidental to the lease of real property.

(b) A lease of a motor vehicle, as defined in s. 218.0101 (22).

(c) A credit sale, as defined in 15 USC 1602 (g) and in the regulations promulgated under that section.

218.614 Territorial application. For the purposes of this subchapter, a rent–to–own agreement is entered into in this state if any of the following applies:

(1) A writing signed by a lessee and evidencing the obligation under the rent–to–own agreement or an offer of a lessee is received by a rental–purchase company in this state.

(2) The rental–purchase company induces a lessee who is a resident of this state to enter into the rent–to–own agreement by face–to–face solicitation or by mail or telephone solicitation directed to the particular lessee in this state.

218.616 Obligation of good faith. Every agreement or duty under this subchapter imposes an obligation of good faith in its performance or enforcement. In this section, "good faith" means honesty in fact in the conduct or transaction concerned and the observance of reasonable commercial standards of fair dealing.

218.617 License required. No person may operate as a rental–purchase company without a valid license issued by the division under this subchapter.

218.618 Application for license; fees; bond. (1) APPLICATION. (a) An application for a license under this subchapter shall be made to the division, in writing, in the form prescribed by the division. An application for a license under this subchapter shall include all of the following:

1. If the applicant is an individual, the applicant's social security number. **Vetoed In Part**

2. If the applicant is not an individual, the applicant's federal employer identification number.

(b) The division may not disclose any information received under par. (a) 1. or 2. to any person except as follows:

1. The division may disclose information received under par. (a) 1. or 2. to the department of revenue for the sole purpose of requesting certifications under s. 73.0301.

2. The division may disclose information received under par. (a) 1. to the department of workforce development in accordance with a memorandum of understanding entered into under s. 49.857.

(2) APPLICATION FEES. At the time of applying to the division for a license under this subchapter, the applicant shall pay any applicable fee specified in the rules promulgated under s. 218.63 (3).

(3) BOND. The division may require any applicant or licensee to file with the division and maintain in force a bond, in a form prescribed by and acceptable to the division, and in an amount determined by the division.

218.62 Issuance or denial of license. (1) INVESTIGATION. Upon the filing of an application under s. 218.618 (1) and the payment of any applicable fee, the

division shall perform an investigation. Except as provided in sub. (3), if the division finds that the character, general fitness, and financial responsibility of the applicant; the members of the applicant, if the applicant is a partnership, limited liability company, or association; and the officers and directors of the applicant, if the applicant is a corporation warrant the belief that the business will be operated in compliance with this subchapter, the division shall issue a license to the applicant.

(2) DENIAL; NOTICE; HEARING. Except as provided in sub. (3), the division may deny an application made under s. 218.618 (1) by providing written notice to the applicant stating the grounds for the denial. Except as provided in sub. (3), a person whose application is denied may request a hearing under s. 227.44 within 30 days after the date of denial. The division may appoint a hearing examiner under s. 227.46 to conduct the hearing.

(3) DENIAL; CHILD OR FAMILY SUPPORT OR TAX DELINQUENCY. The division may not issue a license under this subchapter if any of the following applies:

(a) The applicant fails to provide the information required under s. 218.618 (1) (a).

(b) The department of revenue certifies under s. 73.0301 that the applicant is liable for delinquent taxes. An applicant for whom a license is not issued under this paragraph for delinquent taxes 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 any other notice or hearing under this section.

Vetoed In Part

(c) The applicant 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 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 paragraph 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.

218.622 License; other business. (1) LICENSED LOCATIONS. A license issued under this subchapter shall specify the location at which the licensee is permitted to conduct business. A separate license shall be required for each place of business maintained by the licensee.

(2) ASSIGNMENT. A license issued under this subchapter is not assignable.

(3) POSTING. A licensee shall post its license in a conspicuous place at the location specified in the license.

(4) TERM OF LICENSE; FEE. Every license shall remain in force until suspended or revoked in accordance with this subchapter or surrendered by the licensee. Every licensee shall, on or before June 1 of each year, pay to the division the annual license fee specified in rules promulgated under s. 218.63 (3) and, if required by the division, provide a rider or endorsement to increase the amount of any bond required under s. 218.618 (3).

(5) OTHER BUSINESS PROHIBITED. No licensee may conduct business as a rental−purchase company within any office, room, or place of business in which any other business is solicited or engaged in, unless the licensee is authorized to do so, in writing, by the division.

218.624 Revocation, suspension, and restriction of license. (1) DISCRETIONARY SUSPENSION OR REVOCATION. The division may issue an order suspending or revoking any license issued under this subchapter if the division finds that any of the following applies:

(a) The licensee has violated any of the provisions of this subchapter, any rules promulgated under s. 218.63 (3), or any lawful order of the division under s. 218.63 (1).

(b) A fact or condition exists that, if it had existed at the time of the original application for the license, would have warranted the division in refusing to issue the license.

(c) The licensee has made a material misstatement in an application for a license or in information furnished to the division.

(d) The licensee has failed to pay the annual license fee required under s. 218.622 (4) or has failed to maintain in effect any bond required under s. 218.618 (3).

(e) The licensee has failed to provide any additional information, data, and records required by the division, within the time period prescribed under s. 218.626 (2).

Vetoed In Part

(f) The licensee has failed to pay any penalties due under s. 218.682 (1) or (2) within 30 days after receiving notice, by certified mail, that the penalties are due.

(2) MANDATORY RESTRICTION OR SUSPENSION; CHILD OR FAMILY SUPPORT. The division shall restrict or suspend a license issued under this subchapter if the division finds that 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 memorandum of understanding entered into under s. 49.857. A licensee whose license is restricted or suspended under this subsection is entitled to a notice and hearing only as provided in a memorandum of understanding entered into under s. 49.857 and is not entitled to any other notice or hearing under this section.

(3) MANDATORY REVOCATION; DELINQUENT TAXES. The division shall revoke a license issued under this subchapter if the department of revenue certifies under s.

73.0301 that the licensee is liable for delinquent taxes. A licensee whose license is revoked under this subsection for delinquent taxes 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 any other notice or hearing under this section.

(4) REVOCATION AND SUSPENSION PROCEDURE. Except as provided in subs. (2) and (3), the following procedure applies to every order of the division that suspends or revokes a license issued under this subchapter:

(a) The division shall provide a written notice to the licensee of the division's intent to issue an order suspending or revoking the licensee's license. The notice shall specify the grounds for and the effective date of the proposed order.

(b) The licensee may file with the division a written response to the allegations contained in the notice within 20 days after receiving the notice. The licensee's written response may contain a request for a contested case hearing under s. 227.42. If the written response does not contain a request for a contested case hearing under s. 227.42, the right to a contested case hearing is waived.

(c) If a written response containing a request for a contested case hearing under s. 227.42 is received by the division within the time provided under par. (b) and if, in the opinion of the division, the matter satisfies all of the conditions specified in s. 227.42 (l) (a) to (d), the matter shall be scheduled for a contested case hearing to commence within 60 days after the date on which the division receives the written response.

Vetoed In Part

(d) If the licensee fails to file a written response within the time provided under par. (b), files a timely written response but fails to request a contested case hearing under s. 227.42 or files a timely written response requesting a contested case hearing but, in the opinion of the division, the matter fails to satisfy all of the conditions specified in s. 227.42 (l) (a) to (d), the division may issue an order suspending or revoking the license. If the licensee files a timely written response containing a proper request for a contested case hearing under s. 227.42, any order of the division suspending or revoking the licensee's license shall be stayed pending completion of proceedings under ch. 227.

218.626 Modification of license. (1) CHANGE IN PLACE OF BUSINESS. No licensee may change its place of business to another location without the prior approval of the division. A licensee shall provide the division with at least 15 days' prior written notice of a proposed change under this subsection and shall pay any applicable fees specified in the rules promulgated under s. 218.63 (3). Upon approval by the division of the new location, the division shall issue an amended license, specifying the date on which the amended license is issued and the new location.

(2) OTHER CHANGES. Except as provided in sub. (1), a licensee shall notify the division of any material change to the information provided in the licensee's original application for a license under this subchapter or provided in a previous notice of change filed by the licensee with the division under this subsection. A licensee shall provide the notice required under this subsection within 10 days after the change. The licensee shall provide any additional information, data, and records about the change to the division within 20 days after the division requests the information, data, or records. The division shall determine the cost of investigating and processing the change. The licensee shall pay the division's cost within 30 days after the division demands payment.

(3) DIVISION APPROVAL OF OTHER CHANGES. Any change that is subject to the notice requirement under sub. (2) is subject to the approval of the division. In reviewing the change, the division shall apply the same criteria as the criteria for approval of an original license application.

218.628 Annual report; records. (1) ANNUAL REPORT. On or before March 31 of each year, a licensee shall file a report with the division giving such reasonable and relevant information as the division may require concerning the business and operations conducted by the licensee. The licensee shall make the report in the form prescribed by the division.

(2) BOOKS AND RECORDS. A licensee shall keep such books and records in the licensed location as, in the opinion of the division, will enable the division to determine whether the provisions of this subchapter are being observed. Every licensee shall preserve its records of a rent−to−own agreement for at least 3 years after making the final entry with respect to the rent−to−own agreement.

Vetoed In Part

218.63 Powers and duties of division; administration. (1) ORDERS. The division may issue any general order, as defined in s. 217.02 (3), or special order, as defined in s. 217.02 (10), in execution of or supplementary to this subchapter, except that the division may not issue a general order or special order that conflicts with this subchapter.

(2) INVESTIGATIONS AND EXAMINATIONS. For the purpose of discovering violations of this subchapter, the division may cause an investigation or examination to be made of the business of a licensee transacted under this subchapter. The place of business, books of accounts, papers, records, safes, and vaults of the licensee shall be open to the division for the purpose of an investigation or examination, and the division has authority to examine under oath all persons whose testimony is required for an investigation or examination. The division shall determine the cost of an investigation or examination. The licensee shall pay the cost of an investigation or examination. The licensee shall pay the cost of any hearing held for the purpose of this subsection, including witness fees, unless the division or a court finds that the

licensee has not violated any provision of this subchapter. The licensee shall pay all costs owing under this subsection within 30 days after the division demands payment. The state may maintain an action for the recovery of any costs owing under this subsection.

(3) RULES. The division may promulgate rules for the administration of this subchapter.

(4) TESTIMONIAL POWERS AND POWERS TO SECURE EVIDENCE. The division has the same power to conduct hearings, take testimony, and secure evidence as is provided in ss. 217.17 and 217.18.

(5) ENFORCEMENT. The division has the duty, power, jurisdiction, and authority to investigate, ascertain, and determine whether this subchapter or any lawful orders issued under sub. (1) are being violated. The division may report violations of this subchapter to the attorney general or the district attorney of the proper county for prosecution.

218.632 General requirements of disclosure. (1) FORM, LOCATION, SIZE, AND TIME OF DISCLOSURE. The information required under s. 218.634 to be included in a rent−to−own agreement shall satisfy all of the following requirements:

(a) The information shall be clearly and conspicuously disclosed.

(b) The information shall be disclosed in writing.

Vetoed In Part

(c) The information shall be disclosed on the face of the rent−to−own agreement above the line for the lessee's signature.

(d) The information shall be disclosed in not less than 8−point standard type.

(e) The information shall be disclosed before the time that the lessee becomes legally obligated under the rent−to−own agreement.

(2) ACCURACY OF DISCLOSURE. The information required under s. 218.634 must be accurate as of the time that it is disclosed to the lessee. If any information subsequently becomes inaccurate as a result of any act, occurrence, or agreement by the lessee, the resulting inaccuracy is not a violation of this subchapter.

(3) COPY OF RENT−TO−OWN AGREEMENT. The rental−purchase company shall provide the lessee with a copy of the completed rent−to−own agreement signed by the lessee. If more than one lessee is legally obligated under the same rent−to−own agreement, delivery of a copy of the completed rent−to−own agreement to one of the lessees shall satisfy this subsection.

(4) SINGLE INSTRUMENT. In a rent−to−own agreement, the lessee's payment obligations shall be evidenced by a single instrument, which shall include the signature of the rental−purchase company, the signature of the lessee, and the date on which the instrument is signed.

218.634 Required provisions of rent−to−own agreement. A rental−purchase company shall include all of the following information, to the extent applicable, in every rent−to−own agreement:

(1) DESCRIPTION. A brief description of the rental property, sufficient to identify the rental property to the lessee and the rental−purchase company, including any identification number, and a statement indicating whether the rental property is new or used. A statement that incorrectly indicates that new rental property is used is not a violation of this subchapter.

(2) CASH PRICE. The price at which the rental−purchase company would sell the rental property to the lessee if the lessee were to pay for the rental property in full on the date on which the rent−to−own agreement is executed, along with a statement that, if the lessee intends to acquire ownership of the rental property and is able to pay for the property in full or is able to obtain credit to finance the purchase, the lessee may be able to purchase similar property from a retailer at a lower cost.

(3) RENTAL PAYMENT. The periodic rental payment for the rental property.

(4) UP−FRONT PAYMENT. Any payment required of the lessee at the time that the agreement is executed or at the time that the rental property is delivered, including the initial rental payment, any application or processing charge, any delivery fee, the applicable tax, and any charge for a liability damage waiver or for other optional services agreed to by the lessee.

Vetoed In Part

(5) PERIODIC RENTAL PAYMENTS TO ACQUIRE OWNERSHIP. The total number, total dollar amount, and timing of all periodic rental payments necessary to acquire ownership of the rental property.

(6) OTHER CHARGES AND FEES TO ACQUIRE OWNERSHIP. The dollar amount, both itemized and in total, of all taxes, liability damage waiver fees, fees for optional services, processing fees, application fees, and delivery charges that the lessee would incur if the lessee were to rent the rental property until the lessee acquires ownership, assuming that the lessee does not add or decline the liability damage waiver or optional services after signing the rent−to−own agreement.

(7) TOTAL PAYMENTS TO ACQUIRE OWNERSHIP. The total of all charges to be paid by the lessee to acquire ownership of the rental property, which shall consist of the sum of the total dollar amount of all periodic rental payments disclosed under sub. (5) and the total dollar amount of all other charges and fees disclosed under sub. (6), along with a statement that this is the amount a lessee will pay to acquire ownership of the rental property if the tax rates do not change and if the lessee does not add or decline the liability damage waiver or optional services after signing the rent−to−own agreement.

(8) OTHER CHARGES. An itemized description of any other charges or fees that the rental−purchase company may charge the lessee.

(9) SUMMARY OF EARLY−PURCHASE OPTION. A statement summarizing the terms of the lessee's option to acquire ownership of the rental property, including a statement indicating that the lessee has the right to acquire ownership of the rental property at any time after the first payment by paying all past−due payments and fees and an amount not to exceed an amount equal to the cash price of the rental property multiplied by a fraction that has as its numerator the number of periodic rental payments remaining under the rent−to−own agreement and that has as its denominator the total number of periodic rental payments.

(10) RESPONSIBILITY FOR THEFT OR DAMAGE. A statement that, unless otherwise agreed, the lessee is responsible for the fair market value of the rental property, determined according to the early−purchase option formula under sub. (9), if the rental property is stolen, damaged, or destroyed while in the possession of or subject to the control of the lessee. The statement shall indicate that the fair market value will be determined as of the date on which the rental property is stolen, damaged, or destroyed.

(11) SERVICE AND WARRANTY. A statement that during the term of the rent−to−own agreement, the rental−purchase company is required to service the rental property to maintain it in good working condition, as long as no other person has serviced the rental property. In lieu of servicing the rental property, the rental−purchase company may, at its option, replace the rental property. The rental−purchase company's obligation to provide service is limited to defects in the property not caused by improper use or neglect by the lessee or harmful conditions outside the control of the rental−purchase company or manufacturer.

Vetoed In Part

(12) TERMINATION AT OPTION OF LESSEE. A statement that the lessee may terminate the agreement at any time without penalty by voluntarily surrendering or returning the rental property in good repair.

(13) RIGHT TO REINSTATE. A brief explanation of the lessee's right to reinstate a rent−to−own agreement under s. 218.654.

(14) RENTAL, NOT PURCHASE. A statement that the lessee will not own the rental property until the lessee has made all payments necessary to acquire ownership or has exercised the lessee's early−purchase option. The rental−purchase company shall also include a notice reading substantially as follows: "You are renting this property. You will not own the property until you make all payments necessary to acquire ownership or until you exercise your early−purchase option. If you do not make your payments as scheduled or exercise your early−purchase option, the lessor may repossess the property."

(15) INFORMATION ABOUT RENTAL−PURCHASE COMPANY AND LESSEE. The names of the rental−purchase company and the lessee, the rental−purchase company's business address and telephone number, the lessee's address, and the date on which the rent−to−own agreement is executed.

218.636 Prohibited provisions of rent−to−own agreement. A rental−purchase company may not include any of the following provisions in a rent−to−own agreement:

(1) CONFESSION. A confession of judgment.

(2) SECURITY. A provision granting the rental−purchase company a security interest in any property except the rental property delivered by the rental−purchase company under the rent−to−own agreement.

(3) REPOSSESSION. A provision authorizing the rental−purchase company or an agent of the rental−purchase company to enter the lessee's premises or to commit a breach of the peace in the repossession of rental property provided by the rental−purchase company under the rent−to−own agreement.

(4) WAIVER. A waiver of a defense or counterclaim, a waiver of any right to assert any claim that the lessee may have against the rental−purchase company or against an agent of the rental−purchase company, or a waiver of any provision of this subchapter.

(5) OVERPAYMENT. A provision requiring periodic rental payments totaling more than the total dollar amount of all periodic rental payments necessary to acquire ownership, as disclosed in the rental−purchase agreement.

Vetoed In Part

(6) INSURANCE. A provision requiring the lessee to purchase insurance from the rental−purchase company to insure the rental property.

(7) ATTORNEY FEES. A provision requiring the lessee to pay attorney fees.

218.638 Liability waiver. A rental−purchase company may offer a liability waiver to the lessee. The terms of the waiver shall be provided to the lessee in writing, and the face of the writing shall clearly disclose that the lessee is not required to purchase the waiver. The fee for the waiver may not exceed 10% of the periodic rental payment due under the rent−to−own agreement. The lessee shall be entitled to cancel the waiver at the end of any rental term.

218.64 Early−purchase option. An early−purchase option under a rent−to−own agreement shall permit the lessee to purchase the rental property at any time after the initial periodic rental payment for an amount determined according to the early−purchase option formula under s. 218.634 (9). As a condition of exercising the early−purchase option, the rental−purchase company may require the lessee to be current on the payments under the lessee's rent−to−own agreement or to pay any past−due rental charges and other outstanding fees that are owed.

218.642 Receipts and statements. (1) RECEIPTS. A rental−purchase company shall provide a written receipt

to a lessee for any payment made by the lessee in cash, or upon the request of the lessee, for any other type of payment.

(2) STATEMENT DUE TO LESSEE. Subject to sub. (4), upon the request of a lessee, a rental−purchase company shall provide a written statement to the lessee showing the lessee's payment history under each rent−to−own agreement between the lessee and the rental−purchase company. A rental−purchase company is not required to provide a statement covering any rent−to−own agreement that terminated more than one year prior to the date of the lessee's request. A rental−purchase company may provide a single statement covering all rent−to−own agreements or separate statements for each rent−to−own agreement, at the rental−purchase company's option.

(3) STATEMENT DUE TO 3RD PARTY. Subject to sub. (4), upon the written request of a lessee, made during the term of or no later than one year after the termination of a rent−to−own agreement, a rental−purchase company shall provide a written statement to any person designated by the lessee, showing the lessee's payment history under the rent−to−own agreement.

(4) FEE FOR STATEMENT. A lessee or, if appropriate, a lessee's designee is entitled to receive one statement under subs. (2) and (3) without charge once every 12 months. A rental−purchase company shall provide an additional statement if the lessee pays the rental−purchase company's reasonable costs of preparing and furnishing the statement.

Vetoed In Part

218.644 Price cards displayed. (1) PRICE CARDS; GENERALLY. Except as provided under sub. (2), a rental−purchase company shall display a card or tag that clearly and conspicuously states all of the following information on or next to any property displayed or offered by the rental−purchase company for rent under a rent−to−own agreement:

(a) The cash price that an individual would pay to purchase the property.

(b) The amount of the periodic rental payment and the term over which the payment must be made.

(c) The total number and total dollar amount of all periodic rental payments necessary to acquire ownership of the property under a rent−to−own agreement.

(d) Whether the property is new or used.

(2) EXCEPTIONS. If property is offered for rent under a rent−to−own agreement through a catalog, or if the size of the property is such that displaying a card or tag on or next to the property is impractical, a rental−purchase company may make the disclosures required under sub. (1) in a catalog or list that is readily available to prospective lessees.

218.646 Advertising. (1) DISCLOSURE REQUIRED. Except as provided under sub. (2), if an advertisement for a rent−to−own agreement refers to or states the amount of a payment for a specific item of property, the rental−purchase company shall ensure that the advertisement clearly and conspicuously states all of the following:

(a) That the transaction advertised is a rent−to−own agreement.

(b) The total number and total dollar amount of all periodic rental payments necessary to acquire ownership of the property.

(c) That the lessee does not acquire ownership of the property if the lessee fails to make all periodic rental payments or other payments necessary to acquire ownership of the property.

(2) EXCEPTION. Subsection (1) does not apply to an in−store display or to an advertisement that is published in the yellow pages of a telephone directory or in a similar directory of businesses.

218.648 Referral transactions. (1) PROHIBITED REFERRAL TRANSACTIONS. No rental−purchase company may induce any individual to enter into a rent−to−own agreement by giving or offering to give a rebate or discount to the individual in consideration of the individual giving to the rental−purchase company the names of prospective lessees if the earning of the rebate or discount is contingent on the occurrence of any event that takes place after the time that the individual enters into the rent−to−own agreement.

(2) AUTHORIZED REFERRAL TRANSACTIONS. After entering into a rent−to−own agreement, a rental−purchase company may give or offer to give a rebate or discount to the lessee under the rent−to−own agreement in consideration of the lessee giving to the rental−purchase company the names of prospective lessees. A rebate or discount under this subsection may be contingent on the occurrence of any event that takes place after the time that the names are given to the rental−purchase company.

Vetoed In Part

218.65 Termination of rent−to−own agreement. The termination date of a rent−to−own agreement is the earlier of the following:

(1) The day specified in the rent−to−own agreement as the day on which the rental term ends, unless a different day has been established pursuant to the terms of the rent−to−own agreement.

(2) The date on which the lessee voluntarily surrenders the rental property.

218.652 Late payment, grace period, and late fees. (1) LATE FEE; GENERALLY. If a lessee fails to make a periodic rental payment when due under a rent−to−own agreement or if, at the end of any rental term, the lessee fails to return the rental property or to renew the rent−to−own agreement for an additional term, the rental−purchase company may require the lessee to pay a late fee. Except as provided under sub. (4), this subsection does not apply if the lessee's failure to return the rental property or failure to renew the rent−to−own agreement at the end of the rental term is due to the lessee's exercise of an early−purchase option under the

rent–to–own agreement or is due to the lessee making all periodic rental payments necessary to acquire ownership of the rental property.

(2) GRACE PERIODS. The following grace periods shall apply to periodic rental payments made with respect to a rental–purchase agreement:

(a) For an agreement that is renewed on a weekly basis, no late fee may be assessed for a periodic rental payment that is made within 2 days after the date on which the payment is due.

(b) For an agreement that is renewed for a term that is longer than one week, no late fee may be assessed for a periodic rental payment that is made within 5 days after the date on which the payment is due.

(3) COLLECTION, RECORDING, AND LIMITATION OF LATE FEES. Late fees are subject to all of the following limitations:

(a) A late fee may not exceed $5 for each past–due periodic rental payment.

(b) A late fee may be collected only once on each periodic rental payment due, regardless of how long the payment remains past due.

(c) Payments received shall be applied first to the payment of any rent that is due and then to late fees and any other charges.

(d) A late fee may be collected at the time that the late fee accrues or at any time afterward.

Vetoed In Part

(4) EFFECT OF OUTSTANDING LATE FEE ON TRANSFER OF OWNERSHIP. A rental–purchase company may require payment of any outstanding late fees before transferring ownership of rental property to a lessee.

218.654 Reinstatement of terminated rent–to–own agreement. (1) REINSTATEMENT, GENERALLY. A lessee may reinstate a terminated rent–to–own agreement without losing any rights or options previously acquired if all of the following conditions apply:

(a) The lessee returned or surrendered the rental property within 5 days after the termination of the rent–to–own agreement.

(b) Not more than 21 days have passed after the date on which the rental property was returned to the rental–purchase company or, if the lessee has paid two–thirds or more of the total number of periodic rental payments necessary to acquire ownership of the rental property, not more than 45 days have passed since the date on which the rental property was returned to the rental–purchase company.

(2) AUTHORIZED CONDITIONS ON REINSTATEMENT. As a condition of reinstatement under this section, the rental–purchase company may require the payment of all past–due rental charges, any applicable late fees, a reinstatement fee not to exceed $5, and the periodic rental payment for the next term.

(3) EFFECT OF REPOSSESSION ON REINSTATEMENT. Nothing in this section prohibits a rental–purchase company from attempting to repossess rental property upon termination of a rent–to–own agreement, but repossession efforts do not affect the lessee's right to reinstate the rent–to–own agreement as long as the rental property is voluntarily returned or surrendered within 5 days after the termination of the rent–to–own agreement.

(4) PROPERTY AVAILABLE UPON REINSTATEMENT. Upon reinstatement, the rental–purchase company shall provide the lessee with the same rental property, if the property is available and is in the same condition as when it was returned to the rental–purchase company, or with substitute rental property of comparable quality and condition.

218.656 Reduced periodic rental payment due to reduced income. (1) REDUCTION IN AMOUNT OF PERIODIC RENTAL PAYMENTS; REQUIRED EVIDENCE. (a) *Reduction in amount of periodic rental payments.* If a lessee's monthly income is reduced by 25% or more due to pregnancy, disability, involuntary job loss, or involuntary reduction in the amount of hours worked or wages earned, the rental–purchase company shall reduce the amount of each periodic rental payment due under the rent–to–own agreement by the same percentage that the lessee's monthly income is reduced or by 50%, whichever is less, for the period of time during which the lessee's income is reduced. This paragraph applies only if all of the following conditions are satisfied:

Vetoed In Part

1. The total dollar amount of periodic rental payments made by the lessee under the rent–to–own agreement equals more than 50% of the total dollar amount of periodic rental payments necessary to acquire ownership of the rental property.

2. The lessee has provided the rental–purchase company with reasonable evidence of the amount and cause of the reduction in the lessee's monthly income.

(b) *Evidence of continued reduction in income*. At reasonable intervals after reducing the amount of a periodic rental payment under par. (a), a rental–purchase company may require the lessee to provide evidence of the lessee's monthly income and evidence that the cause of the reduction in the lessee's monthly income has not abated.

(2) INCREASE IN NUMBER OF PERIODIC RENTAL PAYMENTS. Except as provided in sub. (4), if a rental–purchase company reduces the amount of a periodic rental payment under sub. (1) (a), the rental–purchase company may increase the total number of periodic rental payments necessary to acquire ownership of the rental property.

(3) INCREASE IN AMOUNT OF PERIODIC RENTAL PAYMENTS. Except as provided in sub. (4), if a rental–purchase company reduces the amount of a periodic rental payment under sub. (1) (a) and if, subsequently, the lessee's monthly income is increased, the rental–purchase company may increase, by the same percentage that the lessee's monthly income is increased,

the amount of each periodic rental payment due after the date on which the lessee's monthly income is increased.

(4) LIMITATION ON INCREASES. If a rental−purchase company, under sub. (2) or (3), increases the amount or number of periodic rental payments due under a rent−to−own agreement, the increase affects only the rights or duties of the lessee to the extent authorized in sub. (2) or (3). No rental−purchase company, acting under sub. (2) or (3), may increase the total dollar amount of periodic rental payments necessary to acquire ownership of the rental property, or the amount of a periodic rental payment, to greater than the amount disclosed in the rent−to−own agreement.

218.658 Default and right to cure. (1) DEFAULT; GENERALLY. A lessee is in default under a rent−to−own agreement if any of the following occurs:

(a) The lessee fails to return the rental property within 7 days after the date on which the last term for which a periodic rental payment was made expires, unless the lessee has exercised an early−purchase option or has made all periodic rental payments necessary to acquire ownership of the rental property.

(b) The lessee materially breaches any other provision of the rent−to−own agreement.

(2) DEFAULT; NECESSARY FOR LESSEE LIABILITY. No cause of action shall accrue against a lessee with respect to the lessee's obligations under a rent−to−own agreement except upon default and the expiration of any applicable period of time allowed for cure of the default.

Vetoed In Part

(3) NOTICE OF DEFAULT; GENERAL REQUIREMENT. Except as provided in sub. (4), as a condition precedent to bringing an action against a lessee arising out of the lessee's default, a rental−purchase company shall provide a written notice of the default and of the right to cure the default to the lessee. The notice shall specify the default and the action required to cure the default and shall inform the lessee that, if the default is not cured within 15 days after the notice is given, the rental−purchase company will have the right to bring an action against the lessee.

(4) NOTICE OF DEFAULT; EXCEPTION. A rental−purchase company is not required to provide a notice of default and right to cure as a condition precedent to bringing an action against a lessee if each of the following occurred twice during the 12 months before the date of the current default with respect to the same rent−to−own agreement:

(a) The lessee was in default.

(b) The rental−purchase company gave the lessee written notice of the default and of the lessee's right to cure under sub. (3).

(c) The lessee cured the default.

(5) REQUEST FOR VOLUNTARY SURRENDER OF PROPERTY. A rental−purchase company may request the voluntary return or surrender of rental property prior to the declaration of a default and the sending of written notice of default and right to cure. A request under this subsection is subject to the requirements of s. 218.66.

218.66 Rental−purchase company collection practices. In attempting to recover possession of rental property or to collect past−due periodic rental payments or other charges owed under a rent−to−own agreement, a rental−purchase company may not do any of the following:

(1) USE OF FORCE. Use or threaten to use force or violence to cause physical harm to the lessee or the lessee's property or to a person related to the lessee.

(2) CRIMINAL PROSECUTION. Threaten criminal prosecution. It is not a violation of this subsection for a rental−purchase company to inform a lessee of the existence of s. 943.20 (1) (e) and the consequences of violating that section.

(3) DISCLOSURE OF FALSE INFORMATION. Disclose or threaten to disclose information adversely affecting the lessee's reputation for creditworthiness with knowledge or reason to know that the information is false.

(4) COMMUNICATION WITH LESSEE'S EMPLOYER. Initiate or threaten to initiate communication with the lessee's employer prior to obtaining final judgment against the lessee, except for the purpose of enforcing an assignment of earnings authorized under s. 218.68. This subsection does not prohibit a rental−purchase company from communicating with a lessee's employer solely to verify employment status or earnings or to determine if the employer has an established debt counseling service or procedure.

Vetoed In Part

(5) DISCLOSURE OF INFORMATION RELATING TO LESSEE'S REPUTATION. Disclose or threaten to disclose to a person other than the lessee or the lessee's spouse information affecting the lessee's reputation, whether or not for creditworthiness, with knowledge or reason to know that the other person does not have a legitimate business need for the information, except that this subsection does not prohibit any of the following:

(a) The disclosure to another person of information permitted to be disclosed to that person by statute.

(b) An inquiry solely for the purpose of determining the location of the lessee or the rental property.

(6) DISCLOSURE OF INFORMATION REGARDING A DISPUTED DEBT. Disclose or threaten to disclose information concerning the existence of a debt known to be reasonably disputed by the lessee without disclosing the fact that the lessee disputes the debt.

(7) HARASSMENT. Communicate with the lessee or a person related to the lessee with such frequency, at such unusual hours, or in such a manner as can reasonably be expected to threaten or harass the lessee or a person related to the lessee, or engage in any other conduct that can reasonably be expected to threaten or harass the lessee or a person related to the lessee.

(8) USE OF OBSCENE OR THREATENING LANGUAGE. Use obscene or threatening language in communicating with the lessee or a person related to the lessee.

(9) USE OF THREAT TO ENFORCE FALSE RIGHT. Threaten to enforce a right with knowledge that the right does not exist.

(10) USE OF FALSE PROCESS. Use a communication that simulates legal or judicial process or that gives the appearance of being authorized, issued, or approved by a government, government agency, or attorney−at−law when it is not.

(11) USE OF THREAT TO SUE. Threaten to file a civil action against the lessee unless the civil action is of a type that the rental−purchase company files in the regular course of business or unless the rental−purchase company intends to file the civil action against the lessee.

218.68 Assignment of earnings. No rental−purchase company may take or arrange for an assignment of earnings of an individual for payment or as security for payment of an obligation arising out of a rent−to−own agreement unless the assignment is revocable at will by the individual.

218.682 Penalties. (1) FAILURE TO PAY FEES AND PROVIDE REPORTS, INFORMATION, AND NOTICES; GENERALLY. A licensee that fails to file its annual report by the date specified in s. 218.628 (1), fails to pay the annual license fee by the date specified in s. 218.622 (4), fails to provide any required rider or endorsement to increase the amount of its bond by the date specified in s. 218.622 (4), fails to provide examination records by the date required by the division, fails to notify the division in writing of a relocation of the licensee's place of business by the date specified in s. 218.626 (1), or fails to provide notice to the division of other changes as required under s. 218.626 (2) by the date specified in s. 218.626 (2) may be required to forfeit not more than $50. Each day that a failure described in this subsection continues constitutes a separate offense.

Vetoed In Part

(2) FAILURE TO PROVIDE CERTAIN INFORMATION. A licensee that fails to provide any additional information, data, or records requested by the division under s. 218.626 (2) by the date specified in s. 218.626 (2) may be required to forfeit not more than $100. Each day that a failure described in this subsection continues constitutes a separate offense.

(3) MISDEMEANORS. Any person who violates s. 218.63 (2) or any provision of ss. 218.617 to 218.628 other than those provisions described in subs. (1) and (2) may be fined not more than $1,000, imprisoned for not more than 6 months, or both.

218.684 Civil actions and defenses. (1) LIABILITY; GENERALLY. Except as provided under subs. (2) to (6), a rental−purchase company that violates any provision of this subchapter is liable to a lessee damaged as a result of that violation for the costs of the action and, notwithstanding s. 814.04 (1), for reasonable attorney fees as determined by the court, plus an amount equal to the greater of the following:

(a) The actual damages, including any incidental and consequential damages, sustained by the lessee as a result of the violation.

(b) An amount equal to 25% of the total amount of payments due in one month under the lessee's rent−to−own agreement, except that liability under this paragraph may not be less than $100 nor more than $1,000.

(2) LIABILITY; CERTAIN VIOLATIONS. Except as provided in subs. (4) and (5), if a rental−purchase company violates s. 218.636, the lessee may retain the rental property under the rent−to−own agreement without obligation to pay any amount and may recover any amounts paid to the rental−purchase company under the rent−to−own agreement.

(3) CLASS ACTION. In the case of a class action, a rental−purchase company that violates this subchapter is liable to the members of the class in an amount determined by the court, except that the total recovery for all lessees whose recovery is computed under sub. (1) (b) may not exceed $100,000 plus the costs of the action and, notwithstanding s. 814.04 (1), reasonable attorney fees as determined by the court. In determining the amount to award under this subsection, the court shall consider, among other relevant factors, the amount of actual damages sustained by the members of the class, the frequency and persistence of the violations by the rental−purchase company, the resources of the rental−purchase company, the number of persons damaged by the violation, the presence or absence of good faith on the part of the rental−purchase company, and the extent to which the violation was intentional.

Vetoed In Part

(4) DEFENSE; ERROR NOTIFICATION AND CORRECTION. A rental−purchase company is not liable for a violation of this subchapter resulting from an error by the rental−purchase company if, within 60 days after discovering the error, the rental−purchase company notifies the lessee of the error and makes any adjustments necessary to correct the error.

(5) DEFENSE; UNINTENTIONAL ERROR. A rental−purchase company is not liable for a violation of this subchapter if the rental−purchase company shows by a preponderance of the evidence that the violation was not intentional, that the violation resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adopted to avoid the error, and that the rental−purchase company has acted to correct the error. A bona fide error under this subsection includes a clerical error, an error in making calculations, an error due to computer malfunction or to computer programming, or a printing error.

(6) LIABILITY FOR MULTIPLE VIOLATIONS. Multiple violations of this subchapter in connection with the same rent−to−own agreement shall entitle the lessee to only a

single recovery under sub. (1), except that a violation of s. 218.66 that occurs after recovery has been granted with respect to that rent−to−own agreement may entitle the lessee to an additional recovery under sub. (1).

(7) NECESSARY PARTIES. If more than one lessee is a party to the same rent−to−own agreement, all of the lessees that are parties to the rent−to−own agreement shall be joined as plaintiffs in any action under sub. (1), and the lessees are entitled to only a single recovery under sub. (1).

218.686 Limitation on actions. An action brought by a lessee under this subchapter shall be commenced within one year after the date on which the alleged violation occurred, 2 years after the date on which the rent−to−own agreement was entered into, or one year after the date on which the last payment was made under the rent−to−own agreement, whichever is later.

218.688 Venue. (1) GENERALLY. The venue for a claim arising out of a rent−to−own agreement is any of the following counties:

(a) Where the lessee resides or is personally served.

(b) Where the rental property is located.

(c) Where the lessee sought or acquired the rental property or signed the document evidencing his or her obligation under the terms of the rent−to−own agreement.

(2) CHANGE IN VENUE. When it appears from the return of service of a summons or otherwise that the county in which an action is pending under sub. (1) is not a proper place of trial for the action, unless the defendant appears and waives the improper venue, the court shall transfer the action to any county that is a proper place of trial.

Vetoed In Part

(3) MULTIPLE DEFENDANTS. If there are several defendants in an action arising out of a rent−to−own agreement, and if venue is based on residence, venue may be in the county of residence of any of the defendants.

SECTION 3021v. 220.02 (2) (b) of the statutes is amended to read:

220.02 **(2)** (b) The lending of money under s. 138.09 or those relating to finance companies, motor vehicle dealers, adjustment service companies, community currency exchanges, rental−purchase companies, and collection agencies under ch. 218.

SECTION 3021w. 220.02 (3) of the statutes is amended to read:

220.02 **(3)** It is the intent of sub. (2) to give the division jurisdiction to enforce and carry out all laws relating to banks or banking in this state, including those relating to state banks, trust company banks, and also all laws relating to small loan companies or other loan companies or agencies, finance companies, motor vehicle dealers, adjustment service companies, community currency exchanges, rental−purchase companies, and collection agencies, and those relating to sellers of checks under ch. 217, whether doing business as corporations, individuals, or otherwise, but to exclude laws relating to credit unions.

SECTION 3023. 221.0320 (2) (a) (intro.) of the statutes is amended to read:

221.0320 **(2)** (a) (intro.) A liability secured by warehouse receipts issued by warehouse keepers licensed and bonded in this state under ss. 99.02 and 99.03 or under the federal bonded warehouse act or holding a ~~registration certificate~~ license under ~~ch. 127~~ s. 126.26, if all of the following requirements are met:

SECTION 3024. 221.0320 (3) (a) of the statutes is amended to read:

221.0320 **(3)** (a) In this subsection, "local governmental unit" has the meaning given in s. ~~16.97~~ 22.01 (7).

SECTION 3024m. 221.0616 (2) of the statutes is amended to read:

221.0616 **(2)** EXPERTS. Legal counsel, certified public accountants licensed or certified under ch. 442, or other persons as to matters that the director or officer believes in good faith are within the person's professional or expert competence.

SECTION 3029. 224.71 (3) (b) 7. of the statutes is created to read:

224.71 **(3)** (b) 7. The department of veterans affairs when administering the veteran's housing loan program under subch. II of ch. 45.

SECTION 3034d. 227.20 (1) of the statutes is amended to read:

Vetoed In Part

227.20 **(1)** ~~An~~ Within 30 days after legislative review of a rule is completed under s. 227.19, the agency shall file a certified copy of ~~each~~ the proposed rule ~~it promulgates~~ in the office of the secretary of state and in the office of the revisor. No rule is valid until the certified copies have been filed. A certified copy shall be typed or duplicated on 8 1/2 by 11 inch paper, leaving sufficient room for the secretary of state's stamp at the top of the first page. Forms that are filed need not comply with the specifications of this subsection.

Vetoed In Part

SECTION 3034j. 227.24 (1) (c) of the statutes is amended to read:

227.24 **(1)** (c) A rule promulgated under par. (a) takes effect upon publication in the official state newspaper or on any later date specified in the rule and, except as provided under sub. (2), remains in effect only for ~~150~~ 90 days.

SECTION 3034k. 227.24 (2) (a) of the statutes is amended to read:

227.24 **(2)** (a) At the request of an agency, the joint committee for review of administrative rules may, at any time prior to the expiration date of a rule promulgated under sub. (1) (a), extend the effective period of the emergency rule or part of the emergency rule for a period specified by the committee not to exceed ~~60~~ 90 days. Any number of extensions may be granted under this paragraph, but the total period for all extensions may not exceed ~~120~~ 180 days.

Vetoed In Part

SECTION 3035c. 227.43 (1) (bd) of the statutes is created to read:

227.43 **(1)** (bd) Assign a hearing examiner to preside over any hearing of a contested case which is required to be conducted by the department of forestry and which is not conducted by the secretary of forestry.

SECTION 3035g. 227.43 (2) (am) of the statutes is created to read:

227.43 **(2)** (am) The department of forestry shall notify the division of hearings and appeals of every pending hearing to which the administrator of the division is required to assign a hearing examiner under sub. (1) (bd) after the department of forestry is notified that a hearing on the matter is required.

SECTION 3035n. 227.43 (3) (am) of the statutes is created to read:

227.43 **(3)** (am) The administrator of the division of hearings and appeals may set the fees to be charged for any services rendered to the department of forestry by a hearing examiner under this section. The fees shall cover the total cost of the services less any costs covered by the appropriation under s. 20.505 (4) (f).

SECTION 3035r. 227.43 (4) (am) of the statutes is created to read:

227.43 **(4)** (am) The department of forestry shall pay all costs of the services of a hearing examiner assigned to the department under sub. (1) (bd), according to the fees set under sub. (3) (am).

Vetoed In Part

SECTION 3035w. 227.46 (8) of the statutes is amended to read:

Vetoed In Part

227.46 **(8)** If the hearing examiner assigned under s. 227.43 (1) (b) renders the final decision in a contested case and the decision is subject to judicial review under s. 227.52, the department of natural resources may petition for judicial review. If the hearing examiner assigned under s. 227.43 (1) (bd) renders the final decision in a contested case and the decision is subject to judicial review under s. 227.52, the department of forestry may petition for judicial review. If the hearing examiner assigned under s. 227.43 (1) (br) renders the final decision in a contested case and the decision is subject to judicial review under s. 227.52, the department of transportation may petition for judicial review.

SECTION 3035x. 229.46 (1) (a) of the statutes is amended to read:

229.46 **(1)** (a) "Minority business" ~~has the meaning given in s. 200.49 (1) (a)~~ means a business that is certified by the department of commerce under s. 560.036 (2).

SECTION 3036e. 229.64 (2) of the statutes is amended to read:

229.64 **(2)** The legislature determines that a district including a county with a population of more than ~~500,000~~ 600,000 serves a public purpose in that county and all counties that are contiguous to that county by providing recreation, by encouraging economic development and tourism, by reducing unemployment and by bringing needed capital into the multicounty area for the benefit of people in the multicounty area.

SECTION 3036g. 229.67 of the statutes is amended to read:

229.67 Jurisdiction. A district's jurisdiction is any county with a population of more than ~~500,000~~ 600,000 and all counties that are contiguous to that county and that are not already included in a different district. Once created, a district's jurisdiction is fixed even if the population of other counties within the district subsequently ~~exceed 500,000~~ exceeds 600,000. Once a county is included in a district's jurisdiction the county remains in the district until the district is dissolved under s. 229.71. In this section, "contiguous" includes a county that touches another county only at a corner.

SECTION 3037m. 229.685 (1) of the statutes is renumbered 229.685 (1) (intro.) and amended to read: Vetoed In Part

229.685 **(1)** (intro.) The district board shall maintain a special fund into which it deposits only the following revenue received from the department of revenue~~,~~:

(a) The revenue that is derived from the taxes imposed under subch. V of ch. 77~~, and may use this~~. The revenue described in this paragraph may be used only for purposes related to baseball park facilities.

SECTION 3037n. 229.685 (1) (b) of the statutes is created to read:

229.685 **(1)** (b) The revenue that is derived from baseball donations, as defined in s. 71.10 (5f) (a) 1. The revenue described in this paragraph may be used only for the purpose of retiring bonds issued for the initial construction of baseball park facilities. Vetoed In Part

SECTION 3037p. 229.70 (1) (a) of the statutes is amended to read:

229.70 **(1)** (a) "Minority business" ~~has the meaning given in s. 560.036 (1) (e)~~ means a business that is certified by the department of commerce under s. 560.036 (2).

SECTION 3037q. 229.8273 (1) (b) of the statutes is amended to read:

229.8273 **(1)** (b) "Minority business" ~~has the meaning given in s. 560.036 (1) (e)~~ means a business that is certified by the department of commerce under s. 560.036 (2).

SECTION 3037r. 229.845 (1) (a) of the statutes is amended to read: Vetoed In Part

229.845 **(1)** (a) "Minority business" ~~has the meaning given in s. 560.036 (1) (e)~~ means a business that is certified by the department of commerce under s. 560.036 (2).

SECTION 3038. 230.03 (3) of the statutes is amended to read:

230.03 **(3)** "Agency" means any board, commission, committee, council, or department in state government or a unit thereof created by the constitution or statutes if such board, commission, committee, council, department, unit, or the head thereof, is authorized to appoint

subordinate staff by the constitution or statute, except a legislative or judicial board, commission, committee, council, department, or unit thereof or an authority created under ~~ch.~~ chs. 231, 232, 233, 234 ~~or~~, 235, or 237. "Agency" does not mean any local unit of government or body within one or more local units of government that is created by law or by action of one or more local units of government.

SECTION 3047p. 230.08 (2) (dm) of the statutes is created to read:

230.08 **(2)** (dm) Instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) (cm).

SECTION 3048. 230.08 (2) (e) 1. of the statutes is amended to read:

230.08 **(2)** (e) 1. Administration — ~~12~~ 10.

SECTION 3050. 230.08 (2) (e) 3r. of the statutes is created to read:

230.08 **(2)** (e) 3r. Electronic government — 3.

Vetoed In Part

SECTION 3050g. 230.08 (2) (e) 4p. of the statutes is created to read:

230.08 **(2)** (e) 4p. Forestry — 1.

SECTION 3050r. 230.08 (2) (e) 8. of the statutes is amended to read:

230.08 **(2)** (e) 8. Natural resources — ~~7~~ 6.

SECTION 3051. 230.08 (2) (e) 13. of the statutes is amended to read:

230.08 **(2)** (e) 13. Veterans affairs — ~~2~~ 3.

SECTION 3057. 230.08 (2) (xm) of the statutes is created to read:

230.08 **(2)** (xm) The commandants of the Wisconsin Veterans Home at King and the Southern Wisconsin Veterans Retirement Center in the department of veterans affairs.

SECTION 3060p. 230.10 (2) of the statutes is amended to read:

230.10 **(2)** The compensation plan in effect at the time that a representative is recognized or certified to represent employees in a collective bargaining unit and the employee salary and benefit provisions under s. 230.12 (3) (e) in effect at the time that a representative is certified to represent employees in a collective bargaining unit under subch. V of ch. 111 constitute the compensation plan or employee salary and benefit provisions for employees in the collective bargaining unit until a collective bargaining agreement becomes effective for that unit. If a collective bargaining agreement under subch. V of ch. 111 expires prior to the effective date of a subsequent agreement, and a representative continues to be recognized or certified to represent employees specified in s. 111.81 (7) (a) or certified to represent employees specified in s. 111.81 (7) (b) ~~or (c)~~ to (f) in that collective bargaining unit, the wage rates of the employees in such a unit shall be frozen until a subsequent agreement becomes effective, and the compensation plan under s. 230.12 and salary and benefit changes adopted under s. 230.12 (3) (e) do not apply to employees in the unit.

SECTION 3061m. 230.12 (3) (e) of the statutes is amended to read:

230.12 **(3)** (e) *University of Wisconsin system senior executives, faculty and academic staff employees.* The secretary, after receiving recommendations from the board of regents, shall submit to the joint committee on employment relations a proposal for adjusting compensation and employee benefits for employees under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a collective bargaining unit under subch. V of ch. 111 for which a representative is certified. The proposal shall include the salary ranges and adjustments to the salary ranges for the university senior executive salary groups 1 and 2 established under s. 20.923 (4g). The proposal shall be based upon the competitive ability of the board of regents to recruit and retain qualified faculty and academic staff, data collected as to rates of pay for comparable work in other public services, universities and commercial and industrial establishments, recommendations of the board of regents and any special studies carried on as to the need for any changes in compensation and employee benefits to cover each year of the biennium. The proposal shall also take proper account of prevailing pay rates, costs and standards of living and the state's employment policies. The proposal for such pay adjustments may contain recommendations for across−the−board pay adjustments, merit or other adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf) shall apply to the process for approval of all pay adjustments for such employees under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The proposal as approved by the joint committee on employment relations and the governor shall be based upon a percentage of the budgeted salary base for such employees under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The amount included in the proposal for merit and adjustments other than across−the−board pay adjustments is available for discretionary use by the board of regents.

SECTION 3061r. 230.143 of the statutes is created to read:

230.143 Appointment; selective service registration. A person who is required to register with the selective service system under 50 USC, Appendix, sections 451 to 473, but has not registered, may not receive any of the following during the period that the person is required to register:

(1) An original appointment to a position in the classified service.

(2) An appointment to a position described in s. 230.08 (2) (k).

(3) An appointment to a position as a corps enrollee with the Wisconsin conservation corps program under s. 106.215 (1) (c).

SECTION 3061t. 230.15 (1) of the statutes is amended to read:

230.15 **(1)** ~~Appointments~~ Subject to the restriction under s. 230.143, appointments to, and promotions in, the classified service shall be made only according to merit and fitness, which shall be ascertained so far as practicable by competitive examination. The administrator may waive competitive examination for appointments made under subs. (1m) and (2) and shall waive competitive examination for appointments made under sub. (2m).

SECTION 3072h. 230.26 (4) of the statutes is amended to read:

230.26 **(4)** Fringe benefits specifically authorized by statutes, with the exception of deferred compensation plan participation under subch. VII of ch. 40, worker's compensation, unemployment insurance, group insurance, retirement, and social security coverage, shall be denied employees hired under this section. Such employees may not be considered permanent employees and do not qualify for tenure, vacation, paid holidays, sick leave, performance awards, or the right to compete in promotional examinations.

SECTION 3078d. 230.35 (1) (a) (intro.) of the statutes is amended to read:

230.35 **(1)** (a) (intro.) Except as provided in subs. (1m) ~~and~~, (1r), and (1s), appointing authorities shall grant to each person in their employ, except limited−term employees, based on accumulated continuous state service, annual leave of absence without loss of pay at the rate of:

SECTION 3079. 230.35 (1m) (a) 5. of the statutes is created to read:

230.35 **(1m)** (a) 5. A position held by an employee of the state fair park board who was employed on October 29, 1999, in a career executive position under the program established under s. 230.24.

SECTION 3079c. 230.35 (1s) of the statutes is created to read:

230.35 **(1s)** Annual leave of absence with pay for instructional staff employed by the board of regents of the University of Wisconsin System who provide services for a charter school established by contract under s. 118.40 (2r) (cm) shall be determined by the governing board of the charter school established by contract under s. 118.40 (2r) (cm), as approved by the chancellor of the University of Wisconsin−Parkside and subject to the terms of any collective bargaining agreement under subch. V of ch. 111 covering the instructional staff.

Vetoed In Part

SECTION 3079e. 230.35 (2r) (b) of the statutes is amended to read:

230.35 **(2r)** (b) The secretary may establish, by rule, a catastrophic leave program that permits ~~classified~~ employees to donate certain types and amounts of leave credits to other ~~classified~~ employees who have been ~~granted an unpaid leave of absence on account of~~ absent from pay status because of a catastrophic need for which ~~absence~~ there is no paid leave benefits or replacement income available. The secretary shall determine the types and amounts of leave credits that may be donated.

SECTION 3079r. 230.35 (2r) (c) of the statutes is amended to read:

230.35 **(2r)** (c) No ~~classified~~ employee may grieve under an agency's grievance procedure any appointing authority's decision relating to a catastrophic leave program under this subsection or appeal any such decision to the commission under s. 230.44 or 230.45 (1) (c).

SECTION 3080. 230.35 (3) (a) of the statutes is amended to read:

230.35 **(3)** (a) Officials and employees of the state who have permanent status and who are members of the national guard, the state defense force, or any other reserve component of the military forces of the United States or this state now or hereafter organized or constituted under federal or state law, are entitled to leaves of absence without loss of time in the service of the state, to enable them to attend military schools and annual field training or annual active duty for training, and any other state or federal tours of active duty, except extended active duty or service as a member of the active armed forces of the United States which have been duly ordered but not exceeding 30 days, excluding Saturdays, Sundays and holidays enumerated in sub. (4) in the calendar year in which so ordered and held. During this leave of absence, each state official or employee shall receive base state pay less the base military pay received for and identified with such attendance but such reduction shall not be more than the base state pay. ~~Such~~ Other than for a leave of absence for the adjutant general and any deputy adjutants general, such leave shall not be granted for absences of less than 3 days. A state official or employee serving on state active duty as a member of the national guard or state defense force, may elect to receive pay from the state under s. 20.465 (1) in an amount equal to base state salary for such period of state active duty. Leave granted by this section is in addition to all other leaves granted or authorized by any other law. For the purpose of determining seniority, pay or pay advancement and performance awards the status of the employee shall be considered uninterrupted by such attendance.

SECTION 3080m. 230.36 (1m) (b) 1. (intro.) of the statutes is amended to read:

230.36 **(1m)** (b) 1. (intro.) A state forest ranger or field employee of the department of natural resources or the department of forestry who is subject to call for forest fire control duty or fire watcher employed at the Wisconsin Veterans Home at King or at the facilities operated by the department of veterans affairs under s. 45.385, and lifeguard, at all times while:

SECTION 3081. 230.36 (1m) (b) 2. (intro.) of the statutes is amended to read:

230.36 **(1m)** (b) 2. (intro.) A conservation warden, conservation patrol boat captain, conservation patrol

boat engineer, member of the state patrol, state motor vehicle inspector, University of Wisconsin System police officer, security officer, or security person, ~~state fair park~~ other state facilities police officer, special tax agent, excise tax investigator employed by the department of revenue, and special criminal investigation agent employed by the department of justice at all times while:

Vetoed In Part

SECTION 3081d. 230.36 (1m) (b) 2. (intro.) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

230.36 **(1m)** (b) 2. (intro.) A conservation warden, state forest ranger, conservation patrol boat captain, conservation patrol boat engineer, member of the state patrol, state motor vehicle inspector, University of Wisconsin System police officer, security officer, or security person, other state facilities police officer, special tax agent, excise tax investigator employed by the department of revenue, and special criminal investigation agent employed by the department of justice at all times while:

SECTION 3081t. 230.36 (2m) (a) 5. of the statutes is amended to read:

230.36 **(2m)** (a) 5. A conservation field employee of the department of natural resources or the department of forestry who is subject to call for fire control duty.

SECTION 3082. 230.36 (2m) (a) 13. of the statutes is repealed.

SECTION 3087. 231.01 (9) of the statutes is amended to read:

231.01 **(9)** "Revenues" means, with respect to any project, the rents, fees, charges, and other income or profit derived therefrom and, with respect to any bonds issued under s. 231.03 (6) (g), tobacco settlement revenues identified in the bond resolution.

SECTION 3088. 231.01 (11) of the statutes is created to read:

231.01 **(11)** "Tobacco settlement agreement" has the meaning given in s. 16.63 (1) (b).

SECTION 3089. 231.01 (12) of the statutes is created to read:

231.01 **(12)** "Tobacco settlement revenues" has the meaning given in s. 16.63 (1) (c).

SECTION 3090. 231.03 (6) (g) of the statutes is created to read:

231.03 **(6)** (g) Finance a purchase, or make a loan, under sub. (20). Bonds issued under this paragraph shall be payable from, or secured by interests in, tobacco settlement revenues and such other property pledged under the bond resolution and, notwithstanding s. 231.08 (3), are not required to mature in 30 years or less from the date of issue.

SECTION 3091. 231.03 (20) of the statutes is created to read:

Vetoed In Part

231.03 **(20)** Purchase the state's right to receive any of the payments under the tobacco settlement agreement, or make a loan to be secured by the state's right to receive any of the payments under the tobacco settlement agreement, upon such terms and at such prices as the authority considers reasonable and as can be agreed upon between the authority and the other party to the transaction. The authority may issue certificates or other evidences of ownership interest in tobacco settlement revenues upon such terms and conditions as specified by the authority in the resolution under which the certificates or other evidences are issued or in a related trust agreement or trust indenture.

SECTION 3093. 231.16 (1) of the statutes is amended to read:

231.16 **(1)** The authority may issue bonds to refund any outstanding bond of the authority or indebtedness that a participating health institution, participating educational institution, or participating child care provider may have incurred for the construction or acquisition of a project prior to or after April 30, 1980, including the payment of any redemption premium on the outstanding bond or indebtedness and any interest accrued or to accrue to the earliest or any subsequent date of redemption, purchase, or maturity, or to pay all or any part of the cost of constructing and acquiring additions, improvements, extensions, or enlargements of a project or any portion of a project. ~~No~~ Except for bonds to refund bonds issued under s. 231.03 (6) (g), no bonds may be issued under this section unless the authority has first entered into a new or amended agreement with a participating health institution, participating educational institution, or participating child care provider to provide sufficient revenues to pay the costs and other items described in s. 231.13.

SECTION 3094. 231.16 (3) of the statutes is amended to read:

231.16 **(3)** All bonds issued under this section shall be subject to this chapter in the same manner and to the same extent as other bonds issued pursuant to this chapter, except that the limitations with respect to dates under s. 231.03 (6) (e) and (f) and (14) do not apply to bonds issued under this section, and the requirement under s. 231.08 (3) that the bonds mature in 30 years or less from their date of issue does not apply to bonds issued under this section to refund bonds issued under s. 231.03 (6) (g).

SECTION 3095. 231.215 of the statutes is created to read:

231.215 Incorporator for purpose related to purchase or sale of right to payments. The authority, or its executive director, may organize one or more nonstock corporations under ch. 181 or limited liability companies under ch. 183 for any purpose related to purchasing or selling the state's right to receive any of the payments under the tobacco settlement agreement and may take any action necessary to facilitate and complete the purchase or sale.

SECTION 3095j. 232.05 (2) (d) of the statutes is amended to read:

232.05 **(2)** (d) Seek to enter into contracts for the purchase of goods and services with minority businesses that are certified by the department of commerce under s. 560.036 (2).

SECTION 3095r. 233.10 (2) (b) of the statutes is amended to read:

233.10 **(2)** (b) The kinds of leave to which an employee of the authority is entitled, including paid annual leave of absence, paid sick leave, and unpaid leave of absence, except that unused sick leave accumulated prior to July 1, 1997, shall be carried over and made available for the employee's use for appropriate sick leave purposes or for conversion as provided under s. 40.05 (4) (b), ~~(bd),~~ (be), (bm), or (bp).

SECTION 3096. 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 ~~$106,500,000~~ $175,000,000. Bonds issued to fund or refund outstanding bonds, or indebtedness incurred to pay off or purchase outstanding indebtedness, is not included in calculating compliance with the ~~$106,500,000~~ $175,000,000 limit.

SECTION 3097e. 234.01 (4n) (a) 3m. d. of the statutes is amended to read:

234.01 **(4n)** (a) 3m. d. The facility is owned or controlled by a minority business that is certified by the department of commerce under s. 560.036 (2) or that is more than 50% owned or controlled by women ~~or minorities~~.

SECTION 3098v. 234.65 (1) (g) of the statutes is amended to read:

234.65 **(1)** (g) In granting loans under this section the authority shall give preference to businesses ~~which~~ that are minority businesses certified by the department of commerce under s. 560.036 (2) or that are more than 50% owned or controlled by women ~~or minorities~~, to businesses that, together with all of their affiliates, subsidiaries, and parent companies, have current gross annual sales of $5,000,000 or less or that employ 25 or fewer persons, and to new businesses that have less than 50% of their ownership held or controlled by another business and have their principal business operations in this state.

SECTION 3099. 234.65 (3) (f) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

234.65 **(3)** (f) The 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~~ or, if the person's name appears on that docket, 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 3100. 234.67 (1) (f) of the statutes is amended to read:

234.67 **(1)** (f) "Percentage of guarantee" means the percentage established by the authority under sub. (3) ~~(a)~~.

SECTION 3101. 234.67 (3) (a) of the statutes is renumbered 234.67 (3) and amended to read:

234.67 **(3)** GUARANTEE OF COLLECTION. ~~Subject to par. (b), the~~ The authority shall guarantee collection of a percentage, not exceeding 90%, of the principal of any loan eligible for a guarantee under sub. (2). The authority shall establish the percentage of the unpaid principal of an eligible loan that will be guaranteed, using the procedures described in the guarantee agreement under s. 234.93 (2) (a). The authority may establish a single percentage for all guaranteed loans or establish different percentages for eligible loans on an individual basis.

SECTION 3102. 234.67 (3) (b) of the statutes is repealed.

SECTION 3103. 234.83 (1) of the statutes is renumbered 234.83 (1m).

SECTION 3104. 234.83 (1c) of the statutes is created to read:

234.83 **(1c)** DEFINITIONS. In this section:

(a) "Rural community" means any of the following:

Vetoed In Part

1. A city, town, or village in this state that is located in a county with a population density of less than 150 persons per square mile.

2. A city, town, or village in this state with a population of 12,000 or less.

(b) "Small business" means a business, as defined in s. 560.60 (2), that employs 50 or fewer employees on a full−time basis.

SECTION 3105. 234.83 (2) (a) (intro.) of the statutes is amended to read:

234.83 **(2)** (a) (intro.) A business~~, as defined in s. 560.60 (2),~~ to which all of the following apply:

SECTION 3106. 234.83 (2) (a) 2. of the statutes is amended to read:

234.83 **(2)** (a) 2. The business ~~employs 50 or fewer employees on a full−time basis~~ is a small business.

SECTION 3107. 234.83 (2) (a) 3. of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

234.83 **(2)** (a) 3. The 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~~ or, if the name of the owner of the business appears on that docket, 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 3108. 234.83 (3) (a) 2. of the statutes is amended to read:

234.83 **(3)** (a) 2. The start−up~~, expansion or acquisition~~ of a day care business, including the purchase or improvement of land, buildings, machinery, equipment, or inventory.

SECTION 3109. 234.83 (3) (a) 3. of the statutes is created to read:

234.83 **(3)** (a) 3. The start−up of a small business in a vacant storefront in the downtown area of a rural community, including the purchase or improvement of land, buildings, machinery, equipment, or inventory.

SECTION 3110. 234.83 (4) (a) of the statutes is renumbered 234.83 (4) and amended to read:

234.83 **(4)** GUARANTEE OF REPAYMENT. ~~Subject to par. (b), the~~ The authority may guarantee repayment of a portion of the principal of any loan eligible for a guarantee under sub. ~~(1)~~ (1m). That portion may not exceed 80% of the principal of the loan or $200,000, whichever is less. The authority shall establish the portion of the principal of an eligible loan that will be guaranteed, using the procedures described in the agreement under s. 234.93 (2) (a). The authority may establish a single portion for all guaranteed loans that do not exceed $250,000 and a single portion for all guaranteed loans that exceed $250,000 or establish on an individual basis different portions for eligible loans that do not exceed $250,000 and different portions for eligible loans that exceed $250,000.

SECTION 3111. 234.83 (4) (b) of the statutes is repealed.

SECTION 3112. 234.90 (3) (d) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

234.90 **(3)** (d) The 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~~ or, if the farmer's name appears on that docket, 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 3113. 234.90 (3g) (c) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

234.90 **(3g)** (c) The 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~~ or, if the farmer's name appears on that docket, 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 3114. 234.90 (4) (a) of the statutes is renumbered 234.90 (4) and amended to read:

234.90 **(4)** GUARANTEE. ~~Except as provided in par. (b), the~~ The authority shall guarantee repayment of 90% of the principal of any agricultural production loan eligible for guarantee under sub. (2) made to a farmer eligible for a guaranteed loan under sub. (3) or (3g).

SECTION 3115. 234.90 (4) (b) of the statutes is repealed.

SECTION 3117. 234.907 (1) (f) of the statutes is amended to read:

234.907 **(1)** (f) "Percentage of guarantee" means the percentage established by the authority under sub. (3) ~~(a)~~.

SECTION 3118. 234.907 (3) (a) of the statutes is renumbered 234.907 (3) and amended to read:

234.907 **(3)** GUARANTEE OF COLLECTION. ~~Subject to par. (b), the~~ The authority shall guarantee collection of a percentage, not exceeding 90%, of the principal of any loan eligible for a guarantee under sub. (2). The authority shall establish the percentage of the unpaid principal of an eligible loan that will be guaranteed, using the procedures described in the guarantee agreement under s. 234.93 (2) (a). The authority may establish a single percentage for all guaranteed loans or establish different percentages for eligible loans on an individual basis.

SECTION 3119. 234.907 (3) (b) of the statutes is repealed.

SECTION 3120. 234.91 (5) (a) of the statutes is amended to read:

234.91 **(5)** (a) ~~Subject to par. (c), the~~ 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 or 25% of the total loan amount, whichever is less, calculated at the time the loan is made.

SECTION 3121. 234.91 (5) (c) of the statutes is repealed.

SECTION 3122. 234.93 (3) (title) of the statutes is amended to read:

234.93 **(3)** (title) ~~INCREASES OR DECREASES IN LOAN~~ LOAN GUARANTEES; INCREASES OR DECREASES.

SECTION 3123. 234.93 (3) of the statutes is renumbered 234.93 (3) (b) and amended to read:

234.93 **(3)** (b) The authority may request the joint committee on finance to take action under s. 13.10 to permit the authority to increase or decrease the total principal amount or total outstanding guaranteed principal amount of loans that it may guarantee under ~~a program~~ the aggregate of the programs guaranteed by the Wisconsin development reserve fund. Included with its request, the authority shall provide a projection, for the next June 30, that compares the amounts required on that date to pay outstanding claims and to fund guarantees under ~~all~~ the aggregate of the programs guaranteed by funds from the Wisconsin development reserve fund, and the balance remaining in the Wisconsin development reserve fund on

that date after deducting such amounts, if the increase or decrease is approved, with such amounts and the balance remaining, if the increase or decrease is not approved.

SECTION 3124. 234.93 (3) (a) of the statutes is created to read:

234.93 **(3)** (a) Except as provided in par. (b), the total principal amount or total outstanding guaranteed principal amount of all loans that the authority may guarantee under the aggregate of the programs guaranteed by funds from the Wisconsin development reserve fund, excluding the program under s. 234.935, 1997 stats., may not exceed $49,500,000.

Vetoed In Part

SECTION 3125c. 234.93 (4) (c) of the statutes is created to read:

234.93 **(4)** (c) 1. The statement under par. (b) shall include recommendations as to the total principal amount or total outstanding guaranteed principal amount of all loans that the authority may guarantee under each of the programs guaranteed by the Wisconsin development reserve fund, subject to sub. (3). If the cochairpersons of the joint committee on finance do not notify the executive director within 14 working days after August 31 that the committee has scheduled a meeting for the purpose of reviewing the recommended maximum amounts, the recommended maximum amounts shall be the total principal amounts or total outstanding guaranteed principal amounts of all loans that the authority may guarantee under each of the programs guaranteed by the Wisconsin development reserve fund. If, within 14 working days after August 31, the cochairpersons of the committee notify the executive director that the committee has scheduled a meeting for the purpose of reviewing the recommended maximum amounts, the maximum amounts that the authority may guarantee under each of the programs guaranteed by the Wisconsin development reserve fund shall be the maximum amounts approved by the committee.

2. If the total principal amount or total outstanding guaranteed principal amount of all loans that the authority desires or intends to guarantee under a program guaranteed by the Wisconsin development reserve fund will exceed the maximum amount that was last approved for the program under subd. 1., the executive director of the authority shall provide to the secretary of administration and to the joint committee on finance notice of the proposed new maximum guarantee amounts for each of the programs guaranteed by the Wisconsin development reserve fund, subject to sub. (3). If the cochairpersons of the joint committee on finance do not notify the executive director within 14 working days after the date of the notice under this subdivision that the committee has scheduled a meeting for the purpose of reviewing the proposed new maximum amounts, the proposed new maximum amounts shall apply. If, within 14 working days after the date of the notice under this subdivision, the cochairpersons of the committee notify the executive director that the committee has scheduled a meeting for the purpose of reviewing the proposed new maximum amounts, the new maximum amounts that the authority may guarantee shall be the maximum amounts approved by the committee.

SECTION 3126. 234.93 (4m) of the statutes is amended to read:

234.93 **(4m)** LIMITATION ON LOAN GUARANTEES. The authority shall regularly monitor the cash balance in the Wisconsin development reserve fund. The authority shall ensure that the cash balance in the fund is sufficient for the purposes specified in sub. (4) (a) 1. ~~and~~, 2., and 3.

SECTION 3127b. 236.02 (2m) of the statutes is created to read:

236.02 **(2m)** "Correction instrument" means an instrument drafted by a licensed land surveyor that complies with the requirements of s. 236.295 and that, upon recording, corrects a subdivision plat or a certified survey map.

SECTION 3127bm. 236.15 (1) (a) of the statutes is amended to read:

236.15 **(1)** (a) The external boundaries of a subdivision shall be monumented in the field by monuments of concrete containing a ferrous rod one−fourth inch in diameter or greater imbedded its full length, not less than ~~30~~ 18 inches in length, not less than 4 inches square or 5 inches in diameter, and marked on the top with a cross, brass plug, iron rod, or other durable material securely embedded; or by iron rods or pipes at least ~~30~~ 18 inches long and 2 inches in diameter weighing not less than 3.65 pounds per lineal foot. Solid round or square iron bars of equal or greater length or weight per foot may be used in lieu of pipes wherever pipes are specified in this section. These monuments shall be placed at all corners, at each end of all curves, at the point where a curve changes its radius, at all angle points in any line and at all angle points along the meander line, said points to be not less than 20 feet back from the ordinary high water mark of the lake or from the bank of the stream, except that when such corners or points fall within a street, or proposed future street, the monuments shall be placed in the side line of the street.

Vetoed In Part

SECTION 3127c. 236.15 (1) (c) of the statutes is amended to read:

236.15 **(1)** (c) All lot, outlot, park and public access corners and the corners of land dedicated to the public shall be monumented in the field by iron pipes at least ~~24~~ 18 inches long and one inch in diameter, weighing not less than 1.13 pounds per lineal foot, or by round or square iron bars at least ~~24~~ 18 inches long and weighing not less than 1.13 pounds per lineal foot.

SECTION 3127cm. 236.15 (1) (d) of the statutes is amended to read:

236.15 **(1)** (d) The lines of lots, outlots, parks and public access and land dedicated to the public that extend to lakes or streams shall be monumented in the field by

iron pipes at least ~~24~~ 18 inches long and one inch in diameter weighing not less than 1.13 pounds per lineal foot, or by round or square iron bars at least ~~24~~ 18 inches long and weighing not less than 1.13 pounds per lineal foot. These monuments shall be placed at the point of intersection of the lake or stream lot line with a meander line established not less than 20 feet back from the ordinary high water mark of the lake or from the bank of the stream.

SECTION 3127d. 236.15 (1) (f) of the statutes is amended to read:

236.15 **(1)** (f) Any durable metal or concrete monuments may be used in lieu of ~~the~~ iron pipes ~~listed in pars. (c) and (d)~~ provided that they are uniform within the platted area and have a permanent magnet embedded near the top or bottom or both.

SECTION 3127dm. 236.18 (2) (d) of the statutes is created to read:

236.18 **(2)** (d) A county coordinate system as approved by the department of transportation or a coordinate system that is mathematically relatable to a Wisconsin coordinate system.

SECTION 3127e. 236.20 (1) (b) of the statutes is amended to read:

236.20 **(1)** (b) For processing under s. 236.12 (6) the original shall be ~~on muslin−backed white paper~~ 22 inches wide by 30 inches long ~~prepared with nonfading black image. These sheets may be provided by the county through the register of deeds on such terms as the county board determines~~ and on any material that is capable of clearly legible reproduction.

SECTION 3127em. 236.20 (1) (c) of the statutes is amended to read:

236.20 **(1)** (c) For processing under s. 236.12 (2), the original copy of the final plat ~~may be of any size~~ shall be 22 inches wide by 30 inches long and on any material that is capable of clearly legible reproduction.

SECTION 3127f. 236.20 (2) (b) of the statutes is amended to read:

236.20 **(2)** (b) All monuments erected, corners, and other points established in the field in their proper places. The material of which the monuments, corners, or other points are made shall be noted at the representation thereof or by legend, except lot, outlot, and meander corners need not be shown. The legend for metal monuments shall indicate the kind of metal, the outside diameter, length, and weight per lineal foot of the monuments.

SECTION 3127fm. 236.20 (2) (e) of the statutes is amended to read:

236.20 **(2)** (e) All lots and outlots in each block consecutively numbered within blocks and the subdivision and throughout numbered additions to the subdivision.

SECTION 3127g. 236.21 (1) (b) of the statutes is amended to read:

236.21 **(1)** (b) A clear and concise description of the land surveyed, divided, and mapped by government lot, recorded private claim, quarter−quarter section, section, township, range, and county and by metes and bounds commencing with a monument at a section or quarter section corner of the quarter section ~~and~~ that is not ~~at~~ the center of the section, or commencing with a monument at the end of a boundary line of a recorded private claim or federal reservation in which the subdivision is located. If the land is located in a recorded subdivision or recorded addition thereto, the land shall be described by the number or other description of the lot, block or subdivision thereof, that has previously been tied to a corner marked and established by the U.S. public land survey.

SECTION 3127gm. 236.25 (2) (b) of the statutes is amended to read:

236.25 **(2)** (b) The plat is offered for record within ~~30 days~~ 6 months after the date of the last approval of the plat and within 24 months after the first approval;

SECTION 3127h. 236.295 (1) (intro.) of the statutes is amended to read:

236.295 **(1)** (intro.) Correction instruments ~~may~~ shall be recorded in the office of the register of deeds in the county in which the plat or certified survey map is recorded and may include any of the following:

SECTION 3127hf. 236.295 (1) (a) of the statutes is amended to read:

236.295 **(1)** (a) Affidavits to correct distances, angles, directions, bearings, chords, block or lot numbers, street names, or other details shown on a recorded plat or certified survey map. A correction instrument may not be used to reconfigure lots or outlots.

SECTION 3127hm. 236.295 (2) of the statutes is amended to read:

236.295 **(2)** Each affidavit in sub. (1) (a) correcting a plat ~~shall~~ or certified survey map that changes areas dedicated to the public or restrictions for the public benefit must be approved prior to recording by the governing body of the municipality or town in which the subdivision is located. The register of deeds shall note on the plat or certified survey map a reference to the page and volume in which the affidavit or instrument is recorded. The record of the affidavit or instrument, or a certified copy of the record, is prima facie evidence of the facts stated in the affidavit or instrument.

SECTION 3127im. 236.34 (1) (intro.) of the statutes is amended to read:

236.34 **(1)** PREPARATION. (intro.) A certified survey map of not more than 4 parcels of land consisting of lots or outlots may be recorded in the office of the register of deeds of the county in which the land is situated. A certified survey map may be used to change the boundaries of lots and outlots within a recorded plat, recorded assessor's plat under s. 70.27 or recorded, certified survey map if the ~~redivision~~ reconfiguration does not result in a subdivision or violate a local subdivision regulation. A certified survey map may not alter ~~the exterior boundary of a recorded plat, a recorded assessor's plat,~~ areas previously dedicated to the public or a restriction placed on the

platted land by covenant, by grant of an easement, or by any other manner. A certified survey map that crosses the exterior boundary of a recorded plat or assessor's plat shall apply to the reconfiguration of fewer than 5 parcels by a single owner, or if no additional parcels are created. Such a certified survey map must be approved in the same manner as a final plat of a subdivision must be approved under s. 236.10, must be monumented in accordance with s. 236.15 (1), and shall contain owners' and mortgagees' certificates that are in substantially the same form as required under s. 236.21 (2) (a). A certified survey must meet the following requirements:

SECTION 3127j. 236.34 (1) (b) of the statutes is amended to read:

236.34 **(1)** (b) All corners shall be monumented in accordance with s. 236.15 (1) (c) ~~and~~, (d), and (g).

SECTION 3127jm. 236.34 (1) (c) of the statutes is amended to read:

236.34 **(1)** (c) The map shall be prepared in accordance with s. 236.20 (2) (a), (b), (c), (e), (f), (g), (h), (i), (j), (k), and (L) and (3) (b) ~~on a~~, (d), and (e) at a graphic scale of not more than 500 feet to ~~the~~ an inch, which shall be shown on each sheet showing layout features. The map shall be prepared with a binding margin 1.5 inches wide and a 0.5 inch margin on all other sides on durable white paper 8 1/2 inches wide by 14 inches long with nonfading black image or reproduced with photographic silver haloid image on double matt polyester film of not less than 4 mil thickness which is 8 1/2 inches wide by 14 inches long. When more than one sheet is used for any map, each sheet shall be numbered consecutively and shall contain a notation giving the total number of sheets in the map and showing the relationship of that sheet to the other sheets. "CERTIFIED SURVEY MAP" shall be printed on the map in prominent letters with the location of the land by government lot, recorded private claim, quarter−quarter section, section, township, range and county noted. Seals or signatures reproduced on images complying with this paragraph shall be given the force and effect of original signatures and seals.

SECTION 3127k. 236.34 (1) (d) 2. of the statutes is amended to read:

236.34 **(1)** (d) 2. A clear and concise description of the land surveyed, divided, and mapped by government lot, recorded private claim, quarter−quarter section, section, township, range and county; and by metes and bounds commencing with a monument at a section or quarter section corner of the quarter section ~~or~~ that is not the center of a section, or commencing with a monument at the end of a boundary line of a recorded private claim or federal reservation in which the ~~certified map~~ land is located; or if the land is located in a recorded subdivision or recorded addition to a recorded subdivision, then by the number or other description of the lot, block or subdivision, which has previously been tied to a corner marked and established by the U.S. public land survey.

SECTION 3127km. 236.34 (1) (f) of the statutes is created to read:

236.34 **(1)** (f) Within 90 days of submitting a certified survey map for approval, the approving authority, or its agent authorized to approve certified survey maps, shall take action to approve, approve conditionally, or reject the certified survey map and shall state in writing any conditions of approval or reasons for rejection, unless the time is extended by agreement with the subdivider. Failure of the approving authority or its agent to act within the 90 days, or any extension of that period, constitutes an approval of the certified survey map and, upon demand, a certificate to that effect shall be made on the face of the map by the clerk of the authority that has failed to act.

SECTION 3127L. 236.34 (2) of the statutes is renumbered 236.34 (2) (a).

SECTION 3127Lm. 236.34 (2) (b) of the statutes is created to read:

236.34 **(2)** (b) If the certified survey map is approved by a local unit of government, the register of deeds may not accept the certified survey map for record unless all of the following apply:

1. The certified survey map is offered for record within 6 months after the date of the last approval of the map and within 24 months after the first approval of the map.

2. The certified survey map shows on its face all of the certificates and affidavits required under sub. (1).

SECTION 3127m. 236.45 (2) (a) (intro.) of the statutes is amended to read:

236.45 **(2)** (a) (intro.) To accomplish the purposes listed in sub. (1), any municipality, town or county which has established a planning agency may adopt ordinances governing the subdivision or other division of land which are more restrictive than the provisions of this chapter. Such ordinances may include provisions regulating divisions of land into parcels larger than 1 1/2 acres or divisions of land into less than 5 parcels, and may prohibit the division of land in areas where such prohibition will carry out the purposes of this section. Such ordinances ~~may~~ shall make applicable to such divisions ~~any~~ all of the provisions of this chapter, or may provide other surveying, monumenting, mapping and approving requirements for such division. The governing body of the municipality, town, or county ~~may~~ shall require that a ~~map,~~ plat ~~or sketch~~ of such division be recorded with the register of deeds and kept in a book provided for that purpose. "COUNTY PLAT," "MUNICIPAL PLAT," or "TOWN PLAT" shall be printed on the map in prominent letters with the location of the land by government lot, recorded private claim, quarter−quarter section, section, township, range, and county noted. When so recorded, the lots included in the ~~map,~~ plat ~~or sketch may~~ shall be described by reference to ~~it by lot number and by volume and page of the book provided for that use~~ "COUNTY PLAT," "MUNICIPAL PLAT," or "TOWN PLAT," the name of

the plat and the lot and block in the plat, for all purposes, including those of assessment, taxation, devise, descent, and conveyance as defined in s. 706.01 (4). Such ordinance, insofar as it may apply to divisions of less than 5 parcels, shall not apply to:

SECTION 3128. Chapter 237 of the statutes is created to read:

CHAPTER 237
FOX RIVER NAVIGATIONAL SYSTEM AUTHORITY

237.01 Definitions. In this chapter:

(1) "Authority" means the Fox River Navigational System Authority.

(2) "Board of directors" means the board of directors of the authority.

(3) "Fiscal year" means the period beginning on July 1 and ending on the following June 30.

(4) "Lock" includes any spillway associated with the lock.

237.02 Creation and organization of authority. (1) There is created a public body corporate and politic to be known as the "Fox River Navigational System Authority." The board of directors of the authority shall consist of the following members:

(a) Six members nominated by the governor, and with the advice and consent of the senate appointed, for 3−year terms.

(b) The secretary of natural resources, or his or her designee.

(c) The secretary of transportation, or his or her designee.

(d) The director of the state historical society, or his or her designee.

(1m) (a) Two of the 6 members appointed under sub. (1) (a) shall be residents of Brown County, 2 shall be residents of Outagamie County, and 2 shall be residents of Winnebago County.

(b) At least one of the 2 members appointed from each of the counties specified in par. (a) shall be a resident of a city, village, or town in which is located a lock that is part of the navigational system.

(2) A vacancy on the board of directors shall be filled in the same manner as the original appointment to the board of directors for the remainder of the unexpired term, if any.

(3) A member of the board of directors may not be compensated for his or her services but shall be reimbursed for actual and necessary expenses, including travel expenses, incurred in the performance of his or her duties.

(4) No cause of action of any nature may arise against and no civil liability may be imposed upon a member of the board of directors for any act or omission in the performance of his or her powers and duties under this chapter, unless the person asserting liability proves that the act or omission constitutes willful misconduct.

(5) The members of the board of directors shall annually elect a chairperson and may elect other officers as they consider appropriate. Five voting members of the board of directors constitute a quorum for the purpose of conducting the business and exercising the powers of the authority, notwithstanding the existence of any vacancy. The board of directors may take action upon a vote of a majority of the members present, unless the bylaws of the authority require a larger number.

(6) The board of directors shall appoint a chief executive officer who shall not be a member of the board of directors and who shall serve at the pleasure of the board of directors. The authority may delegate by resolution to one or more of its members or its executive director any powers and duties that it considers proper. The chief executive officer shall receive such compensation as may be determined by the board of directors. The chief executive officer or other person designated by resolution of the board of directors shall keep a record of the proceedings of the authority and shall be custodian of all books, documents, and papers filed with the authority, the minute book or journal of the authority, and its official seal. The chief executive officer or other person may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that such copies are true copies, and all persons dealing with the authority may rely upon such certificates.

237.03 Duties of authority. (1) GENERAL DUTIES. In addition to all other duties imposed under this chapter, the authority shall do all of the following:

(a) Adopt bylaws and policies and procedures for the regulation of its affairs and the conduct of its business.

(b) Contract for any legal services required for the authority.

(c) Establish the authority's annual budget and monitor the fiscal management of the authority.

(d) Procure liability insurance covering its officers and employees and procure insurance against any loss in connection with its property and other assets.

(e) Make every reasonable effort to contract with one or more corporations to provide the services specified under s. 237.09 (2).

(2) DUTIES UPON LEASING. Upon entering into the lease under s. 237.06, the authority shall rehabilitate, repair, replace, operate, and maintain the navigational system.

237.04 Powers of authority. The authority shall have all the powers necessary or convenient to carry out the purposes and provisions of this chapter. In addition to all other powers granted by this chapter, the authority may:

(1) Incur debt, except as restricted under s. 237.05 (1).

(2) Sue and be sued.

(3) Hire employees, define their duties, and fix their rate of compensation.

(4) Have a seal and alter the seal at pleasure; have perpetual existence; and maintain an office.

(5) Appoint any technical or professional advisory committee that the authority finds necessary to assist the authority in exercising its duties and powers. The authority shall define the duties of the committee, and provide reimbursement for the expenses of the committee.

(6) Enter into contracts with 3rd parties as are necessary for the rehabilitation, repair, replacement, operation, or maintenance of the navigational system.

(7) Acquire, lease, subject to s. 237.05 (2), and dispose of property as is necessary for the rehabilitation, repair, replacement, operation, or maintenance of the navigational system.

(8) Accept gifts and other funding for the rehabilitation, repair, replacement, operation, or maintenance of the navigational system.

(9) Charge user fees for services the authority provides to the operators of watercraft using the navigational system.

(10) Charge fees for use of facilities of the navigational system as provided in s. 16.845.

237.05 Restrictions on authority. (1) The authority may not issue bonds.

(2) The authority may not sublease all, or any part of, the navigational system without the approval of the department of administration.

237.06 Lease. Upon transfer of the ownership of the navigational system by the federal government to the state, the department of administration on behalf of the state and the authority shall enter into a lease agreement under which the state shall lease the navigational system to the authority for nominal consideration. The secretary of administration shall determine the amount of the rental payments.

237.07 Management plan; financial statements. (1) (a) The authority shall submit to the department of administration a plan that does all the following:

1. Addresses the costs of and funding for the rehabilitation, repair, replacement, operation, and maintenance of the navigational system.

2. Describes how the authority will manage its funds to ensure that sufficient funding is available to abandon the navigational system if the operation of the navigational system is no longer feasible.

(b) The authority shall submit the plan under par. (a) within 180 days after the date on which the state and the authority enter into the lease agreement specified in s. 237.06.

(2) The authority shall update and resubmit the plan under sub. (1) upon the request of the department of administration.

(3) (a) For each fiscal year, the authority shall submit to the department of administration an audited financial statement of the funding received by the authority from the department of natural resources under s. 237.08 (2) and by the authority from contributions and other funding accepted by the authority under s. 237.08 (3).

(b) The financial statement under par. (a) shall include notes that explain in detail the specific sources of funding contained in the financial statement.

(4) For each fiscal year in which moneys are to be released to the authority by the department of natural resources under s. 237.08, each corporation specified in s. 237.09 shall submit to the authority an audited financial statement of the amount raised by the corporation under s. 237.09 (2) (b) for that fiscal year.

237.08 Sources of funding. (1) FEDERAL FUNDING. The authority shall accept federal funding for the rehabilitation, repair, replacement, operation, and maintenance of the navigational system and shall agree with any conditions attached to the funding.

(2) STATE FUNDING. From the appropriation under s. 20.370 (5) (cq) and before applying the percentages under s. 30.92 (4) (b) 6., the department of natural resources shall set aside for the rehabilitation and repair of the navigational system $400,000 in each fiscal year to be matched by the moneys raised under s. 237.09 (2) (b). The funding shall be set aside beginning with the first fiscal year beginning after the submittal of the initial management plan submitted under s. 237.07 (1) and shall continue to be set aside in each of the next 6 consecutive fiscal years. From the funding that is set aside, the department shall release to the authority for each fiscal year an amount equal to the total amount raised by each corporation under s. 237.09 (2) (b) for which matching funding has not been previously released.

(3) OTHER FUNDING. The authority shall encourage and may accept contributions and funding for the rehabilitation, repair, replacement, operation, or maintenance of the navigational system. The authority shall also accept funding raised by each corporation under s. 237.09 (2).

237.09 Requirements for nonprofit corporations. (1) Each corporation contracted with under s. 237.03 (1) (e) shall be a nonprofit corporation as 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 shall be based in one or more of the counties in which the navigational system is located.

(2) Each corporation contracted with under s. 237.03 (1) (e) shall do all of the following:

(a) Provide marketing and fund−raising services for the authority.

(b) Make every reasonable effort to raise $2,750,000 of local or private funding for the rehabilitation and repair of the navigational system.

(c) Accept for investment moneys received by the authority for rehabilitation and repair under s. 237.08 and

invest the moneys at a rate of return that the authority finds adequate to enable the authority to exercise its duties and powers in rehabilitating and repairing the navigational system.

(3) If the authority contracts with more than one corporation under s. 237.03 (1) (e), all of the corporations shall make the effort to raise the total of $2,750,000.

237.10 Rapide Croche lock. (1) Upon entering into the lease under s. 237.06, the authority shall maintain the sea lamprey barrier at the Rapide Croche lock according to specifications of the department of natural resources in order to prevent sea lampreys and other aquatic nuisance from moving upstream.

(2) If the authority decides to construct a means to transport watercraft around the Rapide Croche lock, the authority shall develop a plan for the construction that includes steps to be taken to control sea lampreys and other aquatic nuisance species. The authority shall submit the plan to the department of natural resources and may not implement the plan unless it has been approved by the department.

237.11 Political activities. (1) No employee of the authority may directly or indirectly solicit or receive subscriptions or contributions for any partisan political party or any political purpose while engaged in his or her official duties as an employee. No employee of the authority may engage in any form of political activity calculated to favor or improve the chances of any political party or any person seeking or attempting to hold partisan political office while engaged in his or her official duties as an employee or engage in any political activity while not engaged in his or her official duties as an employee to such an extent that the person's efficiency during working hours will be impaired or that he or she will be tardy or absent from work. Any violation of this section is adequate grounds for dismissal.

(2) If an employee of the authority declares an intention to run for partisan political office the employee shall be placed on a leave of absence for the duration of the election campaign and if elected shall no longer be employed by the authority on assuming the duties and responsibilities of such office.

(3) An employee of the authority may be granted by the chief executive officer a leave of absence to participate in partisan political campaigning.

(4) Persons on leave of absence under sub. (2) or (3) shall not be subject to the restrictions of sub. (1), except as they apply to the solicitation of assistance, subscription, or support from any other employee in the authority.

237.12 Liability limited. (1) Neither the state nor any political subdivision of the state nor any officer, employee, or agent of the state or a political subdivision who is acting within the scope of employment or agency is liable for any debt, obligation, act, or omission of the authority.

(2) All of the expenses incurred by the authority in exercising its duties and powers under this chapter shall be payable only from funds of the authority.

237.13 Exemption. (1) In this section, "lock structure" includes a spillway of a lock and excludes the canal body of a lock.

(2) Any activity or work that is performed on a lock structure that is part of the navigational system is exempt from any permit or other approval required under ch. 30 or 31.

237.14 Abandonment. If the authority determines the operation of the navigational system is no longer feasible, the authority shall submit a plan to the department of administration and to the department of natural resources describing the steps the authority will take in abandoning the navigational system. The navigational system may not be abandoned unless both the department of administration and the department of natural resources determine that the plan for abandonment will preserve the public rights in the Fox River, will ensure safety, and will protect life, health, and property.

237.15 Transitional provisions. (1) FUNDING. The department of administration shall transfer the unencumbered balances in the appropriation accounts under s. 20.370 (9) (jL) and (ju) to the authority on the day after the date on which the state and the authority enter into the lease agreement specified in s. 237.06.

(2) TRANSFERS. (a) The chairperson of the Fox River management commission and the chairperson of the board of directors of the authority, acting jointly, shall identify all of the following that will transfer from the commission to the authority:

1. Any assets and liabilities of the commission.

2. Any tangible personal property, including records, of the commission.

3. Any contracts entered into by the commission, and any policies and procedures of the commission that will be in effect on the day after the date on which the state and the authority enter into the lease agreement specified in s. 237.06.

(b) On the day after the date on which the state and the authority enter into the lease agreement specified in s. 237.06, all of the assets, liabilities, and personal property identified for transfer under par. (a) 1. and 2. shall become the assets, liabilities, and personal property of the authority.

(c) On the day after the date on which the state and the authority enter into the lease agreement specified in s. 237.06, all the contracts identified under par. (a) 3. shall remain in effect and the authority shall, beginning on that day, carry out any such contractual obligations until modified or rescinded to the extent allowed under the contract.

(d) On the day after the date on which the state and the authority enter into the lease agreement specified in

s. 237.06, all policies and procedures identified in par. (a) 3. shall become policies and procedures of the authority and shall remain in effect until their expiration date or until modified or rescinded by the authority.

(e) In case of disagreement with respect to any matter specified in pars. (a) to (d), the secretary of administration shall determine the matter and shall develop a plan for an orderly transfer of the item subject to the disagreement.

SECTION 3128m. Chapter 247 of the statutes is created to read:

CHAPTER 247
WISCONSIN ARTISTIC ENDOWMENT FOUNDATION

247.02 Definition. In this chapter, "foundation" means the Wisconsin Artistic Endowment Foundation.

247.03 Creation and organization. (1) There is created a public body corporate and politic, to be known as the "Wisconsin Artistic Endowment Foundation." The foundation shall be a nonprofit corporation organized under ch. 181 so that contributions to it are deductible from adjusted gross income under section 170 of the Internal Revenue Code.

(2) The board of directors of the foundation shall consist of the following persons:

(a) Eight nominees of the governor, who are residents of this state, represent the diverse artistic interests of the people of this state, and represent each of the geographic regions of the state, appointed for 7−year terms with the advice and consent of the senate. At least one of the nominees shall be knowledgeable in marketing and fund raising. Each member appointed under this paragraph may hold office until a successor is appointed.

(b) The chairperson of the arts board or the chairperson's designee.

(c) The executive secretary of the arts board as a nonvoting member.

(d) Two representatives to the assembly, one appointed by the speaker of the assembly and one appointed by the minority leader of the assembly.

(e) Two senators, one appointed by the majority leader of the senate and one appointed by the minority leader of the senate.

(3) The board of directors holds the powers of the foundation. The members of the board of directors shall annually elect a chairperson and may elect other officers as they consider appropriate. Seven voting members of the board of directors constitute a quorum for the purpose of conducting the business and exercising the powers of the foundation, notwithstanding the existence of any vacancy. The board of directors may take action upon a vote of a majority of the voting members present, unless the bylaws of the foundation require a larger number.

(4) No member of the board of directors may receive compensation for performing his or her duties. Each member shall be reimbursed for actual and necessary expenses, including travel expenses, incurred in performing those duties.

247.05 General powers and duties. (1) Except as otherwise provided in this chapter, the foundation has all of the powers necessary and convenient to carry out its duties under sub. (2) and s. 247.06, including the power to do all of the following:

(a) Make, amend, and repeal bylaws for the conduct of its affairs.

(b) Adopt a seal and alter that seal.

(c) Sue and be sued.

(d) Maintain an office.

(e) Solicit and accept donations of money, property, and art objects.

(f) Execute contracts and other instruments.

(g) Employ legal, financial, technical, or other experts and any other necessary employees, and fix their qualifications, duties, and compensation.

(h) Establish arts programs with the advice of the arts board and statewide arts organizations.

(i) Convert any noncash gift, grant, bequest, or other contribution to the foundation to cash.

(2) The foundation shall do all of the following:

(a) In carrying out its responsibilities under this chapter, ensure to the greatest extent possible the equitable distribution of funds and other support among all of the following:

1. The various geographic regions of the state.

2. Urban, suburban, and rural areas of the state.

3. The various ethnic, racial, and cultural groups of the state.

(b) Appoint a licensed appraiser to evaluate each donated art object to establish the current value of, potential appreciation of, degree of risk in holding, and recommended timing for sale of, the art object.

(c) Adopt bylaws for accepting restricted donations.

(d) Annually submit to the governor and to the presiding officer of each house of the legislature an audited financial statement of the operations of the foundation, prepared in accordance with generally accepted accounting principles.

(e) Contract for all education and marketing activities.

(f) Deposit in the state treasury all cash, gifts, grants, bequests, or other contributions made to the foundation, and all noncash gifts, grants, bequests, or other contributions made to the foundation that have been converted to cash under sub. (1) (i).

(g) Biennially review the foundation's priorities for expenditures under s. 247.06 (1) (b) and report those priorities to the presiding officer of each house of the legislature.

247.06 Support of arts programs. (1) (a) The foundation may distribute moneys appropriated under s. 20.220 (1) (r) to the arts board for programs that provide

operating support to arts organizations and for the Wisconsin regranting program under s. 44.62.

(b) The foundation may distribute moneys appropriated under s. 20.220 (1) (r) to an arts program established under s. 247.05 (1) (h) if the program is reviewed biennially by the foundation with the advice of the arts board and statewide arts organizations. To the extent possible, the programs funded under this paragraph shall use existing arts board mechanisms and staff for administering and distributing the moneys.

(2) (a) Of the total amount distributed by the foundation under sub. (1) in any fiscal year that constitutes earnings on unrestricted donations, the foundation shall distribute at least 50% to the arts board under sub. (1) (a).

(b) The foundation may not distribute moneys to the arts board under sub. (1) (a) in any fiscal year in which the foundation determines that the amount of general purpose revenue appropriated to the arts board under s. 20.215 is less than the amount appropriated in the previous fiscal year.

247.07 Dissolution. The foundation may not dissolve and wind up its affairs unless the legislature enacts a law ordering dissolution.

SECTION 3128pd. 250.01 (4) (a) 2. of the statutes is amended to read:

250.01 **(4)** (a) 2. A city−county health department established under s. 251.02 ~~(1)~~ (1m).

SECTION 3128pe. 251.01 (1) of the statutes is renumbered 251.01 (1r) and amended to read:

251.01 **(1r)** "County board of health" means a board of health for a single county health department or for a multiple county health department.

SECTION 3128pf. 251.01 (1g) of the statutes is created to read:

251.01 **(1g)** "City−county board of health" means a board of health for a city−county health department.

SECTION 3128pg. 251.01 (2) of the statutes is repealed.

SECTION 3128ph. 251.01 (3) of the statutes is amended to read:

251.01 **(3)** "County health officer" means the position of a local health officer in a single county health department or in a multiple county health department.

SECTION 3128pi. 251.01 (7m) of the statutes is created to read:

251.01 **(7m)** "Represented employee" means an employee in a collective bargaining unit for which a representative is recognized or certified under subch. IV of ch. 111.

SECTION 3128pj. 251.02 (1) of the statutes is amended to read:

251.02 **(1)** In counties with a population of less than 500,000, unless a county board establishes a city−county health department under sub. (1m) jointly with the governing body of a city or establishes a multiple county health department under sub. (3) in conjunction with another county, the county board shall establish a single county health department ~~that meets~~, which shall meet 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, by a town or village health department established under sub. (3m), or by a multiple municipal local health department established under sub. (3r). No governing body of a city may establish a city health department ~~may be established~~ after January 1, 1994~~, but a city−county health department may be established after that date~~.

SECTION 3128pk. 251.02 (1m) of the statutes is created to read:

251.02 **(1m)** Subject to sub. (1r), in counties with a population of less than 500,000, the county board and the governing body of a city that has a city health department may jointly establish a city−county health department, which shall meet the requirements of this chapter. A city−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, by a town or village health department established under sub. (3m), or by a multiple municipal local health department established under sub. (3r). A city−county health department established under this subsection after the effective date of this subsection .... [revisor inserts date], is subject to the control of the city and county acting jointly under an agreement entered into under s. 66.0301 that specifies, in conformity with this chapter, all of the following:

(a) The powers and duties of the city−county health department.

(b) The powers and duties of the city−county board of health for the city−county health department.

(c) The relative powers and duties of the city and county with respect to governance of the city−county health department and the city−county board of health.

SECTION 3128pL. 251.02 (1r) of the statutes is created to read:

251.02 **(1r)** If a city that assigns represented employees to its city health department and if a county that assigns represented employes to its county health department jointly establish a city−county health department under an agreement specified under sub. (1m), all of the following shall apply, but only if the represented employees at the city health department and at the county health department who perform similar functions are included in collective bargaining units that are represented by the same representative:

(a) The city−county health department shall offer employment to all city and county employees who are represented employees and who perform functions for the city and county that are transferred to the city−county health department in the agreement under sub. (1m).

(b) Notwithstanding s. 111.70 (4) (d), if, in any collective bargaining unit that is initially created at the city−

county health department, all of the former city and county employees were represented by the same representative when they were employed by the city or county, that representative shall become the initial representative of the employees in the collective bargaining unit without the necessity of filing a petition or conducting an election.

(c) Unless otherwise prohibited by law, with respect to city−county health department employees who were formerly represented employees at the city or county, the city−county health department shall adhere to the terms of the collective bargaining agreements that covered these employees while they were employed by the city or county until such time that the city−county health department and the representative of the employees have entered into a collective bargaining agreement.

SECTION 3128pm. 251.02 (3) of the statutes is amended to read:

251.02 **(3)** A county board may, in conjunction with the county board of another county, establish a multiple county health department ~~in conjunction with the county board of another county~~, which shall meet the requirements of this chapter. A multiple county health department shall serve all areas of the respective counties that are not served by a city health department that was established prior to January 1, 1994, by a town or village health department established under sub. (3m), or by a multiple municipal local health department established under sub. (3r).

SECTION 3128pn. 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~~ Except as authorized in s. 251.02 (3m) and (3r) ~~and a~~, a city board of health shall govern a city health department, a county board of health shall govern a county health department or multiple county health department, and a city−county board of health shall govern a city−county health department. A city ~~or~~ board of health, a county board of health, a city−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 with a public or private entity to provide public health services. The contractor's staff shall meet the appropriate qualifications for positions in a Level I local health department.

SECTION 3128pp. 251.08 of the statutes is amended to read:

251.08 Jurisdiction of local health department. The jurisdiction of the local health department shall extend to the entire area represented by the governing body of the county, city, village or town that established the local health department, except that the jurisdiction of a single or multiple county health department or of a city−county health department does not extend to cities, villages and towns that have local health departments. Cities, towns and villages having local health departments may by vote of their local boards of health determine to come under the jurisdiction of the county health department. No part of any expense incurred under this section by a county health department may be levied against any property within any city, village or town that has a local health department and that has not determined to come under the jurisdiction of the county health department.

SECTION 3128pq. 251.11 (1) of the statutes is amended to read:

251.11 **(1)** The local board of health of every multiple county health department established under s. 251.02 (3) and of every city−county health department established under s. 251.02 ~~(1)~~ (1m) shall annually prepare a budget of its proposed expenditures for the ensuing fiscal year and determine the proportionate cost to each participating county and city on the basis of equalized valuation. A certified copy of the budget, which shall include a statement of the amount required from each county and city, shall be delivered to the county board of each participating county and to the mayor or city manager of each participating city. The appropriation to be made by each participating county and city shall be determined by the governing body of the county and city. No part of the cost apportioned to the county shall be levied against any property within the city.

SECTION 3128pr. 251.11 (2) of the statutes is amended to read:

251.11 **(2)** The local board of health of ~~every~~ a multiple county health department established under s. 251.02 (3) ~~and of every city−county health department established under s. 251.02 (1)~~ shall, under this section, determine the compensation for the employees of the multiple county health departments ~~and city−county health departments~~. The local board of health of a city−county health department established under s. 251.02 (1m) shall, under this section, determine the compensation for the employees of the city−county health department.

SECTION 3128ps. 251.15 (2) of the statutes is amended to read:

251.15 **(2)** A city that had established a local health department prior to deciding to participate in a city−county health department established under s. 251.02 ~~(1)~~ (1m) may withdraw from the city−county health department if the common council of the city gives written notice to the county board of the participating county.

SECTION 3129. 252.12 (title) of the statutes is amended to read:

252.12 (title) ~~**Services relating to acquired immunodeficiency syndrome**~~ **HIV and related infections, including hepatitis C virus infections; services and prevention.**

SECTION 3130. 252.12 (2) (a) (intro.) of the statutes is amended to read:

252.12 **(2)** (a) ~~*Acquired immunodeficiency syndrome*~~ *HIV and related infections, including hepatitis C virus infections;* *services.* (intro.) From the appropriations under s. 20.435 (1) (a) and (5) (am), the department shall distribute funds for the provision of services to individuals with or at risk of contracting ~~acquired immunodeficiency syndrome~~ HIV infection, as follows:

SECTION 3131. 252.12 (2) (a) 1. of the statutes is amended to read:

252.12 **(2)** (a) 1. 'Partner referral and notification.' The department shall contact an individual known to have received an HIV infection and encourage him or her to refer for counseling ~~and~~, HIV testing, and, if appropriate, testing for hepatitis C virus infection any person with whom the individual has had sexual relations or has shared intravenous equipment.

SECTION 3132. 252.12 (2) (a) 2. of the statutes is amended to read:

252.12 **(2)** (a) 2. 'Grants to local projects.' The department shall make grants to applying organizations for the provision of ~~acquired immunodeficiency syndrome~~ HIV and related infection prevention information, the establishment of counseling support groups and the provision of direct care to persons with ~~acquired immunodeficiency syndrome~~ HIV infection, including those persons with hepatitis C virus infection.

SECTION 3133. 252.12 (2) (a) 3. (intro.) of the statutes is amended to read:

252.12 **(2)** (a) 3. 'Statewide public education campaign.' (intro.) The department shall promote public awareness of the risk of contracting ~~acquired immunodeficiency syndrome~~ HIV and related infections and measures for ~~acquired immunodeficiency syndrome~~ HIV and related infections protection by development and distribution of information through clinics providing family planning services, as defined in s. 253.07 (1) (b), offices of physicians and clinics for sexually transmitted diseases and by newsletters, public presentations or other releases of information to newspapers, periodicals, radio and television stations and other public information resources. The information ~~would~~ shall be targeted at individuals whose behavior puts them at risk of contracting ~~acquired immunodeficiency syndrome~~ HIV and related infections and ~~would~~ shall encompass the following topics:

SECTION 3134. 252.12 (2) (a) 3. a. of the statutes is amended to read:

252.12 **(2)** (a) 3. a. ~~Acquired immunodeficiency syndrome and~~ HIV infection and related infections.

SECTION 3135. 252.12 (2) (a) 3. b. of the statutes is amended to read:

Vetoed In Part

252.12 **(2)** (a) 3. b. Means of identifying whether or not individuals may be at risk of contracting ~~acquired immunodeficiency syndrome~~ HIV and related infections.

SECTION 3136. 252.12 (2) (a) 3. c. of the statutes is amended to read:

252.12 **(2)** (a) 3. c. Measures individuals may take to protect themselves from contracting ~~acquired immunodeficiency syndrome~~ HIV and related infections.

SECTION 3137. 252.12 (2) (a) 4. of the statutes is amended to read:

252.12 **(2)** (a) 4. 'Information network.' The department shall establish a network to provide information to local health officers and other public officials who are responsible for ~~acquired immunodeficiency syndrome~~ HIV infection and related infection prevention and training.

SECTION 3138. 252.12 (2) (a) 5. of the statutes is amended to read:

252.12 **(2)** (a) 5. 'HIV seroprevalence studies.' The department shall perform tests for the presence of HIV~~, antigen or nonantigenic products of HIV or an antibody to HIV~~ and, if appropriate, related infections and shall conduct behavioral surveys among population groups determined by the department to be highly at risk of becoming infected with or transmitting HIV and related infections. Information obtained shall be used to develop targeted HIV infection and related infection prevention efforts for these groups and to evaluate the state's prevention strategies.

SECTION 3139. 252.12 (2) (a) 6. of the statutes is amended to read:

252.12 **(2)** (a) 6. 'Grants for targeted populations and intervention services.' The department shall make grants to those applying organizations ~~determined by~~ that the department ~~to be~~ determines are best able to contact individuals who are determined to be highly at risk of contracting ~~acquired immunodeficiency syndrome~~ HIV for the provision of ~~acquired immunodeficiency syndrome~~ HIV and related infection information and intervention services.

SECTION 3140. 252.12 (2) (a) 7. of the statutes is amended to read:

252.12 **(2)** (a) 7. 'Contracts for counseling and laboratory testing services.' The department shall distribute funding in each fiscal year to contract with organizations to provide, at alternate testing sites, anonymous or confidential counseling services for HIV and laboratory testing services for the presence of HIV and, if appropriate, related viruses.

SECTION 3140c. 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 $1,994,900 in ~~each~~ fiscal year 2001−02 and not more than $2,069,900 in each fiscal year thereafter in grants to ~~applying~~ state−designated HIV service organizations for

the provision of needs assessments; assistance in procuring financial, medical, legal, social and pastoral services and housing assistance ; 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).

Vetoed In Part

SECTION 3140m. 252.12 (2) (a) 9. of the statutes is created to read:

252.12 **(2)** (a) 9. 'Grant for family resource center.' The department shall award a grant in each fiscal year to develop and implement an African−American family resource center in the city of Milwaukee that targets activities toward the prevention and treatment of HIV infection and related infections, including hepatitis C virus infection, of minority group members, as defined in s. 560.036 (1) (f).

Vetoed In Part

SECTION 3141d. 252.12 (2) (c) 2. of the statutes is amended 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 infection and related infections, including hepatitis C virus infection. 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)~~ minority businesses certified by the department of commerce under s. 560.036 (2) .

SECTION 3142. 252.12 (2) (c) 3. of the statutes is amended 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 infection and related infections, including hepatitis C infection.

SECTION 3142m. 253.065 of the statutes is created to read:

253.065 Grants for childhood asthma. From the appropriation under s. 20.435 (5) (ca), annually, the department shall award grants to local health departments established under s. 251.02 (2) for case management services for children who have asthma and who are enrolled in the medical assistance program under subch. IV of ch. 49 or the badger care health care program under s. 49.665.

SECTION 3143. 253.13 (2) of the statutes is amended to read:

253.13 **(2)** TESTS; DIAGNOSTIC, DIETARY AND FOLLOW−UP COUNSELING PROGRAM; FEES. The department shall contract with the state laboratory of hygiene to perform the tests specified under this section and to furnish materials for use in the tests. The department shall provide necessary diagnostic services, special dietary treatment as prescribed by a physician for a patient with a congenital disorder as identified by tests under sub. (1) or (1m) and follow−up counseling for the patient and his or her family. The state laboratory of hygiene board, on behalf of the department, shall impose a fee for tests performed under this section sufficient to pay for services provided under the contract ~~and~~. The state laboratory of hygiene board shall include as part of this fee ~~and pay to the department an amount~~ amounts the department determines ~~is~~ are sufficient to fund the provision of diagnostic and counseling services, special dietary treatment, and periodic evaluation of infant screening programs, the costs of consulting with experts under sub. (5), and the costs of administering the congenital disorder program under this section and shall credit these amounts to the appropriations under s. 20.435 (1) (jb) and (5) (ja).

SECTION 3143m. 254.11 (13) of the statutes is amended to read:

254.11 **(13)** "Third−party payer" means a disability insurance policy that is required to provide coverage for a blood lead test under s. 632.895 (10) (a); a health maintenance organization or preferred provider plan under ch. 609; a health care coverage plan offered by the state under s. 40.51 (6); a self−insured health plan offered by a city or village under s. 66.0137 (4), a political subdivision under s. 66.0137 (4m), a town under s. 60.23 (25), a county under s. 59.52 (11) (c), or a school district under s. 120.13 (2) (b); or a sickness care plan operated by a cooperative association under s. 185.981.

Vetoed In Part

SECTION 3144. 254.31 (10) of the statutes is amended to read:

254.31 **(10)** "Source material" means ~~any material except special nuclear material, which contains by weight 0.05 per cent or more of~~ uranium, thorium, ~~or~~ any combination thereof in any physical or chemical form, or ores that contain by weight 0.05% or more of uranium, thorium, or any combination thereof. "Source material" does not include special nuclear material.

SECTION 3145. 254.34 (1) (a) of the statutes is amended to read:

Vetoed In Part

254.34 **(1)** (a) Promulgate and enforce rules, including registration and licensing of sources of ionizing radiation, as may be necessary to prohibit and prevent unnecessary radiation 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 estab-

lished by s. 227.21 (2). The rules for by−product material, source material and special nuclear material ~~may be no less stringent than~~ shall be in accordance with the requirements of 42 USC 2021 (o) and shall otherwise be compatible with the requirements under 42 USC 2011 to 2114 and regulations adopted under 42 USC 2011 to 2114.

SECTION 3146. 254.34 (2) (c) of the statutes is created to read:

254.34 **(2)** (c) Develop requirements for qualification, certification, training, and experience of an individual who does any of the following:

1. Operates radiation generating equipment.

2. Utilizes, stores, transfers, transports, or possesses radioactive materials.

3. Acts as a radiation safety consultant to any person who possesses a license or registration issued by the department under this subchapter.

SECTION 3147. 254.34 (2) (d) of the statutes is created to read:

254.34 **(2)** (d) Recognize certification by another state or by a nationally recognized certifying organization of an individual to perform acts under par. (c) 1. to 3. if the standards for the other state's certification or the organization's certification are substantially equivalent to the standards of the department for certification of individuals under par. (c).

SECTION 3147w. 254.47 (1) of the statutes is amended to read:

254.47 **(1)** Except as provided in sub. (1g) and ss. 250.041 and 254.115, the department or a local health department granted agent status under s. 254.69 (2) shall issue permits to and regulate campgrounds and camping resorts, recreational and educational camps and public swimming pools. No person or state or local government who has not been issued a permit under this section may conduct, maintain, manage or operate a campground and camping resort, recreational camp and educational camp or public swimming pool, as defined by departmental rule.

SECTION 3147x. 254.47 (1g) of the statutes is created to read:

254.47 **(1g)** A campground permit is not required for camping at county or district fairs at which 4−H Club members exhibit, for the 4 days preceding the county or district fair, the duration of the county or district fair, and the 4 days following the county or district fair.

SECTION 3148. 254.47 (1m) of the statutes is created to read:

254.47 **(1m)** The department or a local health department granted agent status under s. 254.69 (2) may not, without a preinspection, grant a permit to a person intending to operate a new public swimming pool, campground, or recreational or educational camp or to a person intending to be the new operator of an existing public swimming pool, campground, or recreational or educational camp.

SECTION 3149. 254.47 (2) of the statutes is amended to read:

254.47 **(2)** A separate permit is required for each campground, camping resort, recreational ~~and~~ or educational camp and public swimming pool. No permit issued under this section is transferable from one premises to another or from one person, state or local government to another, except that the permit may be transferred from an individual to an immediate family member, as defined in s. 254.64 (4) (a), if the individual is transferring operation of the campground, camping resort, recreational ~~and~~ or educational camp or public swimming pool to the immediate family member.

SECTION 3150. 254.47 (4) of the statutes is amended to read:

254.47 **(4)** Permits issued under this section expire on June 30, except that permits initially issued during the period beginning on April 1 and ending on June 30 expire on June 30 of the following year. Except as provided in s. 254.69 (2) (d) and (e), the department shall promulgate rules that establish, for permits issued under this section, amounts of permit fees, preinspection fees, reinspection fees, fees for operating without a license, and late fees for untimely permit renewal.

SECTION 3151. 254.64 (1) (b) of the statutes is amended to read:

254.64 **(1)** (b) No person may maintain, manage or operate a bed and breakfast establishment for more than 10 nights in a year without having first obtained ~~a biennial~~ an annual permit from the department.

SECTION 3152. 254.64 (4) (b) of the statutes is amended to read:

254.64 **(4)** (b) Except as provided in ~~pars. (c) and~~ par. (d), no permit is transferable from one premises to another or from one person to another.

SECTION 3153. 254.64 (4) (c) of the statutes is repealed.

SECTION 3154. 254.68 of the statutes is amended to read:

254.68 Fees. Except as provided in s. 254.69 (2) (d) and (e), the department shall promulgate rules that establish, for permits issued under s. 254.64, permit fees, preinspection fees ~~and~~, reinspection fees, fees for operating without a permit, late fees for untimely permit renewal, fees for comparable compliance or variance requests, and fees for pre−permit review of restaurant plans.

SECTION 3155. 254.69 (2) (am) of the statutes is amended to read:

254.69 **(2)** (am) In the administration of this subchapter or s. 254.47, the department may enter into a written agreement with a local health department with a jurisdictional area that has a population greater than 5,000, which designates the local health department as the

department's agent in issuing permits to and making investigations or inspections of hotels, restaurants, temporary restaurants, tourist rooming houses, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps and public swimming pools. In a jurisdictional area of a local health department without agent status, the department of health and family services may issue permits, collect ~~permit~~ fees established by rule under s. 254.68 and make investigations or inspections of hotels, restaurants, temporary restaurants, tourist rooming houses, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps and public swimming pools. If the department designates a local health department as its agent, the department or local health department may require no permit for the same operations other than the permit issued by the local health department under this subsection. The department shall coordinate the designation of agents under this subsection with the department of agriculture, trade and consumer protection to ensure that, to the extent feasible, the same local health department is granted agent status under this subsection and under s. 97.41. Except as otherwise provided by the department, a local health department granted agent status shall regulate all types of establishments for which this subchapter permits the department of health and family services to delegate regulatory authority.

SECTION 3155z. 255.06 of the statutes is repealed and recreated to read:

255.06 Well−woman program. (1) DEFINITIONS. In this section:

(a) "Hospital" has the meaning given in s. 50.33 (2).

(b) "Mammography" means the making of a record of a breast by passing X rays through a body to act on specially sensitized film.

(c) "Medicare" has the meaning given in s. 49.498 (1) (f).

(d) "Nurse practitioner" means a registered nurse licensed under ch. 441 or in a party state, as defined in s. 441.50 (2) (j), whose practice of professional nursing under s. 441.11 (4) includes performance of delegated medical services under the supervision of a physician, dentist, or podiatrist.

(e) "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).

(2) WELL−WOMAN PROGRAM. From the appropriation under s. 20.435 (5) (cb), the department shall administer a well−woman program to provide reimbursement for health care screenings, referrals, follow−ups, and patient education provided to low−income, underinsured, and uninsured women. Reimbursement to service providers under this section shall be at the rate of reimbursement for identical services provided under medicare, except that, if projected costs under this section exceed the amounts appropriated under s. 20.435 (5) (cb), the department shall modify services or reimbursement accordingly. Within this limitation, the department shall implement the well−woman program to do all of the following:

(a) *Breast cancer screening services.* Provide not more than $422,600 in each fiscal year as reimbursement for the provision of breast cancer screening services to women who are aged 40 years or older, by a hospital or organization that has a mammography unit available for use and that is selected by the department under procedures established by the department. Recipients of services under this paragraph are subject to a copayment, payable to the service provider, for which the department shall reduce reimbursement to the service provider, as follows:

1. For a woman for whom 3rd−party coverage for services is obtainable, payment by the source of the 3rd−party coverage at full reasonable charge.

2. For a woman for whom 3rd−party coverage for services is not obtainable and whose income is above 150% of the poverty line, a copayment for the provided service that is based on a sliding scale, as developed by the department, according to the woman's income.

3. For a woman for whom 3rd−party coverage is not obtainable and whose income is at or below 150% of the poverty line, no copayment.

(b) *Media announcements and educational materials.* Allocate and expend at least $20,000 in each fiscal year to develop and provide media announcements and educational materials to promote breast cancer screening services that are available under pars. (a) and (c) and to promote health care screening services for women that are available under par. (e).

(c) *Breast cancer screenings using mobile mammography van.* Reimburse the city of Milwaukee public health department for up to $115,200 in each fiscal year for the performance of breast cancer screening activities with the use of a mobile mammography van.

(d) *Specialized training to for rural colposcopic examinations and activities.* Provide not more than $25,000 in each fiscal year as reimbursement for the provision of specialized training of nurse practitioners to perform, in rural areas, colposcopic examinations and follow−up activities for the treatment of cervical cancer.

(e) *Health care screening, referral, follow−up, and patient education.* Reimburse service providers for the provision of health care screening, referral, follow−up, and patient education to low−income, underinsured, and uninsured women.

(f) *Women's health campaign.* Conduct a women's health campaign to do all of the following:

1. Increase women's awareness of issues that affect their health.

2. Reduce the prevalence of chronic and debilitating health conditions that affect women.

(g) *Osteoporosis prevention and education.* Conduct an osteoporosis prevention and education program to raise public awareness concerning the causes and nature of osteoporosis, the risk factors for developing osteoporosis, the value of prevention and early detection of osteoporosis, and options for diagnosing and treating osteoporosis.

(3) SERVICE COORDINATION. The department shall coordinate the services provided under this section with the services provided under the minority health program under s. 146.185, to ensure that disparities in the health of women who are minority group members are adequately addressed.

SECTION 3156m. 255.07 of the statutes is repealed.

SECTION 3157b. 255.075 of the statutes is repealed.

SECTION 3159. 255.10 (intro.) of the statutes is amended to read:

255.10 Thomas T. Melvin youth tobacco prevention and education program. (intro.) From the ~~appropriation under s. 20.435 (5) (dg)~~ moneys distributed under s. 255.15 (3) (a) 2., the department shall administer the Thomas T. Melvin youth tobacco prevention and education program, with the primary purpose of reducing the use of cigarettes and tobacco products by minors. The department shall award grants for the following purposes:

SECTION 3160. 255.15 (3) (a) 2. of the statutes is amended to read:

255.15 **(3)** (a) 2. The Thomas T. Melvin youth tobacco prevention and education program under s. 255.10, ~~$1,000,000~~ $2,000,000 in fiscal year ~~1999−2000 and not less than $1,000,000 in fiscal year 2000−01~~ 2001−02 and in each fiscal year thereafter.

SECTION 3160c. 255.15 (4) of the statutes is amended to read:

255.15 **(4)** REPORTS. Not later than ~~July 1, 2001~~ April 15, 2002, 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).

Vetoed In Part

SECTION 3160q. 280.25 of the statutes is created to read:

280.25 Air filtration for residential wells. The owner of a residential well, other than a driven well, that has a casing shall filter air that enters the well to prevent airborne bacteria from contaminating the well water if any of the following applies:

(1) The construction of the well begins after the effective date of this subsection .... [revisor inserts date].

(2) The water from the well tests positive for bacteria.

SECTION 3160t. 281.17 (1) of the statutes is renumbered 281.17 (1) (a) and amended to read:

281.17 **(1)** (a) ~~No wells shall~~ A well may not be constructed, installed, or operated to withdraw ~~water from underground sources for any purpose~~ groundwater where the capacity and rate of withdrawal of all wells on one property is in excess of 100,000 gallons a day without first obtaining the approval of the department. If s. 281.35 applies to the proposed ~~construction~~ well, the application shall comply with s. 281.35 (5) (a). ~~If the department finds that the proposed withdrawal will adversely affect or reduce the availability of water to any public utility in furnishing water to or for the public or does not meet the grounds for approval specified under s. 281.35 (5) (d), if applicable, it shall either~~

(b) The department shall withhold its approval or grant a limited approval under which it imposes such conditions as to location, depth, pumping capacity, rate of flow, and ultimate use ~~so~~ that will ensure all of the following:

1. That the water supply of any public utility engaged in furnishing water to or for the public will not be impaired ~~and the withdrawal will conform to the requirements of~~.

2. That the well meets the grounds for approval under s. 281.35, if applicable.

(d) The department shall require each person issued an approval under this subsection to report that person's volume and rate of withdrawal, as defined under s. 281.35 (1) (m), and that person's volume and rate of water loss, as defined under s. 281.35 (1) (L), if any, in the form and at the times specified by the department. ~~The department may issue general or special orders it considers necessary to ensure prompt and effective administration of this subsection.~~

SECTION 3160v. 281.17 (1) (c) of the statutes is created to read:

281.17 **(1)** (c) 1. Except as provided in subd. 3., the department shall impose as a condition in each approval under this subsection that the person issued the approval may not use, or permit another person to use, any water withdrawn from the well to produce bottled drinking water, as defined in s. 97.34 (1) (a), unless the department approves use of the well for that purpose.

Vetoed In Part

2. The department shall withhold its approval, grant a limited approval, or modify an approval in order to minimize adverse effects to the quality or quantity of waters of the state caused by any well used to produce bottled drinking water, as defined in s. 97.34 (1) (a). The department shall prepare an environmental impact statement under s. 1.11 (2) for a decision by the department under this paragraph to approve the use of a well to produce bottled drinking water.

3. This paragraph does not apply to a withdrawal of water by a public utility engaged in furnishing water to or for the public.

SECTION 3161. 281.17 (2) of the statutes is amended to read:

281.17 **(2)** The department shall supervise chemical treatment of waters for the suppression of ~~algae, aquatic weeds, swimmers' itch and other~~ nuisance−producing ~~plants and~~ organisms that are not regulated by the program established under s. 23.24 (2). It may purchase equipment and may make a charge for the use of the same and for materials furnished, together with a per diem charge for any services performed in such work. The charge shall be sufficient to reimburse the department for the use of the equipment, the actual cost of materials furnished, and the actual cost of the services rendered.

SECTION 3161u. 281.57 (10e) of the statutes is created to read:

281.57 **(10e)** LOAN FOR WATER TOWER IN THE VILLAGE OF ATHENS. Notwithstanding subs. (2), (4) to (10), and (12), during the 2001−03 fiscal biennium, the department shall provide a loan of $320,000 to the village of Athens for construction of a water tower and related costs, if the village applies for a loan. The department may not charge any interest on the loan.

SECTION 3161uc. 281.57 (10f) of the statutes is created to read:

281.57 **(10f)** LOAN FOR WATER TOWER IN THE VILLAGE OF WESTON. Notwithstanding subs. (2), (4) to (10), and (12), during the 2001−03 fiscal biennium, the department shall provide a loan of $400,000 to the village of Weston for construction of a water tower and related costs, if the village applies for a loan. The department may not charge any interest on the loan.

SECTION 3163. 281.58 (9) (e) of the statutes is amended to read:

281.58 **(9)** (e) If the department of natural resources and the department of administration determine that the governor's recommendation, as set forth in the executive budget bill, for the amount under s. 281.59 (3e) (b), the amount available under s. 20.866 (2) (tc), or the amount available under s. 281.59 (4) (f) for a biennium is ~~85% or less of the amount of present value subsidy, general obligation bonding authority or revenue bonding authority, respectively, requested for that biennium in the biennial finance plan submitted under s. 281.59 (3) (bm) 1.~~ insufficient to provide funding for all projects for which applications will be approved during that biennium, the department shall inform municipalities that, if the governor's recommendations are approved, clean water fund program assistance during a fiscal year of that biennium will only be available to municipalities that submit financial assistance applications by the June 30 preceding that fiscal year.

SECTION 3164. 281.58 (9m) (f) (intro.) of the statutes is amended to read:

281.58 **(9m)** (f) (intro.) If the department of natural resources and the department of administration determine that the amount approved under s. 281.59 (3e) (b), the amount available under s. 20.866 (2) (tc), or the amount available under s. 281.59 (4) (f) for a biennium is ~~85% or less of the amount of present value subsidy, general obligation bonding authority or revenue bonding authority, respectively, requested for that biennium in the biennial finance plan submitted under s. 281.59 (3) (bm) 1.~~ insufficient to provide funding for all projects for which applications will be approved during that biennium, all of the following apply:

SECTION 3164j. 281.58 (13) (be) 5. of the statutes is repealed.

SECTION 3164L. 281.58 (13) (em) 3. of the statutes is created to read:

281.58 **(13)** (em) 3. In a fiscal year, if federal financial hardship assistance has been allocated to all eligible projects on the funding list and federal financial hardship assistance remains to be allocated, the department may allocate federal financial hardship assistance to a project of an eligible municipality that submits its financial assistance application after June 30.

SECTION 3165. 281.59 (3e) (b) 1. and 3. of the statutes are amended to read:

281.59 **(3e)** (b) 1. Equal to ~~$85,200,000~~ $90,000,000 during the ~~1999−01~~ 2001−03 biennium.

3. Equal to $1,000 for any biennium after the ~~1999−01~~ 2001−03 biennium.

SECTION 3166. 281.59 (3m) (b) 1. and 2. of the statutes are amended to read:

281.59 **(3m)** (b) 1. Equal to ~~$9,400,000~~ $9,110,000 during the ~~1999−01~~ 2001−03 biennium.

2. Equal to $1,000 for any biennium after the ~~1999−01~~ 2001−03 biennium.

SECTION 3167. 281.59 (3s) (b) 1. and 2. of the statutes are amended to read:

281.59 **(3s)** (b) 1. Equal to ~~$12,600,000~~ $10,900,000 during the ~~1999−01~~ 2001−03 biennium.

2. Equal to $1,000 for any biennium after the ~~1999−01~~ 2001−03 biennium.

SECTION 3168. 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 shall not exceed ~~$1,297,755,000~~ $1,398,355,000 in principal amount, excluding obligations issued to refund outstanding revenue obligation notes.

SECTION 3168n. 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. Eligible costs for a project include costs of site assessment and site investigation, to the extent allowed under federal law, if the eligible applicant demonstrates in its application that remediation will be necessary and include costs of demolition that is a necessary part of the remediation. 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.

Vetoed In Part

SECTION 3168p. 281.60 (3) of the statutes is repealed.

Vetoed In Part

SECTION 3168r. 281.60 (5) of the statutes is amended to read:

281.60 **(5)** APPLICATION. ~~After submitting a notice of intent to apply under sub. (3) (a) or obtaining a waiver under sub. (3) (b), an~~ An eligible applicant shall submit an application for land recycling loan program financial assistance to the department. The eligible applicant shall submit the application before the date established by the department ~~by rule~~. The department shall establish at least 2 application deadlines each year. The application shall be in the form and include the information required by the department and the department of administration. An eligible applicant may not submit more than one application per project per year.

Vetoed In Part

SECTION 3168t. 281.60 (8) (a) 1. of the statutes is amended to read:

281.60 **(8)** (a) 1. The department of administration may not allocate more than 40% of the ~~available~~ funds allocated in each fiscal year to projects to remedy contamination at landfills.

SECTION 3168v. 281.60 (8p) of the statutes is created to read:

281.60 **(8p)** SECURITY. Notwithstanding s. 281.59 (9) (b) 1., the department and the department of administration may not require an applicant to use general obligation bonds as security for financial assistance under this section but shall accept other collateral that meets typical underwriting criteria.

SECTION 3169. 281.61 (3) (b) of the statutes is repealed.

SECTION 3170. 281.61 (3) (c) of the statutes is amended to read:

281.61 **(3)** (c) The department may waive par. (a) ~~or (b)~~ upon the written request of a local governmental unit.

SECTION 3171. 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 cost−sharing for management practices and capital improvements, easements, or other activities determined by the department to satisfy the requirements of this section. A grant under this section to a lake district for a priority lake identified under sub. (3m) (b) 1. may be used for plan preparation, technical assistance, educational and training assistance, and ordinance development and administration. 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 3172. 281.65 (4c) (am) 1. a. of the statutes is amended to read:

281.65 **(4c)** (am) 1. a. The need for compliance with performance standards established by the department under s. 281.16 (2) and (3).

SECTION 3173. 281.65 (4c) (am) 2. of the statutes is amended to read:

281.65 **(4c)** (am) 2. The ~~project cannot be conducted with~~ department, in consultation with the department of agriculture, trade and consumer protection, determines that funding provided under s. 92.14 is insufficient to fund the project.

Vetoed In Part

SECTION 3173j. 281.65 (4e) of the statutes is created to read:

281.65 **(4e)** If the department issues a notice of discharge under ch. 283 to an animal feeding operation, the department shall provide a cost−sharing grant for the costs of measures needed to correct the unacceptable practices identified in the notice of discharge. Notwithstanding sub. (8) (f), the department may provide a cost−sharing grant under this subsection that exceeds 70% of the cost of the corrective measures in cases of economic hardship, as defined by the department by rule. If the department provides funds for a cost−sharing grant under this subsection from the appropriation account under s. 20.866 (2) (te), the department shall pay the grant to another governmental unit. If the department provides funds for a cost−sharing grant under this subsection from the appropriation account under s. 20.370 (6) (aa), (ag), or (aq), the department may pay the funds to the landowner or operator or to another governmental unit.

SECTION 3176b. 281.65 (5q) of the statutes is created to read:

281.65 **(5q)** (a) Notwithstanding sub. (5s), neither the department nor the land and water conservation board

may extend funding under this section for a priority watershed or priority lake project beyond the funding termination date that was in effect for the priority watershed or priority lake project on January 1, 2001, except as provided in par. (b).

(b) The department may authorize funding to be provided to a landowner under a priority watershed or priority lake project for up to one year after the funding termination date under par. (a) for that project if the department determines that a delay in implementation of best management practices by the landowner was caused by conditions beyond the control of the landowner.

SECTION 3176m. 281.65 (11) of the statutes is amended to read:

281.65 **(11)** Notwithstanding subs. (3) (am) and (3m), the South Fork of the Hay River is a priority watershed for the period ending on June 30, ~~2001~~ 2005. Notwithstanding subs. (2) (a), (4) (dm), (e), (em) and (g) 4., (4m) (b) 3. and (8) (b) and (e), the department, in consultation with the local units of government involved with the priority watershed project, shall establish guidelines for the types of nonpoint source water pollution abatement practices to be eligible for cost−sharing grants in the watershed. Notwithstanding sub. (8) (f), the amount of a cost−sharing grant in the watershed may be based on the amount of pollution reduction achieved rather than on the cost of the practices installed, using guidelines developed by the department, in consultation with the local units of government involved with the priority watershed project. In providing funding under s. 92.14 (3), the department of agriculture, trade and consumer protection shall determine the amount of matching funds required for staff for the priority watershed project as though the funding termination date of June 30, 2005, had been in effect on October 6, 1998. The department and the local governmental staff involved with the priority watershed project shall evaluate the cost effectiveness of the project and the reduction in nonpoint source water pollution associated with the project.

SECTION 3180. 281.68 (1) (b) (intro.) of the statutes is renumbered 281.68 (1) (b) and amended to read:

281.68 **(1)** (b) "Qualified lake association" means ~~a group incorporated under ch. 181 that meets all of the following conditions:~~ an association that meets the qualifications under sub. (3m) (a).

SECTION 3181. 281.68 (1) (b) 1. of the statutes is renumbered 281.68 (3m) (a) 2. and amended to read:

281.68 **(3m)** (a) 2. ~~Specifies~~ Specify in its articles of incorporation or bylaws that a substantial purpose of its being incorporated is to support the protection or improvement of one or more inland lakes for the benefit of the general public.

SECTION 3182. 281.68 (1) (b) 2. of the statutes is renumbered 281.68 (3m) (a) 3. and amended to read:

281.68 **(3m)** (a) 3. ~~Demonstrates~~ Demonstrate that the substantial purpose of its past actions was to support the protection or improvement of one or more inland lakes for the benefit of the general public.

SECTION 3183. 281.68 (1) (b) 3. of the statutes is renumbered 281.68 (3m) (a) 4. and amended to read:

281.68 **(3m)** (a) 4. ~~Allows~~ Allow to be a member any individual who for at least one month each year resides on or within one mile of an inland lake for which the association was incorporated.

SECTION 3184. 281.68 (1) (b) 4. of the statutes is renumbered 281.68 (3m) (a) 5. and amended to read:

281.68 **(3m)** (a) 5. ~~Allows~~ Allow to be a member any individual who owns real estate on or within one mile of an inland lake for which the association was incorporated.

SECTION 3185. 281.68 (1) (b) 5. of the statutes is renumbered 281.68 (3m) (a) 6. and amended to read:

281.68 **(3m)** (a) 6. ~~Does not~~ Not have articles of incorporation or bylaws which limit or deny the right of any member or any class of members to vote as permitted under s. 181.0721 (1).

SECTION 3186. 281.68 (1) (b) 6. of the statutes is renumbered 281.68 (3m) (a) 7. and amended to read:

281.68 **(3m)** (a) 7. ~~Has been~~ Demonstrate that it has been in existence for at least one year.

SECTION 3187. 281.68 (1) (b) 7. of the statutes is renumbered 281.68 (3m) (a) 8. and amended to read:

281.68 **(3m)** (a) 8. ~~Has~~ Demonstrate that it has at least 25 members.

SECTION 3188. 281.68 (1) (b) 8. of the statutes is renumbered 281.68 (3m) (a) 9. and amended to read:

281.68 **(3m)** (a) 9. ~~Requires~~ Require payment of an annual membership fee ~~of not less than $10 nor more than $25~~ as set by the department by rule under par. (b).

SECTION 3189. 281.68 (1) (c) of the statutes is created to read:

281.68 **(1)** (c) "Qualified school district" is a school district that meets the qualifications under sub. (3m) (c).

SECTION 3192. 281.68 (3) (a) of the statutes is amended to read:

281.68 **(3)** (a) Eligible recipients to consist of nonprofit conservation organizations, as defined in s. 23.0955 (1), counties, cities, towns, villages, qualified lake associations, town sanitary districts, qualified school districts, public inland lake protection and rehabilitation districts, and other local governmental units, as defined in s. 66.0131 (1) (a), that are established for the purpose of lake management.

SECTION 3193. 281.68 (3) (b) 6. of the statutes is created to read:

281.68 **(3)** (b) 6. Providing programs and materials that promote the monitoring of private sewage systems, the reduction in the use of environmentally harmful chemicals, water safety, and the protection of natural lake ecosystems.

SECTION 3194. 281.68 (3m) (title) and (a) (intro.) of the statutes are created to read:

281.68 **(3m) (**title) QUALIFIED ENTITIES. (a) (intro.) To be a qualified lake association, an association shall do all of the following:

SECTION 3195. 281.68 (3m) (a) 1. of the statutes is created to read:

281.68 **(3m)** (a) 1. Demonstrate that it is incorporated under ch. 181.

SECTION 3196. 281.68 (3m) (b) of the statutes is created to read:

281.68 **(3m)** (b) For purposes of par. (a) 9., the department shall set by rule the maximum amount and the minimum amount that may be charged as an annual membership fee.

SECTION 3197. 281.68 (3m) (c) of the statutes is created to read:

281.68 **(3m)** (c) To be a qualified school district, the board of the school district shall adopt a resolution to conduct a lake management planning project that will do all of the following:

1. Provide information or education on the use of lakes or natural lake ecosystems, on the quality of water in lakes, or on the quality of natural lake ecosystems.

2. Allow another eligible recipient of grants under this section to cooperate with the school district in the project.

SECTION 3199. 281.69 (1b) of the statutes is renumbered 281.69 (1b) (intro.) and amended to read:

281.69 **(1b)** ~~DEFINITION~~ DEFINITIONS. (intro.) In this section~~, "lake"~~:

(ag) "Lake" includes a flowage.

SECTION 3200m. 281.69 (1b) (bn) of the statutes is created to read:

281.69 **(1b)** (bn) "Nonprofit conservation organization" has the meaning given in s. 23.0955 (1).

SECTION 3201. 281.69 (1b) (c) of the statutes is created to read:

281.69 **(1b)** (c) "Qualified lake association" is an association that meets the qualifications under s. 281.68 (3m) (a).

Vetoed In Part

SECTION 3202. 281.69 (1b) (d) of the statutes is created to read:

281.69 **(1b)** (d) "Wetland" has the meaning given in s. 23.32 (1).

SECTION 3203. 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. 66.0131 (1) (a), that are established for the purpose of lake management.

SECTION 3205. 281.69 (3) (b) 2. of the statutes is amended to read:

281.69 **(3)** (b) 2. The restoration of a wetland~~, as defined in s. 23.32 (1),~~ if the restoration will protect or improve a lake's water quality or its natural ecosystem.

SECTION 3206. 281.69 (3) (b) 2m. of the statutes is created to read:

281.69 **(3)** (b) 2m. The restoration of habitat in a littoral area of a lake or along its shoreline if the restoration will protect or improve the lake's water quality or its natural ecosystem.

SECTION 3206m. 281.69 (3) (b) 5. of the statutes is created to read:

281.69 **(3)** (b) 5. A wetland enhancement or restoration project under sub. (3m).

SECTION 3206r. 281.69 (3m) of the statutes is created to read:

281.69 **(3m)** GRANTS FOR WETLANDS. (a) The department shall provide grants of $10,000 each from the appropriation under s. 20.370 (6) (ar) for lake management projects to eligible recipients, other than nonprofit conservation organizations, that have completed a comprehensive land use plan that includes a wetland enhancement or restoration project. The grant shall be used for the implementation of the wetland enhancement or restoration project. The 75% limitation under sub. (2) (a) does not apply to these grants.

(b) The department shall provide up to 25 grants per fiscal year during fiscal years 2001−02 and 2002−03. The department shall award the grants to eligible recipients who qualify for the grants in the order in which the grant applications are received by the department.

SECTION 3207p. 281.73 of the statutes is created to read:

281.73 Wastewater and drinking water grant. The department of natural resources shall provide a grant from the appropriation under s. 20.370 (6) (bk) to the Town of Swiss, Burnett County, and the St. Croix Band of Chippewa for design, engineering, and construction of wastewater and drinking water treatment facilities.

SECTION 3207v. 281.74 of the statutes is created to read:

281.74 Land spreading reduction pilot program. If the Elcho Sanitary District charges not more than $30 per thousand gallons to accept septic tank waste for treatment and not more than $6 per thousand gallons to accept holding tank waste for treatment, the department shall provide the funds available under s. 20.370 (6) (dc) to the Elcho Sanitary District.

SECTION 3208. 281.75 (4) (b) 3. of the statutes is amended to read:

281.75 **(4)** (b) 3. An authority created under ch. 231, 233 ~~or~~, 234, or 237.

SECTION 3211. 283.33 (1) (b) of the statutes is amended to read:

283.33 **(1)** (b) A discharge of storm water from a municipal separate storm sewer system serving an incor-

porated area with a population of 100,000 or more, as determined by the 1990 federal census.

SECTION 3212. 283.33 (1) (c) of the statutes is created to read:

283.33 **(1)** (c) A discharge of storm water from a municipal separate storm sewer system serving an area located in an urbanized area, as determined by the U.S. bureau of the census based on the latest decennial federal census.

SECTION 3213. 283.33 (1) (cg) of the statutes is created to read:

283.33 **(1)** (cg) A discharge of storm water from a municipal separate storm sewer system serving an area with a population of 10,000 or more and a population density of 1,000 or more per square mile, if the system is designated by the department to be regulated under this section based on an evaluation of whether the storm water discharge results in, or has the potential to result in, water quality standards being exceeded, including impairment of designated uses, or in other significant water quality impacts, including habitat and biological impacts.

SECTION 3214. 283.33 (1) (cr) of the statutes is created to read:

283.33 **(1)** (cr) A discharge of storm water from a municipal separate storm sewer system that is designated by the department to be regulated under this section because the system contributes substantially to the pollutant loadings of a physically interconnected municipal separate storm sewer system that is regulated under this section.

SECTION 3215. 283.33 (1) (d) of the statutes is amended to read:

283.33 **(1)** (d) A discharge of storm water from a facility or activity, other than a facility or activity under ~~par.~~ pars. (a) ~~or (b)~~ to (cr), if the department determines that the discharge either contributes to a violation of a water quality standard or is a significant contributor of pollutants to the waters of the state.

SECTION 3216. 283.33 (4) (a) (intro.) of the statutes is amended to read:

283.33 **(4)** (a) (intro.) In addition to obtaining a permit under this section, the owner or operator of an industrial activity described in sub. (1) (a) that discharges storm water through a municipal separate storm sewer system described in sub. (1) (b) to (cr) shall submit the following information to the owner or operator of the municipal separate storm sewer system:

SECTION 3217. 283.33 (8) of the statutes is amended to read:

283.33 **(8)** RULE MAKING. The department shall promulgate rules ~~containing criteria for identifying storm water discharges for which permits are required under sub. (1)~~ for the administration of this section. The department may not require a permit under this section for diffused surface drainage or agricultural storm water discharges.

SECTION 3218. 283.84 (1) (c) of the statutes is amended to read:

283.84 **(1)** (c) Reaches an agreement with the department or a local governmental unit, as defined in s. ~~16.97~~ 22.01 (7), under which the person pays money to the department or local governmental unit and the department or local governmental unit uses the money to reduce water pollution in the project area.

SECTION 3219. 283.89 (2m) of the statutes is amended to read:

283.89 **(2m)** If the department finds a violation of s. 283.33 (1) to (8) for which a person is subject to a forfeiture under s. 283.91 (2), the department ~~shall~~ may issue a citation and, if the department does issue a citation, the procedures in ss. 23.50 to 23.99 apply.

Vetoed In Part

SECTION 3219L. 285.30 (5) (c) of the statutes is amended to read:

285.30 **(5)** (c) A motor vehicle exempt from registration under s. 341.05, except that a motor vehicle owned by the United States is not exempt unless it comes under par. (a), (b), (d), (e), (f), (g) ~~or~~, (h), or (j).

SECTION 3219v. 285.30 (5) (j) of the statutes is created to read:

285.30 **(5)** (j) A low−speed vehicle, as defined in s. 340.01 (27m).

SECTION 3220. 285.59 (1) (b) of the statutes is amended to read:

285.59 **(1)** (b) "State agency" means any office, department, agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law which is entitled to expend moneys appropriated by law, including the legislature and the courts, the Wisconsin Housing and Economic Development Authority, the Bradley Center Sports and Entertainment Corporation, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, and the Wisconsin Health and Educational Facilities Authority.

SECTION 3221. 285.60 (2m) of the statutes is created to read:

285.60 **(2m)** GENERAL CONSTRUCTION PERMITS. The department may, by rule, specify types of stationary sources that may obtain general construction permits. A general construction permit may cover numerous similar stationary sources. A general construction permit shall require any stationary source that is covered by the general construction permit to comply with ss. 285.61 to 285.69. The department shall issue a general construction permit using the procedures and criteria in ss. 285.61, 285.63, 285.65, 285.66, and 285.69.

SECTION 3222. 285.69 (2) (a) 8. of the statutes is amended to read:

285.69 **(2)** (a) 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~~ year.

Vetoed In Part

SECTION 3222e. 287.03 (1) (e) and (f) of the statutes are created to read:

Vetoed In Part

287.03 **(1)** (e) Promulgate rules to implement s. 287.07 (7) (a) and (10) (a).

(f) Promulgate rules, for the purposes of s. 287.235 (1) (b), that specify the minimum elements of coordinated program delivery, including all of the following:

Vetoed In Part

1. The joint provision of, a single program operated by the responsible unit for, or a single contract for, the collection from single−family residences of materials that are separated for recycling under an effective recycling program .

Vetoed In Part

2. The joint provision of, a single program operated by the responsible unit for, or a single contract for, the processing and marketing of recyclable materials collected under an effective recycling program.

3. The joint or coordinated planning of solid waste management services within the responsible unit.

SECTION 3222f. 287.07 (7) (a) of the statutes is amended to read:

287.07 **(7)** (a) The prohibitions in subs. (3) and (4) do not apply with respect to solid waste, except medical waste, as defined in par. (c) 1. cg., ~~that is generated in a region that has an effective recycling program, as determined under s. 287.11~~ if the solid waste contains no more than an incidental amount of materials specified in subs. (3) and (4), as provided by the department by rule. This paragraph does not apply to solid waste that is separated for recycling as part of an effective recycling program under s. 287.11.

SECTION 3222g. 287.07 (9) of the statutes is created to read:

287.07 **(9)** ACCEPTANCE BY SOLID WASTE FACILITY. (a) Except as provided under pars. (b) and (c), no person operating a solid waste facility may accept solid waste from a building containing 5 or more dwelling units or a commercial, retail, industrial, or governmental facility that does not provide for the collection of materials that are subject to subs. (3) and (4) and that are separated from other solid waste by users or occupants of the building or facility.

(b) The department may grant exceptions to par. (a) on a case−by−case basis as necessary to protect public health.

Vetoed In Part

(c) 1. Paragraph (a) does not apply to a person operating a solid waste facility if the person has implemented a program to minimize the acceptance of recyclable materials at the solid waste facility, and the program complies with the rules promulgated under subd. 2.

2. The department shall promulgate rules that specify minimum standards for a program that minimizes the acceptance of recyclable materials at a solid waste facility for the purposes of subd. 1.

SECTION 3222h. 287.07 (10) of the statutes is created to read:

287.07 **(10)** TRANSPORTATION TO FACILITY. (a) Except as provided in par. (b), no person operating a solid waste facility that provides a collection and transportation service may transport solid waste for delivery to a solid waste disposal facility or a solid waste treatment facility that converts solid waste into fuel or that burns solid waste if the solid waste contains more than incidental amounts of materials specified in subs. (3) and (4), as provided by the department by rule.

(b) Paragraph (a) does not apply with respect to solid waste to which the prohibitions in subs. (3) and (4) do not apply because of sub. (7) (b), (bg), (c) 2., (d), (f), (g), or (h).

SECTION 3222m. 287.11 (4) of the statutes is created to read:

287.11 **(4)** PILOT PROGRAM FOR ALTERNATE METHOD OF COMPLIANCE. (a) The department shall administer a pilot program that provides an alternate method of complying with sub. (2) (b). The department shall promulgate rules for the pilot program under this subsection that do all of the following:

1. Set goals for amounts of materials to be recycled as a percentage of solid waste generated in the geographic area served by a responsible unit.

Vetoed In Part

2. Include a list of recyclable materials, including the materials identified under s. 287.07 (3) and (4), that a responsible unit may choose under this subsection to require to be separated for recycling under its recycling program.

3. Specify a procedure for a responsible unit to identify the materials that it will require to be separated for recycling under its recycling program.

4. Specify a procedure to be used by the department to determine whether a responsible unit has achieved the goals under par. (a).

(b) The department shall select 3 responsible units with a population of less than 5,000, 3 responsible units with a population of at least 5,000 but less than 25,000, and 3 responsible units with a population of at least 25,000 to participate in the pilot program under this subsection.

(c) A responsible unit participating in the pilot program under this subsection shall be considered to comply with sub. (2) (b).

(d) The department shall submit reports on the pilot program under this subsection to the appropriate standing committees of the legislature, under s. 13.172

(3), and to the joint committee on finance no later than January 1, 2003, and no later than January 1, 2005. The department shall include all of the following in its reports:

1. A description of the participation in the pilot program and of the results to the date of the report.

2. A description of any changes in the recycling percentage rate achieved by the participants.

3. A description of any cost or program efficiencies obtained by participants.

4. Any recommendations for statutory changes to modify the pilot program or to expand it statewide.

5. Any recommendations about whether s. 287.07 (3) and (4) should be modified and, if so, in what manner.

(e) The pilot program under this subsection ends on December 31, 2005.

SECTION 3222p. 287.23 (2) of the statutes is renumbered 287.23 (2) (a) and amended to read:

287.23 **(2)** (a) The department shall develop, implement, and administer a program to provide financial assistance to responsible units. The department shall develop criteria for reporting on and evaluating the program.

Vetoed In Part

(b) Each year the department, in cooperation with the University of Wisconsin–Extension, shall ~~audit~~ review the recycling programs of at least 5% of the recipients of grants in the previous year to ~~ensure that programs and activities funded by grants under this section meet the requirements of this section.~~ do all of the following:

Vetoed In Part

Vetoed In Part

SECTION 3222q. 287.23 (2) (b) 1. to 3. of the statutes are created to read:

287.23 **(2)** (b) 1. Ensure compliance with s. 287.07 (1m), (2), (3), and (4).

2. Ensure compliance with s. 287.11 and rules promulgated under that section.

3. Identify activities, methods, or procedures that would enable the responsible units to make their recycling programs more efficient or effective.

SECTION 3222r. 287.23 (2) (c) of the statutes is created to read:

287.23 **(2)** (c) By June 30 annually, the department shall report to the joint committee on finance the number of recycling programs reviewed under par. (b) during the previous year.

SECTION 3225. 287.23 (5) (c) 2. of the statutes is amended to read:

287.23 **(5)** (c) 2. Except as provided in subd. 5. or sub. (5e), for all other responsible units, the amount of the grant for 1993 through ~~2000~~ 1999 equals either 66% of the difference between eligible expenses and avoided disposal costs or $8 times the population of the responsible unit, whichever is less.

SECTION 3225c. 287.23 (5b) (title) and (intro.) of the statutes are amended to read:

287.23 **(5b)** (title) GRANT AWARD FOR 2000 AND 2001. (intro.) ~~The~~ For 2000 and 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). The department shall determine the amount of the grants under this subsection as follows:

SECTION 3225f. 287.23 (5d) of the statutes is created to read:

287.23 **(5d)** GRANT AMOUNT FOR YEARS AFTER 2001. (a) Beginning with grants for the year 2002, 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 pars. (c), (d), (e), (f), and (g) and sub. (5p), the department shall award an eligible responsible unit a grant under this subsection equal to $5.30 times the population of the responsible unit.

(c) A grant 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) For a county that is the responsible unit for at least 75% of the population of the county, the department shall award a grant under this subsection equal to the greater of $100,000 or the amount determined under par. (a), but not more than the allowable expenses under sub. (3) (b).

(e) For grants for the year 2002, the department shall award a grant to a responsible unit that received an award in 2001 that is equal to at least 80% of the amount received in 2001.

Vetoed In Part

(f) Beginning with grants for the year 2005, the department shall reduce a grant calculated under par. (b) by $1.50 times the population of the responsible unit if the responsible unit is not eligible for a grant under s. 287.235.

(g) If the available funds are insufficient to pay the grant amounts determined under this subsection, the department shall achieve the necessary reduction in the total amount of the grants by reducing the amount of each grant determined under this subsection, except a grant determined under par. (d) or (e), by an equal percentage.

SECTION 3226. 287.23 (5m) of the statutes is amended to read:

287.23 **(5m)** ALTERNATE PROCESS. The department shall establish, by rule, a process for distributing grants if the amount that would be awarded under sub. (5) or (5e) exceeds the amount of funds available ~~under s. 20.370 (6) (bq)~~.

SECTION 3226c. 287.23 (6) of the statutes is renumbered 287.23 (6) (a) and amended to read:

287.23 **(6)** (a) ~~The~~ Except as provided in par. (b), the department shall disburse a grant to the applicant after approval, but no later than June 1 of the year for which the grant is made.

Vetoed In Part

SECTION 3226d. 287.23 (6) (b) of the statutes is created to read:

287.23 **(6)** (b) For grants for the year 2002, the department shall disburse a total of $19,500,000 no later than June 1, 2002, and a total of $5,000,000 after June 30, 2002, but no later than December 1, 2002.

SECTION 3226k. 287.235 of the statutes is created to read:

287.235 Recycling efficiency incentive grants. (1) ELIGIBILITY. Beginning in fiscal year 2002−03 the department shall make a recycling efficiency incentive grant to a responsible unit that satisfies all of the following criteria:

Vetoed In Part

(a) The responsible unit is one of the following:

1. A county .

Vetoed In Part

2. A responsible unit, other than a county, with a population of 50,000 or more.

3. A responsible unit that is formed by the merger of 3 or more responsible units or that is the responsible unit for 3 or more municipalities.

(b) The responsible unit engages in coordinated program delivery, as specified under s. 287.03 (1) (f).

Vetoed In Part

(2) GRANT AMOUNT. (a) Except as provided in pars. (b) and (c) and sub. (3) (a), the department shall provide a grant amount to an eligible responsible unit equal to $1 times the population of the responsible unit.

(b) If the available funds are insufficient to pay the grant amount determined under par. (a), the department shall achieve the necessary reduction in the total amount of the grants by reducing the grant amount determined under par. (a) for each eligible responsible unit by an equal percentage.

(c) A grant under this section plus a grant under s. 287.23 may not exceed the allowable expenses under s. 287.23 (3) (b) that the responsible unit incurred in the year 2 years before the year for which the grants are made.

(3) APPLICATION AND PAYMENT. (a) Applications for grants under this subsection are due on October 1 of the year preceding the year for which the grant is sought. If a responsible unit submits its application after that date, the department shall reduce the grant, or deny the application, as provided in s. 287.23 (5p).

(b) The department shall disburse 50% of a grant to the applicant no later than June 1 of the year for which the grant is made and the balance no later than December 1 of the year for which the grant is made. For grants for 2002, the department shall disburse a total of $3,800,000.

SECTION 3227e. 287.95 (3) (b) of the statutes is amended to read:

287.95 **(3)** (b) After December 31, 1996, any person who violates s. 287.07 (3) ~~and~~, (4), (9), or (10) may be required to forfeit $50 for a first violation, may be required to forfeit $200 for a 2nd violation, and may be required to forfeit not more than $2,000 for a 3rd or subsequent violation.

SECTION 3227q. 289.41 (6) (a) of the statutes is amended to read:

289.41 **(6)** (a) *Compliance.* Except as provided under par. (j), (k), or (L) or sub. (7), calculations and determinations based on data and information provided in the opinion of the certified public accountant are required to establish that the company satisfies each of the criteria under pars. (b) to (i) in order to comply with minimum financial standards.

SECTION 3227r. 289.41 (6) (k) of the statutes is created to read:

289.41 **(6)** (k) *Exception from one criterion.* Paragraph (e) does not apply to a company that owns a solid waste facility at which more than one−half, by volume, of the solid waste disposed of is high−volume industrial waste if the company satisfies the criteria under pars. (b) to (d) and (f) to (i).

SECTION 3227s. 289.41 (6) (L) of the statutes is created to read:

289.41 **(6)** (L) *Alternative criteria for certain companies.* Paragraphs (e) and (f) do not apply to a company that owns a solid waste facility at which more than one−half, by volume, of the solid waste disposed of is high−volume industrial waste if the company satisfies the criteria under pars. (b) to (d) and (g) to (i) and one of the following criteria:

1. The company received a rating for its senior unsubordinated debt of "AAA," "AA," "A," or "BBB" from Standard and Poor's Corporation, or of "Aaa," "Aa," "A," or "Baa" from Moody's Investor Service, Incorporated, in the most recent issuance of ratings by either firm. **Vetoed In Part**

2. The quotient of the sum of net income plus depreciation, plus depletion, plus amortization, minus $10,000,000, divided by total liabilities at the end of the company's most recently completed fiscal year exceeds 0.1.

SECTION 3228db. 289.645 (3) (intro.) and (a) of the statutes are consolidated, renumbered 289.645 (3) and amended to read: **Vetoed In Part**

289.645 **(3)** AMOUNT OF RECYCLING FEE. The fee imposed under this section is ~~as follows: (a) For~~ $3 per ton for all solid waste other than high−volume industrial waste~~, 30 cents per ton~~.

SECTION 3228h. 289.83 of the statutes, as affected by 2001 Wisconsin Act .... (this act), is repealed.

SECTION 3228j. 289.83 (5) of the statutes is amended to read:

289.83 **(5)** PAYMENT OF GRANT. The department shall make 10 annual grant payments ~~annually over a 10−year period~~ to recipients who applied in fiscal years 1992−93 and 1993−94. Each grant payment shall equal 10% of the total grant to a political subdivision.

SECTION 3229. 292.11 (9) (e) 1m. f. of the statutes is amended to read:

292.11 **(9)** (e) 1m. f. The local governmental unit acquired the property using funds appropriated under s. 20.866 (2) (ta) or (tz).

SECTION 3230. 292.13 (1m) (intro.) of the statutes is amended to read:

292.13 **(1m)** EXEMPTION FROM LIABILITY FOR SOIL CONTAMINATION. (intro.) A person 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, including sediments, on property possessed or controlled by the person if all of the following apply:

SECTION 3231. 292.15 (2) (a) 4. of the statutes is amended to read:

292.15 **(2)** (a) 4. ~~The~~ If the voluntary party owns or controls the property, the voluntary party maintains and monitors the property as required under rules promulgated by the department and any contract entered into under those rules.

SECTION 3232. 292.15 (2) (ae) 4. of the statutes is amended to read:

292.15 **(2)** (ae) 4. ~~The~~ If the voluntary party owns or controls the property, the voluntary party maintains and monitors the property as required under rules promulgated by the department and any contract entered into under those rules.

SECTION 3234. 292.15 (2) (ag) of the statutes is amended 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) or (1m), 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) or (1m).

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) or (1m).

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) or (1m).

4. The voluntary party continues to satisfy the conditions under s. 292.13 (1) (d) to (g) or (1m) (d) to (g).

SECTION 3236. 292.15 (2) (b) 4. of the statutes is created to read:

292.15 **(2)** (b) 4. If the voluntary party does not own or control the property, the person who owns or controls the property fails to maintain and monitor the property as required under rules promulgated by the department or any contract entered into under those rules.

SECTION 3259. 292.31 (7) (am) of the statutes is created to read:

292.31 **(7)** (am) 1. The department may accept the transfer of an interest in property that was acquired by the federal environmental protection agency as part of a remedial action under the federal Comprehensive Environmental Response, Compensation, and Liability Act, 42 USC 9601 to 9675.

2. The department may acquire an interest in property from any person as part of a remedial action conducted in cooperation with the federal environmental protection agency if the acquisition is necessary to implement the remedy. Under this subdivision, the department may acquire an interest in property that is necessary to ensure that restrictions on the use of land or groundwater are enforceable. The department may expend moneys from the appropriations under ss. 20.370 (2) (dv) and 20.866 (2) (tg) if necessary to compensate a person for an interest in property acquired by the department under this subdivision.

3. The department may enforce the terms of any interest in property that it acquires under this paragraph.

SECTION 3260b. 292.35 (1) (am) of the statutes is created to read:

292.35 **(1)** (am) "Financial assistance" means money, other than a loan, provided by a governmental unit that is not a responsible party to pay a portion of the cost of investigation and remedial action for a site or facility.

SECTION 3262b. 292.35 (2) of the statutes is renumbered 292.35 (2) (intro.) and amended to read:

292.35 **(2)** APPLICABILITY. (intro.) This section only applies to a site or facility if ~~the~~ one of the following criteria is satisfied:

(a) The site or facility is owned by a local governmental unit. ~~This section does not apply to a landfill until January 1, 1996.~~

SECTION 3263b. 292.35 (2) (b) of the statutes is created to read:

292.35 **(2)** (b) A local governmental unit that owns a portion of the site or facility commits itself, by resolution of its governing body, to paying more than 50% of

the amount equal to the difference between the cost of investigation and remedial action for the site or facility and any financial assistance received for the site or facility.

SECTION 3288. 292.65 (1) (intro.) of the statutes is amended to read:

292.65 **(1)** DEFINITIONS. (intro.) In this section ~~and s. 292.66~~:

SECTION 3289. 292.65 (1) (b) of the statutes is amended to read:

292.65 **(1)** (b) "Case closure letter" means a letter provided by the department that states that, based on information available to the department, no further remedial action is necessary with respect to a dry cleaning ~~solvent~~ product discharge.

SECTION 3290. 292.65 (1) (d) (intro.) of the statutes is amended to read:

292.65 **(1)** (d) (intro.) "Dry cleaning facility" means a facility for ~~dry~~ cleaning apparel or household fabrics for the general public using a dry cleaning product, other than a facility that is one of the following:

SECTION 3291. 292.65 (1) (e) of the statutes is amended to read:

292.65 **(1)** (e) "Dry cleaning ~~solvent~~ product" means a ~~chlorine-based or hydrocarbon-based formulation or product that is used as a primary cleaning agent in dry cleaning facilities~~ hazardous substance used to clean apparel or household fabrics, except for a hazardous substance used to launder apparel or household fabrics.

SECTION 3292. 292.65 (1) (gm) of the statutes is amended to read:

292.65 **(1)** (gm) "Immediate action" means a remedial action that is taken within a short time after a discharge of dry cleaning ~~solvent~~ product occurs, or after the discovery of a discharge of dry cleaning ~~solvent~~ product, to halt the discharge, contain or remove discharged dry cleaning ~~solvent~~ product, or remove contaminated soil or water in order to restore the environment to the extent practicable and to minimize the harmful effects of the discharge to air, lands, and waters of the state and to eliminate any imminent threat to public health, safety, or welfare.

SECTION 3293. 292.65 (1) (gs) of the statutes is created to read:

292.65 **(1)** (gs) "Interim action" means a remedial action that is taken to contain or stabilize a discharge of a dry cleaning product, in order to minimize any threats to public health, safety, or welfare or to the environment, while other remedial actions are being planned.

SECTION 3294. 292.65 (4) (b) of the statutes is amended to read:

292.65 **(4)** (b) *Report.* An owner or operator shall report a dry cleaning ~~solvent~~ product discharge to the department in a timely manner, as provided in s. 292.11.

SECTION 3295. 292.65 (4) (e) of the statutes is amended to read:

292.65 **(4)** (e) *Investigation.* After notifying the department under par. (c) 1., if applicable, and before conducting remedial action activities, an owner or operator shall complete an investigation to determine the extent of environmental impact of the dry cleaning ~~solvent~~ product discharge, except as provided in pars. (g) and (h).

SECTION 3296. 292.65 (4) (h) of the statutes is repealed and recreated to read:

292.65 **(4)** (h) *Interim action.* An owner or operator is not required to complete an investigation or prepare a remedial action plan before conducting an interim action activity if the department determines that an interim action is necessary.

SECTION 3297. 292.65 (4) (i) of the statutes is amended to read:

292.65 **(4)** (i) *Review of site investigation and remedial action plan.* The department shall, at the request of an owner or operator, review the site investigation results and the remedial action plan and advise the owner or operator on the adequacy of the proposed remedial action activities in meeting the requirements of this section. The department shall complete the review of the site investigation and remedial action plan within 45 days. The department shall also provide an estimate of when funding will be available to pay an award for remedial action conducted in response to the dry cleaning ~~solvent~~ product discharge.

SECTION 3298. 292.65 (4) (j) (intro.) and 1. of the statutes are amended to read:

292.65 **(4)** (j) *Remedial action.* (intro.) The owner or operator shall conduct all remedial action activities that are required under this section in response to the dry cleaning ~~solvent~~ product discharge, including all of the following:

1. Recovering any recoverable dry cleaning ~~solvent~~ product from the environment.

SECTION 3299. 292.65 (5) (b) (intro.) of the statutes is amended to read:

292.65 **(5)** (b) (intro.) An owner or operator who is required to implement enhanced pollution prevention measures under par. (a) shall demonstrate all of the following:

SECTION 3300. 292.65 (5) (b) 1. of the statutes is amended to read:

292.65 **(5)** (b) 1. That the owner or operator manages all wastes that are generated at the dry cleaning facility and that contain dry cleaning ~~solvent~~ product as hazardous wastes in compliance with ch. 291 and 42 USC 6901 to 6991i.

SECTION 3301. 292.65 (5) (b) 1. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is renumbered 292.65 (5) (c) 1.

SECTION 3302. 292.65 (5) (b) 2. of the statutes is amended to read:

292.65 **(5)** (b) 2. That the dry cleaning facility does not discharge dry cleaning ~~solvent~~ product or wastewater from dry cleaning machines into any sanitary sewer or septic tank or into the waters of this state.

SECTION 3303. 292.65 (5) (b) 2. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is renumbered 292.65 (5) (c) 2.

SECTION 3304. 292.65 (5) (b) 3. of the statutes is amended to read:

292.65 **(5)** (b) 3. That each machine or other piece of equipment in which dry cleaning ~~solvent~~ product is used, or the entire area in which those machines or pieces of equipment are located, is surrounded by a containment dike or other containment structure that is able to contain any leak, spill, or other release of dry cleaning ~~solvent~~ product from the machines or other pieces of equipment.

SECTION 3305. 292.65 (5) (b) 4. of the statutes is amended to read:

292.65 **(5)** (b) 4. That the floor within any area surrounded by a dike or other containment structure under subd. 3. is sealed or is otherwise impervious to dry cleaning ~~solvent~~ product.

SECTION 3306. 292.65 (5) (b) 5. of the statutes is amended to read:

292.65 **(5)** (b) 5. That ~~all dry cleaning solvent is~~ any perchloroethylene delivered to the dry cleaning facility is delivered by means of a closed, direct−coupled delivery system.

SECTION 3307. 292.65 (5) (b) 5. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is renumbered 292.65 (5) (c) 3.

SECTION 3308. 292.65 (5) (c) (intro.) of the statutes is created to read:

292.65 **(5)** (c) The owner or operator of a dry cleaning facility is not eligible for an award under this section unless the owner or operator has implemented the following enhanced pollution prevention measures:

SECTION 3309. 292.65 (7) (a) (intro.) of the statutes is amended to read:

292.65 **(7)** (a) *General.* (intro.) Subject to pars. (c), (ce), (cm), and (d), eligible costs for an award under this section include reasonable and necessary costs ~~paid~~ incurred by the owner or operator of a dry cleaning facility because of a discharge of dry cleaning product at the dry cleaning facility for the following items only:

SECTION 3310. 292.65 (7) (a) 2. of the statutes is amended to read:

292.65 **(7)** (a) 2. Investigation and assessment of contamination caused by a dry cleaning ~~solvent~~ product discharge from a dry cleaning facility.

SECTION 3311. 292.65 (7) (a) 8. of the statutes is amended to read:

292.65 **(7)** (a) 8. Maintenance of equipment for dry cleaning ~~solvent~~ product recovery performed as part of remedial action activities.

SECTION 3312. 292.65 (7) (a) 13. of the statutes is repealed.

SECTION 3313. 292.65 (7) (c) 3. of the statutes is amended to read:

292.65 **(7)** (c) 3. Other costs that the department determines to be associated with, but not integral to, the investigation and remediation of a dry cleaning ~~solvent~~ product discharge from a dry cleaning facility.

SECTION 3314. 292.65 (7) (d) of the statutes is amended to read:

292.65 **(7)** (d) *Discharges from multiple activities.* If hazardous substances are discharged at a dry cleaning facility as a result of dry cleaning operations and as a result of other activities, eligible costs under this section are limited to activities necessitated by the discharge of dry cleaning ~~solvent~~ product.

SECTION 3315. 292.65 (8) (a) (intro.) of the statutes is amended to read:

292.65 **(8)** (a) *Application.* (intro.) An owner or operator shall submit an application on a form provided by the department. An owner or operator may not submit an application before September 1, 1998. An owner or operator may not submit an application after August 30, ~~2003~~ 2005, if the application relates to a dry cleaning facility that ceased to operate before September 1, 1998. An owner or operator may not submit an application after August 20, 2008, if the application relates to any other dry cleaning facility. The department shall authorize owners and operators to apply for awards at stages in the process under sub. (4) that the department specifies by rule. An application shall include all of the following documentation of activities, plans, and expenditures associated with the eligible costs incurred because of a dry cleaning ~~solvent~~ product discharge from a dry cleaning facility:

SECTION 3316. 292.65 (8) (d) 7. of the statutes is amended to read:

292.65 **(8)** (d) 7. The applicant has not paid all of the fees under ss. 77.9961~~,~~ and 77.9962 ~~and 77.9963~~.

SECTION 3317. 292.65 (8) (d) 8. of the statutes is amended to read:

292.65 **(8)** (d) 8. The dry cleaning ~~solvent~~ product discharge was caused on or after October 14, 1997, 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 3318. 292.65 (8) (e) 1. of the statutes is renumbered 292.65 (8) (e), and 292.65 (8) (e) (intro.), as renumbered, is amended to read:

292.65 **(8)** (e) *Deductible.* (intro.) The department may reimburse the owner or operator of a dry cleaning facility ~~that is operating at the time that the owner or oper-~~

~~ator applies under par. (a)~~ only for eligible costs incurred at each dry cleaning facility that exceed the following deductible:

SECTION 3319. 292.65 (8) (e) 3. of the statutes is repealed.

SECTION 3320. 292.65 (11) of the statutes is amended 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~~ product 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 3321. 292.65 (13) of the statutes is amended to read:

292.65 **(13)** COUNCIL. The dry cleaner environmental response council shall advise the department concerning the ~~programs~~ program under this section ~~and s. 292.66~~. The dry cleaner environmental response council shall evaluate the program under this section at least every 5 years, using criteria developed by the council.

SECTION 3322. 292.66 of the statutes is repealed.

SECTION 3323b. 292.75 (1) (a) of the statutes is amended to read:

292.75 **(1)** (a) "Eligible site or facility" means ~~an abandoned, idle or underused~~ one or more contiguous industrial or commercial ~~facility or site~~ facilities or sites with common or multiple ownership that are abandoned, idle, or underused, the expansion or redevelopment of which is adversely affected by actual or perceived environmental contamination.

SECTION 3323e. 292.75 (3) (d) of the statutes is amended to read:

292.75 **(3)** (d) Asbestos abatement activities, as defined in s. 254.11 (2), conducted as part of activities described in par. (b) on an eligible site or facility.

SECTION 3324b. 292.77 (2) of the statutes is amended to read:

292.77 **(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~~ the city of Platteville, the city of Fond du Lac and other municipalities that are selected by the department from those municipalities that apply for funding under this section.

Vetoed In Part

SECTION 3324c. 292.77 (3) of the statutes is amended to read:

292.77 **(3)** In developing and administering the ~~pilot~~ program under sub. (2), the department shall consult and coordinate with the department of administration~~,~~ and the department of commerce ~~and the cities specified in sub. (2)~~.

SECTION 3324db. 292.77 (4) of the statutes is repealed and recreated to read:

292.77 **(4)** During the 2001−03 fiscal biennium, the department shall make $150,000 available to the City of Platteville and $250,000 available to the City of Fond du Lac under sub. (2).

SECTION 3324h. 292.79 of the statutes is created to read:

292.79 Brownfields green space grants. (1) In this section:

(a) "Brownfields" has the meaning given in s. 560.13 (1) (a).

(b) "Local governmental units" has the meaning given in s. 292.75 (1) (b).

(2) The department shall administer a program under which the department awards grants to local governmental units for projects to remedy environmental contamination of brownfields. A project is eligible for a grant under this section if it has a long−term public benefit, including the preservation of green space, the development of recreational areas, or the use of a property by the local government.

SECTION 3325. 292.99 (1m) of the statutes is amended 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 3325k. 295.33 (4) of the statutes is amended to read:

295.33 **(4)** No person may conduct drilling operations for the exploration for or production of oil or gas ~~from~~ if the drilling extends beneath the beds of the Great Lakes or bays or harbors that are adjacent to the Great Lakes~~, unless all drilling operations originate from locations above and on the landward side of the ordinary high−water mark and are conducted according to the terms of a written lease obtained from the department under~~, notwithstanding s. 30.20 (2) (b).

SECTION 3325q. 301.029 (2) (a) of the statutes is amended to read:

301.029 **(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 to any personal identifying information, as

defined in s. 943.201 (1) (b), of an individual who is not a prisoner.

Vetoed In Part

SECTION 3327q. 301.03 (2p) of the statutes is created to read:

301.03 **(2p)** Offer the same level of alcohol or other drug abuse treatment to female inmates as to male inmates.

Vetoed In Part

SECTION 3327r. 301.03 (2t) of the statutes is created to read:

301.03 **(2t)** Promote efficient use of resources for alcohol and other drug abuse intervention and treatment services by doing all of the following:

(a) Developing one or more methods to evaluate the effectiveness of, and developing performance standards for, alcohol and other drug abuse intervention and treatment services that are administered by the department.

(b) Adopting policies to ensure that, to the extent possible under state and federal law, funding for alcohol and other drug abuse intervention and treatment services that are administered by the department is distributed giving primary consideration to the effectiveness of the services in meeting department performance standards for alcohol and other drug abuse services.

(c) Requiring every application for funding from the department for alcohol and other drug abuse intervention or treatment services to include a plan for the evaluation of the effectiveness of the services in reducing alcohol and other drug abuse by recipients of the services.

Vetoed In Part

(d) Requiring every person receiving funding from the department for alcohol and other drug abuse intervention or treatment services to provide the department the results of the evaluation conducted under par. (c).

SECTION 3329e. 301.03 (16) of the statutes is created to read:

301.03 **(16)** (a) In this subsection, "Intranet site" means an Internet site that is only accessible to officials and employees of the department.

(b) Create and maintain an Intranet site that includes the medical histories of all inmates who are sentenced to the Wisconsin state prisons. The site shall be created no later than June 30, 2003, and shall include the prescriptions, laboratory reports, and X−rays ordered for each inmate.

Vetoed In Part

SECTION 3329m. 301.03 (19) of the statutes is created to read:

Vetoed In Part

301.03 **(19)** Work with the parole commission to minimize, to the greatest extent possible, the residential population density of sex offenders, as defined in s. 302.116 (1) (b), who are on probation, parole, or extended supervision or placed on supervised release under s. 980.06 (2) (c), 1997 stats., or 980.08 (5).

SECTION 3329p. 301.03 (19m) of the statutes is created to read:

301.03 **(19m)** Examine the allocation of mental health services within the department to ensure that, within available resources, the mental health needs of inmates are met in an equitable and efficient manner and evaluate the effectiveness of providing for those needs in an equitable and efficient manner.

SECTION 3329q. 301.03 (20) of the statutes is created to read:

301.03 **(20)** Require a physician to randomly review on a regular basis the medical charts of inmates to ensure that proper medical procedures are followed in the provision of medical care to those inmates and evaluate the outcome and findings of those medical chart reviews.

SECTION 3329r. 301.03 (21) of the statutes is created to read:

301.03 **(21)** Prepare written contracts for all health care providers that deliver basic health care services at correctional facilities.

SECTION 3329s. 301.03 (22) of the statutes is created to read:

301.03 **(22)** Submit all contracts, agreements, or extensions of contracts or agreements for the delivery of health care services at correctional facilities that exceed $500,000 to the joint committee on finance for that committee's review and approval.

SECTION 3329t. 301.03 (23) of the statutes is created to read:

301.03 **(23)** Negotiate in all contracts entered into on or after the effective date of this subsection .... [revisor inserts date], with hospitals that provide inmate care a provision that the hospital will accept the medical assistance reimbursement rate under s. 49.45 for all inmates eligible for that program and evaluate the outcome of those negotiation efforts.

Vetoed In Part

SECTION 3329u. 301.03 (24) of the statutes is created to read:

Vetoed In Part

301.03 **(24)** In cooperation with the department of health and family services, explore options for determining the medical assistance eligibility of inmates and evaluate the progress of the efforts made to determine that eligibility.

SECTION 3329x. 301.03 (25) of the statutes is created to read:

301.03 **(25)** Jointly, with the department of health and family services, develop a gender−specific program for addressing the individual treatment needs of female inmates.

SECTION 3330c. 301.03 (30) of the statutes is created to read:

Vetoed In Part

301.03 **(30)** Create and maintain an inmate tracking system that includes the inmate's criminal history, medical and mental health history, alcohol and other drug abuse history, victimization history, violence history, education and vocational history, religion, marital status, and status of all of his or her children.

Vetoed In Part

SECTION 3330d. 301.03 (31) of the statutes is created to read:

301.03 **(31)** Collect and maintain information that determines the number of inmates that return to prison due to a probation or parole revocation and whether the revocation is due to the inmate committing a new crime or violating a condition or rule of probation or parole.

SECTION 3330e. 301.03 (32) of the statutes is created to read:

301.03 **(32)** On its Internet web site that is accessible to the public, publish statistical information regarding adult corrections, including the total adult population; adult population in each institution; commitments to the adult correctional system; releases from the adult correctional system; average adult inmate sentence length; and offenses, race, gender, educational level, marital status, parental status, religion, and county of commitment of adult inmates.

SECTION 3330f. 301.03 (33) of the statutes is created to read:

301.03 **(33)** On its Internet web site that is accessible to the public, publish statistical information regarding juvenile corrections, including the total juvenile population; juvenile population in each institution; average juvenile population; admissions to the juvenile correctional system; releases from the juvenile correctional system; and offenses, race, gender, average age, and county of commitment of juveniles.

Vetoed In Part

SECTION 3330g. 301.03 (34) of the statutes is created to read:

301.03 **(34)** Comply with guidelines established by the U.S. attorney general under 42 USC 13704 (2) in reporting, on a quarterly basis, information regarding the death of any person in the custody of the department, including inmates incarcerated in facilities located outside this state, and provide this information to the Wisconsin attorney general at the same time that it is submitted to the U.S. attorney general.

SECTION 3333j. 301.047 of the statutes is created to read:

301.047 Inmate rehabilitation and aftercare. (1) PROGRAM. The department may permit one or more nonprofit community−based organizations meeting the requirements of this section to operate an inmate rehabilitation program in any department facility if the department determines that operation of that program does not constitute a threat to the security of the facility or the safety of inmates or the public and that operation of the program is in the best interest of the inmates.

(2) PROGRAM REQUIREMENTS. (a) An organization seeking to operate a rehabilitation program under sub. (1) shall submit to the department a detailed proposal for the operation of the program. The proposal shall include all of the following:

1. A description of the services to be provided, including aftercare services, and a description of the geographic area in which aftercare services will be provided.

2. A description of the activities to be undertaken and the approximate daily schedule of programming for inmates participating in the program.

3. A statement of the qualifications of the individuals providing services.

4. A statement of the organization's policies regarding eligibility of inmates to participate in the program.

5. A statement of the goals of the program.

6. A description of the methods by which the organization will evaluate the effectiveness of the program in attaining the goals under subd. 5.

7. Any other information specified by the department.

(b) An organization seeking to operate a rehabilitation program under sub. (1) shall agree in writing to all of the following:

1. The organization may not receive compensation from the department for services provided in the rehabilitation program.

2. The organization may not deny an inmate the opportunity to participate in the program for any reason related to the inmate's religious beliefs or nonbelief.

3. An inmate may stop participating in the program at any time.

4. Upon the inmate's release, the organization shall provide community−based aftercare services for each inmate who completes the program and who resides in the geographic area described in par. (a) 1.

Vetoed In Part

(3) DUTIES AND AUTHORITY OF THE DEPARTMENT. (a) The department shall establish policies that provide an organization operating a rehabilitation program under sub. (1) reasonable access to inmates.

(b) The department shall designate a specific portion of the facility for operation of a rehabilitation program, if one is established, under sub. (1). To the extent possible, inmates participating in the program shall be housed in the portion of the facility in which the program is operated.

(c) The department may not require an inmate to participate in a rehabilitation program under sub. (1).

(d) The department may not base any decision regarding an inmate's conditions of confinement, including discipline, or an inmate's eligibility for release, on an inmate's decision to participate or not to participate in a rehabilitation program under sub. (1).

(e) The treatment of inmates, including the provision of housing, activities in which an inmate may participate, freedom of movement, and work assignments, shall be substantially the same for inmates who participate in a rehabilitation program under sub. (1) and inmates who do not participate in such a program.

(f) The department may restrict an inmate's participation in a rehabilitation program under sub. (1) only if the restriction is necessary for the security of the facility or the safety of the inmates or the public .

Vetoed In Part

(g) The department may suspend or terminate operation of a rehabilitation program under sub. (1) if the organization operating the program fails to comply with any of the requirements under this section and shall suspend or terminate the operation of a program if the department determines that suspension or termination of the program is necessary for the security of the facility or the safety of the inmates or the public or is in the best interests of the inmates.

(h) 1. Except as provided in subd. 2., if an organization operating a rehabilitation program under sub. (1) promotes or informs the department that the organization intends to promote sectarian worship, instruction, or proselytization in connection with the rehabilitation program, the department shall permit all other religious organizations meeting the requirements of this section to operate an inmate rehabilitation program under sub. (1).

2. The department is not required under subd. 1. to permit a religious organization to operate an inmate rehabilitation program under sub. (1) if the department determines that the organization's operation of that program constitutes a threat to the security of the facility or the safety of the inmates or the public.

(4) EVALUATION. The department shall evaluate or contract with a public or private agency for an evaluation of the effectiveness of each rehabilitation program operated under sub. (1) in reducing recidivism and alcohol and other drug abuse among program participants. The department shall collect the data and information necessary to evaluate the program. No later than 3 years from the date on which the rehabilitation program begins operating, the department shall submit a report of the evaluation to the governor and to the appropriate standing committees of the legislature, as determined by the speaker of the assembly and the president of the senate, under s. 13.172 (3).

(5) SUSPENSION OR TERMINATION OF AN INMATE'S PARTICIPATION. Notwithstanding sub. (2) (b) 2., an organization operating a rehabilitation program under sub. (1) may suspend or terminate an inmate's participation in a program for reasons unrelated to religious beliefs, including the inmate's failure to participate meaningfully in the program.

SECTION 3334j. 301.065 of the statutes is created to read:

301.065 Religious organizations; contract powers. (1) RELIGIOUS ORGANIZATIONS; LEGISLATIVE PURPOSE. The purpose of this section is to allow the department to contract with, or award grants to, religious organizations, under any program administered by the department relating to the prevention of delinquency and crime or the rehabilitation of offenders, on the same basis as any other nongovernmental provider, without impairing the religious character of such organizations, and without diminishing the religious freedom of beneficiaries of assistance funded under such program.

(2) NONDISCRIMINATION AGAINST RELIGIOUS ORGANIZATIONS. If the department is authorized under ch. 16 to contract with a nongovernmental entity, or to award grants to a nongovernmental entity, religious organizations are eligible, on the same basis as any other private organization, to be contractors and grantees under any program administered by the department so long as the programs are implemented consistently with the first amendment to the U.S. Constitution and article I, section 18, of the Wisconsin Constitution. Except as provided in sub. (11), the department may not discriminate against an organization that is or applies to be a contractor or grantee on the basis that the organization does or does not have a religious character or because of the specific religious nature of the organization.

(3) RELIGIOUS CHARACTER AND FREEDOM. (a) The department shall allow a religious organization with which the department contracts or to which the department awards a grant to retain its independence from government, including the organization's control over the definition, development, practice, and expression of its religious beliefs.

(b) The department may not require a religious organization to alter its form of internal governance or to remove religious art, icons, scripture, or other symbols to be eligible for a contract or grant.

(4) RIGHTS OF BENEFICIARIES OF ASSISTANCE. (a) If the department contracts with or awards grants to a religious organization for the provisions of crime prevention or offender rehabilitation assistance under a program administered by the department, an individual who is eligible for this assistance shall be informed in writing that assistance of equal value and accessibility is available from a nonreligious provider upon request.

(b) The department shall provide an individual who is otherwise eligible for assistance from an organization described under par. (a) with assistance of equal value from a nonreligious provider if the individual objects to the religious character of the organization described under par. (a) and requests assistance from a nonreligious provider. The department shall provide such assistance within a reasonable period of time after the date of the objection and shall ensure that it is accessible to the individual.

Vetoed In Part

(6) NONDISCRIMINATION AGAINST BENEFICIARIES. A religious organization may not discriminate against an individual in regard to rendering assistance that is funded under any program administered by the department on the basis of religion, a religious belief or nonbelief, or a refusal to actively participate in a religious practice.

(7) FISCAL ACCOUNTABILITY. (a) Except as provided in par. (b), any religious organization that contracts with,

or receives a grant from, the department is subject to the same laws and rules as other contractors and grantees regarding accounting, in accord with generally accepted auditing principles, for the use of the funds provided under such programs.

(b) If the religious organization segregates funds provided under programs administered by the department into separate accounts, only the financial assistance provided with those funds shall be subject to audit.

(8) COMPLIANCE. Any party that seeks to enforce its rights under this section may bring a civil action for injunctive relief against the entity that allegedly commits the violation.

(9) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES. No funds provided directly to religious organizations by the department may be expended for sectarian worship, instruction, or proselytization.

(10) CERTIFICATION OF COMPLIANCE. Every religious organization that contracts with, or receives a grant from, the department to provide delinquency and crime prevention or offender rehabilitation services to eligible recipients shall certify in writing that it has complied with the requirements of subs. (6) and (9) and submit to the department a copy of this certification and a written description of the policies the organization has adopted to ensure that it has complied with the requirements under subs. (6) and (9).

(11) PREEMPTION. Nothing in this section may be construed to preempt any other statute that prohibits or restricts the expenditure of federal or state funds by or the granting of federal or state funds to religious organizations.

SECTION 3336. 301.16 (1s) of the statutes is created to read:

301.16 **(1s)** In addition to the institutions under sub. (1), the department shall establish a medium security correctional institution that is a part of the correctional facilities enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b), and that is located in Redgranite.

SECTION 3337. 301.16 (1t) of the statutes is created to read:

301.16 **(1t)** In addition to the institutions under sub. (1), the department shall establish a medium security correctional institution that is a part of the correctional facilities enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b), and that is located in New Lisbon.

SECTION 3337m. 301.19 of the statutes is created to read:

301.19 Restriction on construction of correctional facilities. (1) In this section:

(a) "Authorized jurisdiction" means a county, 2 counties acting jointly under s. 302.44, the United States, or a federally recognized American Indian tribe or band in this state.

(b) "Correctional facility" means an institution or facility, or a portion of an institution or facility, that is used to confine juveniles alleged or found to be delinquent or a prison, jail, house of correction, or lockup facility but does not include a secured group home, as defined in s. 938.02 (15p).

(2) No person may commence construction of a correctional facility or commence conversion of an existing building, structure, or facility into a correctional facility unless the building, structure, or facility is enumerated in the authorized state building program.

(3) Subsection (2) does not apply to any of the following:

(a) A building, structure, or facility that is constructed or converted under a contract with and for use by an authorized jurisdiction.

(b) A building, structure, or facility the construction of which was completed before January 1, 2001, if the building, structure, or facility was designed to confine persons convicted of a criminal offense.

SECTION 3338. 301.26 (4) (b) of the statutes is amended to read:

301.26 **(4)** (b) Assessment of costs under par. (a) shall be made periodically on the basis of the per person per day cost estimate specified in par. (d) 2. ~~to 4.~~ and 3. Except as provided in pars. (bm), (c), and (cm), liability shall apply to county departments under s. 46.21, 46.22, or 46.23 in the county of the court exercising jurisdiction under chs. 48 and 938 for each person receiving services from the department of corrections under s. 48.366, 938.183, or 938.34 or the department of health and family services under s. 46.057 or 51.35 (3). Except as provided in pars. (bm), (c), and (cm), in multicounty court jurisdictions, the county of residency within the jurisdiction shall be liable for costs under this subsection. Assessment of costs under par. (a) shall also be made according to the general placement type or level of care provided, as defined by the department, and prorated according to the ratio of the amount designated under sub. (3) (c) to the total applicable estimated costs of care, services, and supplies provided by the department of corrections under ss. 48.366, 938.183, and 938.34 and the department of health and family services under s. 46.057 or 51.35 (3).

SECTION 3339. 301.26 (4) (cm) 3. of the statutes is amended to read:

301.26 **(4)** (cm) 3. The per person daily reimbursement rate for juvenile correctional services under this paragraph shall be equal to the per person daily cost assessment to counties under par. (d) 2. ~~to 4.~~ and 3. for juvenile correctional services.

SECTION 3340d. 301.26 (4) (d) 2. of the statutes is amended to read:

301.26 **(4)** (d) 2. Beginning on July 1, ~~1999~~ 2001, and ending on ~~December 31, 1999~~ June 30, 2002, the per person daily cost assessment to counties shall be ~~$153.01~~ $167.57 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~$153.01~~ $167.57 for care for juveniles transferred from a juvenile correctional institu-

tion under s. 51.35 (3), ~~$183.72~~ $213 for care in a child caring institution, including a secured child caring institution, ~~$118.93~~ $129 for care in a group home for children, ~~$26.17~~ $41 for care in a foster home, ~~$75.37~~ $81 for care in a treatment foster home, ~~$72.66~~ $82.56 for departmental corrective sanctions services, and ~~$19.76~~ $21.96 for departmental aftercare services.

SECTION 3341d. 301.26 (4) (d) 3. of the statutes is amended to read:

301.26 **(4)** (d) 3. ~~In calendar year 2000~~ Beginning on July 1, 2002, and ending on June 30, 2003, the per person daily cost assessment to counties shall be ~~$153.55~~ $172.51 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~$153.55~~ $172.51 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), ~~$187.21~~ $226 for care in a child caring institution, including a secured child caring institution, ~~$121.19~~ $135 for care in a group home for children, ~~$26.67~~ $43 for care in a foster home, ~~$76.80~~ $85 for care in a treatment foster home, ~~$74.68~~ $84.50 for departmental corrective sanctions services, and ~~$19.15~~ $22.66 for departmental aftercare services.

SECTION 3342. 301.26 (4) (d) 4. of the statutes is repealed.

SECTION 3343. 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, ~~1999~~ 2001, and ending on June 30, ~~2001~~ 2003, as provided in this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

SECTION 3344e. 301.26 (7) (a) (intro.) of the statutes is renumbered 301.26 (7) (a) and amended to read:

301.26 **(7)** (a) For community youth and family aids under this section, amounts not to exceed ~~$42,091,800~~ $43,615,200 for the last 6 months of ~~1999, $85,183,700 for 2000~~ 2001, $87,760,300 for 2002, and ~~$43,091,900~~ $44,145,100 for the first 6 months of ~~2001~~ 2003.

(b) Of ~~those~~ the amounts specified in par. (a), the department shall allocate ~~$1,000,000~~ $2,000,000 for the last 6 months of ~~1999, $3,000,000 for 2000 and $2,000,000~~ 2001, $4,000,000 for 2002, and $2,000,000 for the first 6 months of ~~2001~~ 2003 to counties based on each of the following factors weighted equally:

SECTION 3344f. 301.26 (7) (a) 1. to 3. of the statutes are renumbered 301.26 (7) (b) 1. to 3.

SECTION 3344g. 301.26 (7) (c) of the statutes is created to read:

301.26 **(7)** (c) Of the amounts specified in par. (a), the department shall allocate $523,300 for the last 6 months of 2001, $1,576,600 for 2002, and $1,053,300 for the first 6 months of 2003 to counties based on each of the factors specified in par. (b) 1. to 3. weighted equally, except that no county may receive an allocation under this paragraph that is less than 93% nor more than 115% of the amount that the county would have received under this paragraph if the allocation had been distributed only on the basis of the factor specified in par. (b) 3.

SECTION 3345. 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 ~~1999~~ 2001, $250,000 for ~~2000~~ 2002 and $125,000 for the first 6 months of ~~2001~~ 2003. A county is eligible for payments under this paragraph only if it has a population of not more than 45,000.

SECTION 3346. 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 ~~1999~~ 2001, $2,124,800 in ~~2000~~ 2002 and $1,062,400 in the first 6 months of ~~2001~~ 2003 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 3347. 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 ~~1999~~ 2001, $1,333,400 in ~~2000~~ 2002 and $666,700 in the first 6 months of ~~2001~~ 2003 for alcohol and other drug abuse treatment programs.

SECTION 3348. 301.265 (title) of the statutes is repealed.

SECTION 3349d. 301.265 (1) of the statutes is renumbered 16.964 (8) (a) and amended to read:

16.964 **(8)** (a) From the appropriations under s. ~~20.410 (3)~~ 20.505 (6) (d) and (kj), the ~~department~~ office shall allocate $500,000 in each fiscal year to enter into a contract with an organization to provide services in a county having a population of 500,000 or more for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational and employment programs. Notwithstanding s. 16.75, the ~~department~~ office may enter into a contract under this ~~subsection~~ paragraph without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

SECTION 3350. 301.265 (2) of the statutes is renumbered 16.964 (8) (b) and amended to read:

16.964 **(8)** (b) From the appropriation under s. ~~20.410 (3) (kp)~~ 20.505 (6) (km), the ~~department~~ office may not distribute more than $300,000 in each fiscal year to the organization that it has contracted with under ~~sub. (1)~~ par. (a) for alcohol and other drug abuse education and treatment services for participants in that organization's youth diversion program.

SECTION 3351d. 301.265 (3) of the statutes is renumbered 16.964 (8) (c) and amended to read:

16.964 **(8)** (c) From the appropriations under s. ~~20.410 (3)~~ 20.505 (6) (d) and (kj), the ~~department~~ office 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 $150,000 in each fiscal year to enter into a contract with an organization to provide services in Brown County, for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational, and employment programs, and for alcohol or other drug abuse education and treatment services for participants in that organization's youth diversion program. The organization that is located in ward 1 in the city of Racine shall have a recreational facility, shall offer programs to divert youths from gang activities, may not be affiliated with any national or state association, and may not have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s. 16.75, the ~~department~~ office may enter into a contract under this ~~subsection~~ paragraph without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

Vetoed In Part

SECTION 3352m. 301.295 of the statutes is created to read:

301.295 Recruitment of department employees. The department may not use billboards or similar structures to recruit its employees.

SECTION 3352p. 301.46 (2s) of the statutes is created to read:

301.46 **(2s)** PROVIDING INFORMATION TO THE UNIVERSITY OF WISCONSIN SYSTEM. (a) In this subsection:

1. "Board of regents" means the board of regents of the University of Wisconsin System.

2. "University of Wisconsin employee" means a person employed by the board of regents.

3. "University of Wisconsin student" means a person attending an institution within the University of Wisconsin System.

(b) When a University of Wisconsin employee or student registers with the department under s. 301.45 (2) or a person who is registered with the department under s. 301.45 (2) becomes a University of Wisconsin employee or student, the department shall immediately provide in writing the following information about the person to the board of regents:

1. The person's name, including any aliases used by the person.

2. Information sufficient to identify the person, including date of birth, gender, race, height, weight, and hair and eye color.

3. The statute that the person violated, the date of conviction, adjudication, or commitment, and the county or, if the state is not this state, the state in which the person was convicted, adjudicated, or committed.

4. The address at which the person is residing.

5. If the person is a University of Wisconsin employee, the name and address of any institution at which the person works.

6. If the person is a University of Wisconsin student, the name and address of the institution that the person attends.

7. The most recent date on which the information under s. 301.45 was updated.

(c) When an individual described in par. (b) (intro.) updates information under s. 301.45 (4), the department shall immediately provide the updated information in writing to the board of regents.

SECTION 3352r. 301.46 (4) (d) of the statutes is created to read:

301.46 **(4)** (d) The department shall coordinate with the department of health and family services the sharing of address information of persons regarding whom notification bulletins are issued under sub. (2m) (a) or (am).

SECTION 3352w. 301.46 (5) (a) (intro.) of the statutes is amended to read:

301.46 **(5)** (a) (intro.) The department or a police chief or sheriff may provide the information specified in par. (b) concerning a specific person required to register under s. 301.45 to a person who is not provided notice or access under ~~subs.~~ sub. (2) ~~to~~, (2m), (3), or (4) if, in the opinion of the department or the police chief or sheriff, providing the information is necessary to protect the public and if the person requesting the information does all of the following:

Vetoed In Part

SECTION 3353m. 302.01 of the statutes is amended to read:

302.01 State prisons named and defined. The penitentiary at Waupun is named "Waupun Correctional Institution~~".~~." The correctional treatment center at Waupun is named "Dodge Correctional Institution~~".~~." The penitentiary at Green Bay is named "Green Bay Correctional Institution~~".~~." The medium/maximum penitentiary at Portage is named "Columbia Correctional Institution~~".~~." The medium security institution at Oshkosh is named "Oshkosh Correctional Institution~~".~~." The medium security penitentiary near Fox Lake is named

"Fox Lake Correctional Institution~~".~~." The penitentiary at Taycheedah is named "Taycheedah Correctional Institution~~".~~." The medium security penitentiary at Plymouth is named "Kettle Moraine Correctional Institution~~".~~." The penitentiary at the village of Sturtevant in Racine county is named "Racine Correctional Institution~~".~~." The medium security correctional institution near Black River Falls is named "Jackson 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 medium security correctional institutions at Redgranite and New Lisbon, the correctional 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), the correctional institution at Stanley authorized under 2001 Wisconsin Act .... (this act), section 9107 (1) (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.

Vetoed In Part

SECTION 3354g. 302.11 (1) of the statutes is amended to read:

302.11 **(1)** The warden or superintendent shall keep a record of the conduct of each inmate, specifying each infraction of the rules. Except as provided in subs. (1g), (1m), (1q), (1z), (4m), (7) and (10), each inmate is entitled to mandatory release on parole by the department. The mandatory release date is established at two−thirds of the sentence. Any calculations under this subsection or sub. (1q) (b) or (2) (b) resulting in fractions of a day shall be rounded in the inmate's favor to a whole day.

SECTION 3354j. 302.11 (1g) (b) 2. of the statutes is amended to read:

302.11 **(1g)** (b) 2. Refusal by the inmate to participate in counseling or treatment that the social service and clinical staff of the institution determines is necessary for the inmate, including pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen if the inmate is a serious child sex offender as defined in s. 304.06 (1q) (a). The parole commission may not deny presumptive mandatory release to an inmate because of the inmate's refusal to participate in a rehabilitation program under s. 301.047.

Vetoed In Part

Vetoed In Part

SECTION 3354r. 302.11 (1g) (b) 3. of the statutes is created to read:

302.11 **(1g)** (b) 3. Refusal by the inmate to live in a residence that the parole commission has approved under s. 304.06 (2m) (ak), if applicable.

SECTION 3357m. 302.11 (4m) of the statutes is amended to read:

302.11 **(4m)** An inmate may not be paroled under this section ~~is subject to the restriction~~ unless he or she agrees to live in a residence that the parole commission or the department has approved under s. 304.06 (2m) (ak), if applicable~~, relating to the counties to which inmates may be paroled~~.

SECTION 3367g. 302.113 (7) of the statutes is amended to read:

302.113 **(7)** Any inmate released to extended supervision under this section is subject to all conditions and rules of extended supervision until the expiration of the term of extended supervision portion of the bifurcated sentence. The department may set conditions of extended supervision in addition to any conditions of extended supervision required under s. 302.116, if applicable, or set by the court under s. 973.01 (5) if the conditions set by the department do not conflict with the court's conditions.

SECTION 3377m. 302.114 (8) of the statutes is amended to read:

302.114 **(8)** Any inmate released to extended supervision under this section is subject to all conditions and rules of extended supervision. The department may set conditions of extended supervision in addition to any conditions of extended supervision required under s. 302.116, if applicable, or set by the court under sub. (5) (d) if the conditions set by the department do not conflict with the court's conditions.

SECTION 3385g. 302.115 of the statutes is renumbered 302.105.

SECTION 3385r. 302.116 of the statutes is created to read:

Vetoed In Part

302.116 Extended supervision conditions for sex offenders. (1) In this section:

(a) "Serious sex offense" means a violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06, or 948.07 or a solicitation, conspiracy, or attempt to commit a violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06, or 948.07.

(b) "Sex offender" means a person serving a sentence for a serious sex offense.

(2) As a condition of extended supervision, a sex offender shall agree to live in a residence that the department has approved under sub. (3) .

(3) Subject to the requirements of subs. (4) to (6) and s. 301.03 (19), before releasing a sex offender to extended supervision, the department shall assess the appropriateness of the sex offender's prospective residence by doing at least all of the following:

(a) Considering the sex offender's access to potential victims if he or she lives there. If the victim of the serious sex offense that the sex offender committed was a child, the department, in meeting this requirement, shall contact the department of health and family services, the local county department responsible for certification of child care providers under s. 48.651, and the local school

Vetoed In Part

board to determine whether there are any day care providers located near the sex offender's prospective residence.

(b) Ensuring that others living in the prospective residence are aware of the sex offender's offense history.

(4) The department shall use its best efforts to select a residence under sub. (3) that is in the sex offender's county of residence.

(5) If the victim of the serious sex offense that the sex offender committed was a child who resided with the sex offender at the time of the offense, the department may not permit the sex offender to return home, unless the extended supervision officer and any person providing sex offender treatment to the sex offender determines that the sex offender's return will not jeopardize the safety of anyone residing in the home.

(6) The department may not approve a residence under sub. (3) if it is located in a county where there is a correctional institution that has a specialized sex offender treatment program, unless that county is also the sex offender's county of residence.

(7) The department shall determine a sex offender's county of residence under this section by doing all of the following:

(a) Considering residence as the voluntary concurrence of physical presence with intent to remain in a place of fixed habitation and considering physical presence as prima facie evidence of intent to remain.

(b) Applying the criteria for consideration of residence and physical presence under par. (a) to the facts that existed on the date on which the sex offender committed the serious sex offense that resulted in the sentence that the sex offender is serving.

SECTION 3386d. 302.18 (7) of the statutes is amended to read:

302.18 **(7)** Except as provided in s. 973.013 (3m), the department shall keep ~~all prisoners~~ a person under 15 years of age who has been sentenced to the Wisconsin state prisons in a secured juvenile correctional ~~facilities or~~ facility or a secured child caring ~~institutions~~ institution, but the department may transfer ~~them~~ that person to an adult correctional ~~institutions~~ institution after ~~they attain~~ the person attains 15 years of age. The department may not transfer any person under 18 years of age to the correctional institution authorized in s. 301.16 (1n).

SECTION 3388. 302.386 (3) (a) of the statutes is amended to read:

302.386 **(3)** (a) Except as provided in par. (b), the department may require a resident housed in a prison identified in s. 302.01 or in a secured correctional facility, as defined in s. 938.02 (15m), who ~~earns wages during residency and who~~ receives medical or dental services to pay a deductible, coinsurance, copayment, or similar charge upon the medical or dental service that he or she receives. The department shall collect the allowable deductible, coinsurance, copayment, or similar charge.

Vetoed In Part

SECTION 3389f. 302.46 (1) (a) of the statutes is amended to read:

302.46 **(1)** (a) On or after October 1, 1987, if a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for a violation of s. 101.123 (2) (a), (am) 1., (ar) ~~or~~, (bm), or (br) or (5) or state laws or municipal or county ordinances involving nonmoving traffic violations or safety belt use violations under s. 347.48 (2m), the court, in addition, shall impose a jail assessment in an amount of 1% of the fine or forfeiture imposed or $10, whichever is greater. If multiple offenses are involved, the court shall determine the jail assessment on the basis of each fine or forfeiture. If a fine or forfeiture is suspended in whole or in part, the court shall reduce the jail assessment in proportion to the suspension.

SECTION 3389g. 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~~ 2 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 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 3389gm. 303.04 of the statutes is amended to read:

303.04 Correctional farms. The board of commissioners of public lands, the department of natural resources, the department of forestry, and the department may select from the state forest reserves a quantity of land

not to exceed 5,000 acres and convert the same into farms for the state prisons.

Vetoed In Part

SECTION 3389m. 304.01 (3) of the statutes is created to read:

304.01 **(3)** The parole commission shall work with the department to minimize, to the greatest extent possible, the residential population density of sex offenders, as defined in s. 304.06 (2m) (a) 2., who are on probation, parole, or extended supervision or placed on supervised release under s. 980.06 (2) (c), 1997 stats., or s. 980.08 (5).

SECTION 3389p. 304.02 (4m) of the statutes is amended to read:

304.02 **(4m)** A prisoner may not be paroled under this section ~~is subject to the restriction~~ unless he or she agrees to live in a residence that the department has approved under s. 304.06 (2m) (ak), if applicable~~, relating to the counties to which prisoners may be paroled~~.

SECTION 3389q. 304.06 (2m) (a) of the statutes is renumbered 304.06 (2m) (a) (intro.) and amended to read:

304.06 **(2m)** (a) (intro.) In this subsection~~, "serious~~:

1. "Serious sex offense" means a violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06 or 948.07 or a solicitation, conspiracy or attempt to commit a violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06 or 948.07.

SECTION 3389r. 304.06 (2m) (a) 2. of the statutes is created to read:

Vetoed In Part

304.06 **(2m)** (a) 2. "Sex offender" means a person serving a sentence for a serious sex offense.

SECTION 3389s. 304.06 (2m) (af) of the statutes is created to read:

304.06 **(2m)** (af) Neither the parole commission nor the department may parole a sex offender unless he or she agrees to live in a residence that the parole commission or the department has approved under par. (ak).

SECTION 3389t. 304.06 (2m) (ak) of the statutes is created to read:

304.06 **(2m)** (ak) Subject to the requirements of pars. (ap), (at), and (b) and ss. 301.03 (19) and 304.01 (3), before releasing a sex offender on parole, the parole commission or the department shall assess the appropriateness of the sex offender's prospective residence by doing at least all of the following:

1. Considering the sex offender's access to potential victims if he or she lives there. If the victim of the serious sex offense that the sex offender committed was a child, the parole commission or the department, in meeting this requirement, shall contact the department of health and family services, the local county department responsible for certification of child care providers under s. 48.651, and the local school board to determine whether there are any day care providers located near the sex offender's prospective residence.

2. Ensuring that others living in the prospective residence are aware of the sex offender's offense history.

SECTION 3389u. 304.06 (2m) (ap) of the statutes is created to read:

304.06 **(2m)** (ap) The parole commission or the department shall use its best efforts to select a residence under par. (ak) that is in the sex offender's county of residence.

SECTION 3389v. 304.06 (2m) (at) of the statutes is created to read:

304.06 **(2m)** (at) If the victim of the serious sex offense that the sex offender committed was a child who resided with the sex offender at the time of the offense, neither the parole commission nor the department may permit the sex offender to return home, unless the parole officer and any person providing sex offender treatment to the sex offender determines that the sex offender's return will not jeopardize the safety of anyone residing in the home.

SECTION 3389w. 304.06 (2m) (b) of the statutes is amended to read:

304.06 **(2m)** (b) Except as provided in par. (c), no ~~prisoner who is serving a sentence for a serious~~ sex ~~offense~~ offender may be paroled to any county where there is a correctional institution that has a specialized sex offender treatment program.

SECTION 3389x. 304.06 (2m) (c) of the statutes is amended to read:

304.06 **(2m)** (c) A ~~prisoner who is serving a sentence for a serious~~ sex ~~offense~~ offender may be paroled to a county where there is a correctional institution that has a specialized sex offender treatment program if that county is also the ~~prisoner's~~ sex offender's county of residence. Vetoed In Part

SECTION 3389y. 304.06 (2m) (d) of the statutes is amended to read:

304.06 **(2m)** (d) The parole commission or the department shall determine a ~~prisoner's~~ sex offender's county of residence for the purposes of this subsection by doing all of the following:

1. ~~The parole commission or the department shall consider~~ Considering residence as the voluntary concurrence of physical presence with intent to remain in a place of fixed habitation and ~~shall consider~~ considering physical presence as prima facie evidence of intent to remain.

2. ~~The parole commission or the department shall apply~~ Applying the criteria for consideration of residence and physical presence under subd. 1. to the facts that existed on the date ~~that the prisoner~~ on which the sex offender committed the serious sex offense that resulted in the sentence that the ~~prisoner~~ sex offender is serving.

SECTION 3390b. 340.01 (2g) of the statutes is amended to read:

340.01 **(2g)** "All−terrain vehicle" means an engine−driven device which has a net weight of ~~650~~ 900 pounds or less, which has a width of 48 inches or less, which is

equipped with a seat designed to be straddled by the operator and which is designed to travel on 3 or more low−pressure tires. A low−pressure tire is a tire which has a minimum width of 6 inches, which is designed to be mounted on a rim with a maximum diameter of 12 inches and which is designed to be inflated with an operating pressure not to exceed 6 pounds per square inch as recommended by the manufacturer.

Vetoed In Part

SECTION 3390m. 340.01 (3) (b) of the statutes is amended to read:

340.01 **(3)** (b) Conservation wardens' vehicles, state forest rangers' vehicles or foresters' trucks, whether publicly or privately owned.

Vetoed In Part

SECTION 3390u. 340.01 (4) (a) of the statutes is amended to read:

340.01 **(4)** (a) Type 1 is a motor vehicle designed and used primarily for carrying persons but which does not come within the definition of a low−speed vehicle, motor bus, motorcycle, moped or motor bicycle.

SECTION 3390v. 340.01 (19d) of the statutes is created to read:

340.01 **(19d)** "Golf cart" means a vehicle whose speed attainable in one mile does not exceed 20 miles per hour on a paved, level surface, and is used to convey one or more persons and equipment to play the game of golf in an area designated as a golf course.

SECTION 3390x. 340.01 (27m) of the statutes is created to read:

340.01 **(27m)** "Low−speed vehicle" means a low−speed vehicle, as defined in 49 CFR 571.3, that satisfies the equipment standards under 49 CFR 571.500 and which was originally manufactured to meet the applicable equipment standards under 49 CFR 571.500. "Low−speed vehicle" does not include a golf cart.

SECTION 3390y. 341.067 of the statutes is amended to read:

341.067 Registration of special vehicles. The department shall register a specially designed vehicle which is authorized for operation by a person holding a special restricted operator's license under s. 343.135 if the special vehicle meets the equipment standards established under s. 347.02 (6) or (8).

SECTION 3390yd. 341.09 (8) of the statutes is amended to read:

341.09 **(8)** The department may issue a temporary operation plate to a person who is eligible for the issuance of a special plate for a motorcycle under s. 341.14 (1e) if the department determines that the person's disability is temporary. The plate shall contain the information specified in sub. (1m) and comply with s. 341.13 (2m), if applicable. The plate shall otherwise be similar to or identical to plates issued under s. 341.14 (1e). No charge in addition to the registration fee may be made for the issuance of a plate under this subsection.

SECTION 3390yw. 341.13 (2m) of the statutes is created to read:

341.13 **(2m)** A registration plate issued for a motorcycle shall have a white background and black lettering and shall be 4 inches by 7 inches in size. No plates may be issued under this subsection until the manufacturer of such plates for the department has depleted the existing stock of sheeting material used to manufacture the plates or until July 1, 2003, whichever occurs first.

SECTION 3391. 341.135 (1) of the statutes is amended to read:

341.135 **(1)** DESIGN. Every ~~6th~~ 7th year, the department shall establish new designs of registration plates to be issued under ss. 341.14 (1a), (1m), (1q), (2), (2m), (6m) ~~or~~, and (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). 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~~ 7−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~~ 7−year design interval shall be of the design established under this subsection. The department may not redesign registration plates for the special ~~group~~ groups under s. 341.14 (6r) (f) 53., 54., or 55. until ~~January 1, 2005~~ July 1, 2007. Except for registration plates issued under s. 341.14 (6r) (f) 53., 54., or 55., the first design cycle for registration plates issued under ss. 341.14 (1a), (1m), (1q), (2), (2m), (6m), and (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) began July 1, 2000.

Vetoed In Part

SECTION 3392. 341.135 (2) (a) 1. of the statutes is 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) 53., 54., or 55., 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), the department shall issue and deliver prepaid to the applicant 2 new registration plates of the design established under sub. (1).

Vetoed In Part

SECTION 3393. 341.135 (2) (a) 2. of the statutes is amended to read:

341.135 **(2)** (a) 2. Notwithstanding s. 341.13 (3), beginning with registrations initially effective on July 1, ~~2005~~ 2007, 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~~ 7 years, the department shall issue and deliver prepaid to the applicant 2 new registration plates of the design established for that ~~6−year~~ 7−year period under sub. (1).

SECTION 3394. 341.135 (2) (am) of the statutes is amended to read:

341.135 **(2)** (am) Notwithstanding ~~ss.~~ s. 341.13 (3) and (3m), beginning with registrations initially effective on July 1, 2000, upon receipt of a completed application to renew the registration of a vehicle registered under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m), or (6r), except s. 341.14 (6r) (f) 53., 54., or 55., or s. 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), 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~~ 2007.

SECTION 3395. 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 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) after ~~January 1, 2005~~ July 1, 2007.

SECTION 3396. 341.14 (2) of the statutes is amended to read:

341.14 **(2)** Upon compliance with the laws relating to registration of automobiles and motor homes; motor trucks, dual purpose motor homes, and dual purpose farm trucks which have a gross weight of not more than 8,000 pounds; and farm trucks which have a gross weight of not more than 12,000 pounds, including payment of the prescribed registration fees therefor plus an additional fee of ~~$10~~ $15 when registration plates are issued accompanied by an application showing satisfactory proof that the applicant is the holder of an unexpired amateur radio station license issued by the federal communications commission, the department shall issue registration plates on which, in lieu of the usual registration number, shall be inscribed in large legible form the call letters of such applicant as assigned by the federal communications commission. The fee for reissuance of a plate under this subsection shall be ~~$10~~ $15.

SECTION 3397. 341.14 (2m) of the statutes is amended to read:

341.14 **(2m)** Upon compliance with laws relating to registration of motor vehicles, including payment of the prescribed fee, and an additional fee of ~~$5~~ $15 when the original or new registration plates are issued and accompanied by an application showing satisfactory proof that the applicant has a collector's identification number as provided in s. 341.266 (2) (d), the department shall issue registration plates on which, in lieu of the usual registration number, shall be inscribed the collector's identification number issued under s. 341.266 (2) (d). The words "VEHICLE COLLECTOR" shall be inscribed across the lower or upper portion of the plate at the discretion of the department. Additional registrations under this subsection by the same collector shall bear the same collector's identification number followed by a suffix letter for vehicle identification. Registration plates issued under this subsection shall expire annually.

SECTION 3398. 341.14 (6) (d) of the statutes is amended to read:

341.14 **(6)** (d) For each additional vehicle, a person who maintains more than one registration under this subsection at one time shall be charged a fee of ~~$10~~ $15 for issuance or reissuance of the plates in addition to the annual registration fee for the vehicle. Except as provided in par. (c), a motor truck or dual purpose farm truck registered under this subsection shall be registered under this paragraph.

SECTION 3399. 341.14 (6) (e) of the statutes is repealed.

SECTION 3400. 341.14 (6m) (a) of the statutes is amended to read:

341.14 **(6m)** (a) Upon application to register an automobile 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 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~~ $15 shall be charged for the issuance or reissuance of the plates. Registration plates issued under this subsection shall expire annually.

SECTION 3401. 341.14 (6r) (b) 2. of the statutes is amended to read:

341.14 **(6r)** (b) 2. An additional fee of ~~$10~~ $15 shall be charged for the issuance or reissuance of the plates for special groups specified under par. (f) ~~1. to 34., 48., 49. and 51~~.

SECTION 3402. 341.14 (6r) (b) 3. of the statutes is amended to read:

341.14 **(6r)** (b) 3. An additional fee of $15 shall be charged for the issuance or reissuance of a plate issued ~~on an annual basis~~ for a special group ~~specified under par. (f) 35. to 47., 53., 54., or 55. or~~ designated by the department under par. (fm). ~~An additional fee of $15 shall be charged for the issuance or reissuance of a plate issued on a biennial basis for a special group specified under par. (f) 35. to 47., 53., 54., or 55. or designated by the department under par. (fm) if the plate is issued during the first year~~

~~of the biennial registration period or $15 for the issuance or reissuance if the plate is issued during the 2nd year of the biennial registration period.~~ The department shall deposit in the general fund and credit to the appropriation account under s. 20.395 (5) (cj) all fees collected under this subdivision ~~for the issuance or reissuance of a plate for a special group designated by the department under par. (fm)~~.

SECTION 3403. 341.14 (6r) (b) 4. of the statutes is amended to read:

341.14 **(6r)** (b) 4. An additional fee of $20 that is in addition to the fee under subd. 2. ~~or 3.~~ shall be charged for the issuance or renewal of a plate issued on an annual basis for a special group specified under par. (f) 35. to 47. An additional fee of $40 that is in addition to the fee under subd. 2. ~~or 3.~~ shall be charged for the issuance or renewal of a plate issued on a biennial basis for a special group specified under par. (f) 35. to 47. if the plate is issued or renewed during the first year of the biennial registration period or $20 for the issuance or renewal if the plate is issued or renewed during the 2nd year of the biennial registration period. The fee under this subdivision is deductible as a charitable contribution for purposes of the taxes under ch. 71.

SECTION 3404. 341.14 (6r) (b) 6. of the statutes is amended to read:

341.14 **(6r)** (b) 6. An additional fee of $20 that is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an annual basis for the special group specified under par. (f) 53. An additional fee of $40 that is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on a biennial basis for the special group specified under par. (f) 53. if the plate is issued or renewed during the first year of the biennial registration period or $20 for the issuance or renewal if the plate is issued or renewed during the 2nd year of the biennial registration period. All moneys received under this subdivision in excess of the initial costs of data processing for the special group plate under par. (f) 53. or $35,000, whichever is less, shall be deposited in the children's trust fund. To the extent permitted under ch. 71, the fee under this subdivision is deductible as a charitable contribution for purposes of the taxes under ch. 71.

Vetoed In Part

SECTION 3405. 341.14 (6r) (b) 7. of the statutes is amended to read:

341.14 **(6r)** (b) 7. An additional fee of $25 that is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an annual basis for the special group specified under par. (f) 54. An additional fee of $50 that is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on the biennial basis for the special group specified under par. (f) 54. if the plate is issued or renewed during the first year of the biennial registration period or $25 for the issuance or renewal if the plate is issued or renewed during the 2nd year of the biennial registration period. All moneys received under this subdivision in excess of the initial costs of production of the special group plate under par. (f) 54. or $196,700, whichever is less, shall be deposited in the conservation fund and credited to the appropriation under s. 20.370 (5) (au). To the extent permitted under ch. 71, the fee under this subdivision is deductible as a charitable contribution for purposes of the taxes under ch. 71.

SECTION 3406. 341.14 (6r) (b) 8. (intro.) of the statutes is amended to read:

341.14 **(6r)** (b) 8. (intro.) An additional fee of $25 that is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an annual basis for the special group specified under par. (f) 55. An additional fee of $50 that is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on the biennial basis for the special group specified under par. (f) 55. if the plate is issued or renewed during the first year of the biennial registration period or $25 for the issuance or renewal if the plate is issued or renewed during the 2nd year of the biennial registration period. For each professional football team for which plates are produced under par. (f) 55., all moneys received under this subdivision in excess of the initial costs of data processing for the special group plate related to that team under par. (f) 55. or $35,000, whichever is less, shall be deposited in the general fund and credited as follows:

SECTION 3406p. 341.14 (6w) of the statutes is created to read:

341.14 **(6w)** Upon application to register a motorcycle by any person who is a resident of this state and a veteran of the U.S. armed forces, the department shall issue to the person a special plate whose colors and design shall indicate that the vehicle is owned by a veteran of the U.S. armed forces. The department shall specify the design of the special plate. Notwithstanding s. 341.13 (2m), the special plate shall be colored red, white, and blue and be 4 inches by 7 inches in size. An additional fee of $15 shall be charged for the issuance or reissuance of the plate.

SECTION 3407. 341.14 (8) of the statutes is amended to read:

341.14 **(8)** If a special plate for a group associated with a branch of the armed services or otherwise military in nature has been issued to a person under this section, upon application by the surviving spouse of the person, the department may permit the surviving spouse to retain the plate. If the plate has been returned to the department or surrendered to another state, the department may reissue the plate to the surviving spouse. The department shall charge an additional fee of ~~$10~~ $15 to reissue the plate. This subsection does not apply to a special plate issued under s. 341.14 (1) or (1r).

SECTION 3407b. 341.145 (1) (f) of the statutes is created to read:

341.145 **(1)** (f) A registration plate of the same color and design as provided in s. 341.14 (6w) for a vehicle specified in s. 341.14 (6w), which displays a registration number composed of numbers or letters, or both, not exceeding 5 positions and not less than one position, requested by an applicant.

SECTION 3407c. 341.145 (1g) (e) of the statutes is created to read:

341.145 **(1g)** (e) The department may issue personalized registration plates under sub. (1) (f) to a person who qualifies for special plates under s. 341.14 (6w).

SECTION 3407d. 341.16 (1) (b) of the statutes is amended to read:

341.16 **(1)** (b) Upon satisfactory proof of the loss or destruction of a special plate issued under s. 341.14 (6m) (a) ~~or~~, (6r) (b), or (6w) or a special personalized plate issued under s. 341.145 (1) (b) ~~or~~, (c), or (f) and upon payment of a fee of $5 for each plate or, if the plate is for a special group specified under s. 341.14 (6r) (f) 35. to 47. or 53., $6 for each plate, the department shall issue a replacement.

Vetoed In Part

SECTION 3407e. 341.25 (title) of the statutes is amended to read:

341.25 (title) **Annual and biennial registration ~~fees; biennial motorcycle fees~~.**

SECTION 3407h. 341.25 (1) (b) of the statutes is amended to read:

Vetoed In Part

341.25 **(1)** (b) For each motorcycle or moped with a curb weight of 1,499 pounds or less, except a specially designed vehicle under s. 341.067, which is designed for the transportation of persons rather than property, and for each low−speed vehicle, a biennial fee of $23.

SECTION 3407p. 341.297 (1) of the statutes is amended to read:

341.297 **(1)** A motorcycle ~~or~~, moped, or low−speed vehicle, as specified in s. 341.25 (1) (b).

SECTION 3407r. 341.31 (1) (b) 5. of the statutes is amended to read:

341.31 **(1)** (b) 5. The vehicle is a motorcycle ~~which~~ or low−speed vehicle that has been transferred or leased to the applicant and for which a current registration ~~plates~~ plate had been issued to the previous owner; or

SECTION 3407v. 341.31 (4) (c) of the statutes is amended to read:

341.31 **(4)** (c) A person retaining a ~~set of plates~~ plate removed from a motorcycle or low−speed vehicle may receive credit for the unused portion of the registration fee paid when registering a ~~replacement motorcycle~~ vehicle of the same type.

SECTION 3407w. 341.65 (2) (b) of the statutes is amended to read:

341.65 **(2)** (b) Any municipal or university police officer, sheriff's deputy, county traffic patrolman, state traffic officer, state forest ranger or conservation warden who discovers any unregistered motor vehicle located upon any highway may cause the motor vehicle to be immobilized with an immobilization device or removed to a suitable place of impoundment. Upon immobilization or removal of the motor vehicle, the officer, state forest ranger or conservation warden shall notify the sheriff or chief of police of the location of the immobilized or impounded motor vehicle and the reason for the immobilization or impoundment.

SECTION 3408g. 342.14 (1r) of the statutes is amended to read:

342.14 **(1r)** ~~Upon filing an application under sub. (1) or (3) before December 1, 1999, an environmental impact fee of $5, by the person filing the application.~~ Upon filing an application under sub. (1) or (3) ~~on or after December 1, 1999~~, 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~~ December 31, 2003.

SECTION 3408r. 342.14 (1r) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

342.14 **(1r)** Upon filing an application under sub. (1) or (3), an environmental impact fee of ~~$6~~ $9, 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 December 31, 2003.

SECTION 3408t. 342.15 (4) (a) of the statutes is amended to read: **Vetoed In Part**

342.15 **(4)** (a) If the vehicle being transferred is a motorcycle or low−speed vehicle or an automobile registered under s. 341.27 or a motor home or a motor truck, dual purpose motor home, or dual purpose farm truck which has a gross weight of not more than 8,000 pounds or a farm truck which has a gross weight of not more than 12,000 pounds, the owner shall remove the registration plate or plates and retain and preserve ~~them~~ the plate or plates for use on any other vehicle of the same type and gross weight which may subsequently be registered in his or her name.

SECTION 3408v. 342.34 (1) (c) of the statutes is amended to read:

342.34 **(1)** (c) If the vehicle is a motorcycle or low−speed vehicle or an automobile registered under s. 341.27 or a motor home or a motor truck, dual purpose motor home, or dual purpose farm truck which has a gross weight of not more than 8,000 pounds or a farm truck which has a gross weight of not more than 12,000 pounds, the owner shall remove the registration plate or plates and retain and preserve ~~them~~ the plate or plates for use on any other vehicle of the same type which may subsequently be registered in his or her name. If the vehicle is not a motorcycle or low−speed vehicle or an automobile registered under s. 341.27~~,~~ or a motor home **Vetoed In Part**

or a motor truck, dual purpose motor home, or dual purpose farm truck which has a gross weight of not more than 8,000 pounds or a farm truck which has a gross weight of not more than 12,000 pounds, he or she shall remove and destroy the plate or plates.

Vetoed In Part

SECTION 3408w. 342.40 (3) (a) of the statutes is amended to read:

342.40 **(3)** (a) Any municipal or university police officer, police officer appointed under s. 16.84 (2), sheriff's deputy, county traffic patrolman, state traffic officer, state forest ranger or conservation warden who discovers any motor vehicle, trailer, semitrailer~~,~~ or mobile home on any public highway or private or public property which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment. Upon removal of the vehicle the officer, state forest ranger or conservation warden shall notify the sheriff or chief of police of the abandonment and of the location of the impounded vehicle.

Vetoed In Part

SECTION 3408y. 343.08 (1) (a) and (2) (a) of the statutes are amended to read:

343.08 **(1)** (a) The department must be satisfied that it is necessary for the applicant to operate an automobile, farm truck, dual purpose farm truck, low−speed vehicle, Type 1 motorcycle powered with an engine of not more than 125 cubic centimeters displacement, Type 2 motorcycle, moped or motor bicycle owned and registered by the applicant's parent or guardian or a farm truck leased to the applicant's parent or guardian.

(2) (a) A restricted license issued pursuant to this section is valid only until the licensee secures an operator's license issued pursuant to s. 343.03 or reaches 18 years of age and, except as provided in par. (b), entitles the licensee to operate an automobile, farm truck, dual purpose farm truck, low−speed vehicle, Type 1 motorcycle powered with an engine of not more than 125 cubic centimeters displacement, Type 2 motorcycle, moped or motor bicycle owned and registered by the licensee's parent or guardian or a farm truck leased to the licensee's parent or guardian or any combination of these vehicles, depending on the restrictions placed by the department on the particular license.

Vetoed In Part

SECTION 3409f. 343.10 (5) (a) 3. of the statutes is amended to read:

343.10 **(5)** (a) 3. If the applicant has 2 or more prior convictions, suspensions or revocations, as counted under s. 343.307 (1), the occupational license of the applicant shall restrict the applicant's operation under the occupational license to vehicles that are equipped with a functioning ignition interlock device if the court has ordered under s. ~~346.65 (6) (a) 1. that a motor vehicle owned by the person~~ 343.301 (1) that each motor vehicle for which the person's name appears on the vehicle's certificate of title or registration be equipped with an ignition interlock device or has ordered under s. 346.65 (6) (a) 1. that the motor vehicle owned by the person and used in the violation or improper refusal be equipped with an ignition interlock device. A person to whom a restriction under this subdivision applies violates that restriction if he or she requests or permits another to blow into an ignition interlock device or to start a motor vehicle equipped with an ignition interlock device for the purpose of providing the person an operable motor vehicle without the necessity of first submitting a sample of his or her breath to analysis by the ignition interlock device. If the occupational license restricts the applicant's operation to a vehicle that is equipped with an ignition interlock device, the applicant shall be liable for the reasonable costs of equipping the vehicle with the ignition interlock device.

Vetoed In Part

SECTION 3409g. 343.10 (5) (a) 3. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

343.10 **(5)** (a) 3. If the applicant has 2 or more prior convictions, suspensions, or revocations, as counted under s. 343.307 (1), the occupational license of the applicant shall restrict the applicant's operation under the occupational license to vehicles that are equipped with a functioning ignition interlock device if the court has ordered under s. 343.301 (1) that each motor vehicle for which the person's name appears on the vehicle's certificate of title or registration be equipped with an ignition interlock device or has ordered under s. 346.65 (6) (a) 1., 1999 stats., that the motor vehicle owned by the person and used in the violation or improper refusal be equipped with an ignition interlock device. A person to whom a restriction under this subdivision applies violates that restriction if he or she requests or permits another to blow into an ignition interlock device or to start a motor vehicle equipped with an ignition interlock device for the purpose of providing the person an operable motor vehicle without the necessity of first submitting a sample of his or her breath to analysis by the ignition interlock device. If the occupational license restricts the applicant's operation to a vehicle that is equipped with an ignition interlock device, the applicant shall be liable for the reasonable costs of equipping the vehicle with the ignition interlock device.

SECTION 3409n. 343.135 (2) (a) 1. of the statutes is amended to read:

343.135 **(2)** (a) 1. Motor bicycles or mopeds~~; or~~.

SECTION 3409r. 343.135 (2) (a) 1m. of the statutes is created to read:

343.135 **(2)** (a) 1m. Low−speed vehicles.

SECTION 3410. 343.24 (2) (a) of the statutes is amended to read:

343.24 **(2)** (a) For each file search, ~~$3~~ $5.

SECTION 3410k. 343.24 (2) (a) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

343.24 **(2)** (a) For each file search, ~~$5~~ $5.20.

SECTION 3411. 343.24 (2) (b) of the statutes is amended to read:

343.24 **(2)** (b) For each computerized search, ~~$3~~ $5.

Vetoed In Part

SECTION 3411k. 343.24 (2) (b) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

343.24 **(2)** (b) For each computerized search, ~~$5~~ $5.20.

SECTION 3412. 343.24 (2) (c) of the statutes is amended to read:

343.24 **(2)** (c) For each search requested by telephone, ~~$4~~ $6, or an established monthly service rate determined by the department.

Vetoed In Part

SECTION 3412k. 343.24 (2) (c) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

343.24 **(2)** (c) For each search requested by telephone, ~~$6~~ $6.20, or an established monthly service rate determined by the department.

SECTION 3413. 343.24 (2m) of the statutes is amended to read:

343.24 **(2m)** If the department, in maintaining a computerized operating record system, makes copies of its operating record file database, or a portion thereof, on computer tape or other electronic media, copies of the tape or media may be furnished to any person on request. The department may also furnish to any person upon request records on computer tape or other electronic media that contain information from files of uniform traffic citations or motor vehicle accidents and that were produced for or developed by the department for purposes related to maintenance of the operating record file database. The department shall charge a fee of ~~$3~~ $5 for each file of vehicle operators' records contained in the tape or media. The department shall charge a fee of not more than ~~$3~~ $5 for each file of uniform traffic citations or motor vehicle accidents contained in the tape or media. Nothing in this subsection requires the department to produce records of particular files or data in a particular format except as those records or data are made by the department for its purposes.

SECTION 3413k. 343.24 (2m) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

343.24 **(2m)** If the department, in maintaining a computerized operating record system, makes copies of its operating record file database, or a portion thereof, on computer tape or other electronic media, copies of the tape or media may be furnished to any person on request. The department may also furnish to any person upon request records on computer tape or other electronic media that contain information from files of uniform traffic citations or motor vehicle accidents and that were produced for or developed by the department for purposes related to maintenance of the operating record file database. The department shall charge a fee of ~~$5~~ $5.20 for each file of vehicle operators' records contained in the tape or media. The department shall charge a fee of not more than ~~$5~~ $5.20 for each file of uniform traffic citations or motor vehicle accidents contained in the tape or media. Nothing in this subsection requires the department to produce records of particular files or data in a particular format except as those records or data are made by the department for its purposes.

SECTION 3414. 343.245 (3m) (b) of the statutes is amended to read:

343.245 **(3m)** (b) The department shall establish and collect reasonable fees from employers in the program sufficient to defray the costs of instituting and maintaining the program, including the registration and withdrawal of employees. The fee for each notification by the department to an employer under par. (a) shall be ~~$3~~ $5.

Vetoed In Part

SECTION 3414k. 343.245 (3m) (b) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

343.245 **(3m)** (b) The department shall establish and collect reasonable fees from employers in the program sufficient to defray the costs of instituting and maintaining the program, including the registration and withdrawal of employees. The fee for each notification by the department to an employer under par. (a) shall be ~~$5~~ $5.20.

SECTION 3415m. 343.30 (1q) (b) 3. of the statutes is amended to read:

343.30 **(1q)** (b) 3. Except as provided in subd. 4m., if the number of convictions under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other convictions, suspensions, and revocations counted under s. 343.307 (1) within a 10−year period, equals 2, the court shall revoke the person's operating privilege for not less than one year nor more than 18 months. After the first 60 days of the revocation period or, if the total number of convictions, suspensions, and revocations counted under this subdivision within any 5−year period equals 2 or more, after one year of the revocation period has elapsed, the person is eligible for an occupational license under s. 343.10 if he or she has completed the assessment and is complying with the driver safety plan ordered under par. (c).

Vetoed In Part

SECTION 3416m. 343.30 (1q) (b) 4. of the statutes is amended to read:

343.30 **(1q)** (b) 4. Except as provided in subd. 4m., if the number of convictions under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other convictions, suspensions, and revocations counted under s. 343.307 (1), equals 3 or more, the court shall revoke the person's operating privilege for not less than 2 years nor more than 3 years. After the first 90 days of the revocation period or, if the total number of convictions, suspensions, and revocations counted under this subdivision within any 5−year period equals 2 or more, after one year of the revocation period has elapsed, the person is eligible for an occupational license under s. 343.10 if he or she has completed the assessment and is

complying with the driver safety plan ordered under par. (c).

SECTION 3417m. 343.301 of the statutes is created to read:

343.301 Installation of ignition interlock device or immobilization of a motor vehicle. (1) IGNITION INTERLOCK. (a) If a person improperly refuses to take a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total of 2 or more convictions, suspensions, or revocations, counted under s. 343.307 (1) within any 5−year period, the court shall order that the person's operating privilege for the operation of "Class D" vehicles be restricted to operating vehicles that are equipped with an ignition interlock device and shall order that each motor vehicle for which the person's name appears on the vehicle's certificate of title or registration be equipped with an ignition interlock device. If equipping each motor vehicle with an ignition interlock device under this paragraph would cause an undue financial hardship, the court may order that one or more motor vehicles subject to this paragraph not be equipped with an ignition interlock device. This paragraph does not apply if the court enters an order under sub. (2) (a) or, if the person has 2 or more prior convictions, suspensions, or revocations for purposes of this paragraph, to the motor vehicle owned by the person and used in the violation or refusal if the court orders the vehicle to be seized and forfeited under s. 346.65 (6).

(b) The court shall order the operating privilege restriction and the installation of an ignition interlock device under par. (a) for a period of not less than one year nor more than the maximum operating privilege revocation period permitted for the refusal or violation, beginning one year after the operating privilege revocation period begins.

(c) If the court enters an order under par. (a), the person shall be liable for the reasonable cost of equipping and maintaining any ignition interlock device installed on his or her motor vehicle.

(d) A person to whom an order under par. (a) applies violates that order if he or she requests or permits another to blow into an ignition interlock device or to start a motor vehicle equipped with an ignition interlock device for the purpose of providing the person an operable motor vehicle without the necessity of first submitting a sample of his or her breath to analysis by the ignition interlock device.

(2) IMMOBILIZATION. (a) If a person improperly refuses to take a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total of 2 or more convictions, suspensions, or revocations counted under s. 343.307 (1) within any 5−year period, the court shall order that each motor vehicle for which the person's name appears on the vehicle's certificate of title or registration be immobilized. If immobilizing each motor vehicle under this paragraph would cause undue hardship to any person, except the person to whom the order applies, who is completely dependent on a motor vehicle subject to immobilization for the necessities of life, including a family member or any person who holds legal title to a motor vehicle with the person to whom the order applies, the court may order that one or more motor vehicles subject to this paragraph not be immobilized. This paragraph does not apply if the court enters an order under sub. (1) (a) or, if the person has 2 or more prior convictions, suspensions, or revocations for purposes of this paragraph, to the motor vehicle owned by the person and used in the violation or refusal if the court orders the vehicle to be seized and forfeited under s. 346.65 (6).

(b) The court shall order the immobilization under par. (a) for a period of not less than one year nor more than the maximum operating privilege revocation period permitted for the refusal or violation, beginning on the first day of the operating privilege revocation period.

(c) If the court orders that the person's motor vehicle be immobilized, the person shall be liable for the reasonable cost of equipping and maintaining any immobilization device installed on his or her motor vehicle.

(d) The court shall notify the department, in a form and manner prescribed by the department, that an order to immobilize a motor vehicle has been entered. The registration records of the department shall reflect that the order has been entered against the motor vehicle and remains unexecuted. Any law enforcement officer may execute that order based on the information provided by the department. The law enforcement agency shall notify the department when an order has been executed under this paragraph and the department shall amend its vehicle registration records to reflect that notification.

(e) Within 10 days after immobilizing a motor vehicle under par. (d), the law enforcement agency that immobilized the vehicle shall provide notice of the immobilization to all lienholders of record. The notice shall set forth the year, make, model, and vehicle identification number of the motor vehicle, where the motor vehicle is located and the reason for the immobilization.

SECTION 3418m. 343.301 (1) (a) of the statutes, as created by 2001 Wisconsin Act .... (this act), is renumbered 343.301 (1) (a) 2. and amended to read:

343.301 **(1)** (a) 2. If a person improperly refuses to take a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total of 2 or more convictions, suspensions, or revocations, counted under s. 343.307 (1) within any 5−year period, the court shall order that the person's operating privilege for the operation of "Class D" vehicles be restricted to operating vehicles that are equipped with an ignition interlock device and shall order that each motor vehicle for which the person's name appears on the vehicle's certificate of title or registration be equipped with an ignition interlock device. If equipping each motor vehicle with an ignition interlock device under this ~~paragraph~~ subdivision would

cause an undue financial hardship, the court may order that one or more motor vehicles subject to this ~~paragraph~~ subdivision not be equipped with an ignition interlock device. This ~~paragraph~~ subdivision does not apply if the court enters an order under sub. (2) (a) 2. or, if the person has 2 or more prior convictions, suspensions, or revocations for purposes of this ~~paragraph~~ subdivision, to the motor vehicle owned by the person and used in the violation or refusal if the court orders the vehicle to be seized and forfeited under s. 346.65 (6).

SECTION 3419m. 343.301 (1) (a) 1. of the statutes is created to read:

343.301 **(1)** (a) 1. Except as provided in subd. 2., if a person improperly refuses to take a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total of one or more prior convictions, suspensions, or revocations, counting convictions under ss. 940.09 (1) and 940.25 in the person's lifetime and other convictions, suspensions, and revocations counted under s. 343.307 (1), the court may order that the person's operating privilege for the operation of "Class D" vehicles be restricted to operating "Class D" vehicles that are equipped with an ignition interlock device.

SECTION 3420m. 343.301 (1) (b) of the statutes, as created by 2001 Wisconsin Act .... (this act), is renumbered 343.301 (1) (b) 2. and amended to read:

343.301 **(1)** (b) 2. The court shall order the operating privilege restriction and the installation of an ignition interlock device under par. (a) 2. for a period of not less than one year nor more than the maximum operating privilege revocation period permitted for the refusal or violation, beginning on the first day of the operating privilege revocation period.

SECTION 3420n. 343.301 (1) (b) 1. of the statutes is created to read:

343.301 **(1)** (b) 1. The court may restrict the operating privilege restriction under par. (a) 1. for a period of not less than one year nor more than the maximum operating privilege revocation period permitted for the refusal or violation.

SECTION 3420p. 343.301 (2) (a) of the statutes, as created by 2001 Wisconsin Act .... (this act), is renumbered 343.301 (2) (a) 2. and amended to read:

343.301 **(2)** (a) 2. If a person improperly refuses to take a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total of 2 or more convictions, suspensions, or revocations counted under s. 343.307 (1) within any 5−year period, the court shall order that each motor vehicle for which the person's name appears on the vehicle's certificate of title or registration be immobilized. If immobilizing each motor vehicle under this ~~paragraph~~ subdivision would cause undue hardship to any person, except the person to whom the order applies, who is completely dependent on a motor vehicle subject to immobilization for the necessities of life, including a family member or any person who holds legal title to a motor vehicle with the person to whom the order applies, the court may order that one or more motor vehicles subject to this ~~paragraph~~ subdivision not be immobilized. This ~~paragraph~~ subdivision does not apply if the court enters an order under sub. (1) (a) 1. or, if the person has 2 or more prior convictions, suspensions, or revocations for purposes of this ~~paragraph~~ subdivision, to the motor vehicle owned by the person and used in the violation or refusal if the court orders the vehicle to be seized and forfeited under s. 346.65 (6).

SECTION 3420r. 343.301 (2) (a) 1. of the statutes is created to read:

343.301 **(2)** (a) 1. Except as provided in subd. 2., if a person improperly refuses to take a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total of one or more prior convictions, suspensions, or revocations, counting convictions under ss. 940.09 (1) and 940.25 in the person's lifetime and other convictions, suspensions, and revocations counted under s. 343.307 (1), the court may order that the motor vehicle used during the refusal or violation and owned by the person be immobilized.

SECTION 3420s. 343.301 (2) (b) of the statutes, as created by 2001 Wisconsin Act .... (this act), is renumbered 343.301 (2) (b) 2. and amended to read:

343.301 **(2)** (b) 2. The court shall order the immobilization under par. (a) 2. for a period of not less than one year nor more than the maximum operating privilege revocation period permitted for the refusal or violation, beginning on the first day of the operating privilege revocation period.

SECTION 3420t. 343.301 (2) (b) 1. of the statutes is created to read:

343.301 **(2)** (b) 1. The court may order the immobilization under par. (a) 1. for a period of not less than one year nor more than the maximum operating privilege revocation period permitted for the refusal or violation.

SECTION 3421m. 343.305 (10) (b) 3. of the statutes is amended to read:

343.305 **(10)** (b) 3. Except as provided in subd. 4m., if the number of convictions under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other convictions, suspensions, and revocations counted under s. 343.307 (2) within a 10−year period, equals 2, the court shall revoke the person's operating privilege for 2 years. After the first 90 days of the revocation period or, if the total number of convictions, suspensions, and revocations counted under this subdivision within any 5−year period equals 2 or more, after one year of the revocation period has elapsed, the person is eligible for an occupational license under s. 343.10 if he or she has completed the assessment and is complying with the driver safety plan.

SECTION 3422m. 343.305 (10) (b) 4. of the statutes is amended to read:

343.305 **(10)** (b) 4. Except as provided in subd. 4m., if the number of convictions under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other convictions, suspensions, and revocations counted under s. 343.307 (2) within a 10−year period, equals 3 or more, the court shall revoke the person's operating privilege for 3 years. After the first 90 days of the revocation period or, if the total number of convictions, suspensions, and revocations counted under this subdivision within any 5−year period equals 2 or more, after one year of the revocation period has elapsed, the person is eligible for an occupational license under s. 343.10 if he or she has completed the assessment and is complying with the driver safety plan.

SECTION 3423g. 343.305 (10m) of the statutes is amended to read:

343.305 **(10m)** REFUSALS; SEIZURE, IMMOBILIZATION OR IGNITION INTERLOCK OF A MOTOR VEHICLE. If the person whose operating privilege is revoked under sub. (10) has 2 or more ~~prior~~ convictions, suspensions, or revocations, as counted under s. 343.307 (1) within any 5−year period, the procedure under s. 343.301 shall be followed if the court enters an order regarding operating privilege restriction and the installation of an ignition interlock device or enters an order regarding immobilization. If the number of convictions under ss. 940.09 (1) and 940.25 in the lifetime of the person whose operating privilege is revoked under sub. (10), plus the total number of other convictions, suspensions, and revocations counted under s. 343.307 (1), equals 2 or more, the procedure under s. 346.65 (6) shall be followed regarding the immobilization or seizure and forfeiture of a motor vehicle owned by the person or the equipping of a motor vehicle owned by the person with an ignition interlock device.

SECTION 3423h. 343.305 (10m) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is renumbered 343.305 (10m) (b) and amended to read:

343.305 **(10m)** (b) If the person whose operating privilege is revoked under sub. (10) has 2 or more convictions, suspensions, or revocations, as counted under s. 343.307 (1) within any 5−year period, the procedure under s. 343.301 shall be followed if the court enters an order regarding operating privilege restriction and the installation of an ignition interlock device or enters an order regarding immobilization. If the number of convictions under ss. 940.09 (1) and 940.25 in the lifetime of the person whose operating privilege is revoked under sub. (10), plus the total number of other convictions, suspensions, and revocations counted under s. 343.307 (1), equals 2 or more, the procedure under s. 346.65 (6) shall be followed ~~regarding the immobilization or~~ if the court orders seizure and forfeiture of ~~a~~ the motor vehicle used in the improper refusal and owned by the person ~~or the equipping of a motor vehicle owned by the person with an ignition interlock device~~.

SECTION 3423j. 343.305 (10m) (a) of the statutes is created to read:

343.305 **(10m)** (a) Except as provided in par. (b), if the person whose operating privilege is revoked under sub. (10) has one or more prior convictions, suspensions, or revocations, as counted under s. 343.307 (1), the procedure under s. 343.301 shall be followed if the court enters an order regarding operating privilege restriction or enters an order regarding immobilization. If the number of convictions under ss. 940.09 (1) and 940.25 in the lifetime of the person whose operating privilege is revoked under sub. (10), plus the total number of other convictions, suspensions, and revocations counted under s. 343.307 (1), equals 2 or more, the procedure under s. 346.65 (6) shall be followed if the court orders seizure and forfeiture of the motor vehicle used in the improper refusal and owned by the person.

SECTION 3424b. 343.31 (3) (bm) 3. of the statutes is amended to read:

343.31 **(3)** (bm) 3. Except as provided in subd. 4m., if the number of convictions under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of suspensions, revocations, and other convictions counted under s. 343.307 (1) within a 10−year period, equals 2, the department shall revoke the person's operating privilege for not less than one year nor more than 18 months. If an Indian tribal court in this state revokes the person's privilege to operate a motor vehicle on tribal lands for not less than one year nor more than 18 months for the conviction specified in par. (bm) (intro.), the department shall impose the same period of revocation. After the first 60 days of the revocation period or, if the total number of convictions, suspensions, and revocations counted under this subdivision within any 5−year period equals 2 or more, after one year of the revocation period has elapsed, the person is eligible for an occupational license under s. 343.10.

SECTION 3425. 343.31 (3) (bm) 4. of the statutes is amended to read:

343.31 **(3)** (bm) 4. Except as provided in subd. 4m., if the number of convictions under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other suspensions, revocations and convictions counted under s. 343.307 (1), equals 3 or more, the department shall revoke the person's operating privilege for not less than 2 years nor more than 3 years. If an Indian tribal court in this state revokes the person's privilege to operate a motor vehicle on tribal lands for not less than 2 years nor more than 3 years for the conviction specified in par. (bm) (intro.), the department shall impose the same period of revocation. After ~~the first 90 days~~ one year of the revocation period has elapsed, the person is eligible for an occupational license under s. 343.10.

SECTION 3426m. 343.31 (3m) (a) of the statutes is amended to read:

343.31 **(3m)** (a) Any person who has his or her operating privilege revoked under sub. (3) (c) or (f) is eligible for an occupational license under s. 343.10 after the first 120 days of the revocation period, except that if the total number of convictions, suspensions, or revocations for any offense that is counted under s. 343.307 (1) within any 5−year period equals 2 or more, the person is eligible for an occupational license under s. 343.10 after one year of the revocation period has elapsed.

SECTION 3427m. 343.31 (3m) (b) of the statutes is amended to read:

343.31 **(3m)** (b) Any person who has his or her operating privilege revoked under sub. (3) (e) is eligible for an occupational license under s. 343.10 after the first 60 days of the revocation period, except that if the total number of convictions, suspensions, or revocations for any offense that is counted under s. 343.307 (1) within any 5−year period equals 2 or more, the person is eligible for an occupational license under s. 343.10 after one year of the revocation period has elapsed.

Vetoed In Part

SECTION 3427t. 345.11 (1t) of the statutes is created to read:

345.11 **(1t)** The uniform traffic citation may be used by a traffic officer employed under s. 110.07 for a violation of s. 167.10 (3) (a) when committed on a highway.

SECTION 3427tg. 345.20 (2) (h) of the statutes is created to read:

345.20 **(2)** (h) Sections 23.50 to 23.85 apply to actions in circuit court to recover forfeitures for violations of s. 167.10 (3) (a). No demerit points may be assessed against the driving record of a person convicted of a violation of s. 167.10 (3) (a). No report of conviction of a violation of s. 167.10 (3) (a) may be forwarded to the department.

SECTION 3428. 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. 757.05, a jail assessment, if required by s. 302.46 (1), a truck driver education assessment, if required by s. 349.04, 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 3429. 345.26 (2) (b) of the statutes is amended to read:

345.26 **(2)** (b) In addition to the amount in par. (a), the deposit shall include court costs, including any applicable fees prescribed in ch. 814, any applicable penalty assessment, any applicable jail assessment, any applicable truck driver education assessment, any applicable railroad crossing improvement assessment, and any applicable crime laboratories and drug law enforcement assessment.

SECTION 3430. 345.36 (2) (b) of the statutes is amended to read:

345.36 **(2)** (b) Deem the nonappearance a plea of no contest and enter judgment accordingly. If the defendant has posted bond for appearance at that date, the court may also order the bond forfeited. The court shall promptly mail a copy of the judgment to the defendant. The judgment shall allow not less than 20 days from the date thereof for payment of any forfeiture, penalty assessment, jail assessment, railroad crossing improvement assessment, truck driver education assessment, crime laboratories and drug law enforcement assessment, and costs imposed. If the defendant moves to open the judgment within 20 days after the date set for trial, 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 open the judgment, reinstate the not guilty plea, and set a new trial date. The court may impose costs under s. 814.07. The court shall immediately notify the department to delete the record of conviction based upon the original judgment.

SECTION 3432. 345.37 (2) of the statutes is amended to read:

Vetoed In Part

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. 757.05, a jail assessment, if required by s. 302.46 (1), a truck driver education assessment, if required by s. 349.04, 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 3433. 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. 757.05, the jail assessment, if required by s. 302.46 (1), the truck driver education assessment, if required by s. 349.04, 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 3434. 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. 757.05, the jail assessment, if required by s. 302.46 (1), the truck driver education assessment, if required by s. 349.04, and the crime laboratories and drug law enforcement assessment, if required under s. 165.755, shall be entered.

SECTION 3435. 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. 757.05, the jail assessment, if required by s. 302.46 (1), the truck driver education assessment, if required by s. 349.04, 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 3436. 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. 757.05, the jail assessment, if required by s. 302.46 (1), the truck driver education assessment, if required by s. 349.04, 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 2 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 3437. 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. 757.05, a truck driver education assessment, if required by s. 349.04, 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, truck driver education 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 3438. 345.47 (2) of the statutes is amended to read:

345.47 **(2)** The payment of any judgment may be suspended or deferred for not more than 60 days in the discretion of the court. In cases where a deposit has been made, any forfeitures, penalty assessments, jail assessments, truck driver education assessments, railroad crossing improvement assessments, crime laboratories and drug law enforcement assessments, and costs shall be taken out of the deposit and the balance, if any, returned to the defendant.

SECTION 3439. 345.47 (3) of the statutes is amended to read:

345.47 **(3)** When a defendant is imprisoned for nonpayment of a forfeiture, a penalty assessment, a jail assessment, a truck driver education assessment, a railroad crossing improvement assessment, or a crime laboratories and drug law enforcement assessment for an action brought by a municipality located in more than one county, any commitment to a county institution shall be to the county in which the action was tried.

SECTION 3440. 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. 757.05, a jail assessment, if required by s. 302.46 (1), a truck driver education assessment, if required by s. 349.04, 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, truck driver education 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 3441. 345.49 (2) of the statutes is amended to read:

345.49 **(2)** Any person who is subject to imprisonment under s. 345.47 for nonpayment of a forfeiture, penalty assessment, truck driver education assessment, jail assessment, railroad crossing improvement assessment, or crime laboratories and drug law enforcement assessment may be placed on probation to some person satisfactory to the court for not more than 90 days or until the forfeiture, penalty assessment, truck driver education assessment, jail assessment, railroad crossing improvement assessment, or crime laboratories and drug law enforcement assessment is paid if that is done before expiration of the 90−day period. The payment of the forfeiture, penalty assessment, truck driver education assessment, jail assessment, railroad crossing improvement assessment, or crime laboratories and drug law enforcement assessment during that period shall be a condition of the probation. If the forfeiture, penalty assessment, truck driver education assessment, jail assessment, railroad crossing improvement assessment, or crime laboratories and drug law enforcement assessment is not paid or the court deems that the interests of justice require, probation may be terminated and the defendant imprisoned as provided in sub. (1) or s. 345.47.

Vetoed In Part

SECTION 3442. 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. 757.05, the truck driver education assessment required by s. 349.04, 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 3442d. 346.16 (2) (a) of the statutes is amended to read:

346.16 **(2)** (a) Except as provided in par. (b), no pedestrian or person riding a bicycle or other nonmotorized vehicle and no person operating a low−speed vehicle, moped or motor bicycle may go upon any expressway or freeway when official signs ~~have been erected~~ prohibiting such person from using the expressway or freeway have been erected as provided in s. 349.105.

Vetoed In Part

SECTION 3442g. 346.57 (4) (L) of the statutes is created to read:

346.57 **(4)** (L) Thirty−five miles per hour on STH 58 from I 90/94 in the city of Mauston to Fairway Lane in the town of Lisbon, in Juneau County.

SECTION 3442h. 346.57 (4) (m) of the statutes is created to read:

346.57 **(4)** (m) Forty−five miles per hour on STH 58 from Fairway Lane to Welch Prairie Road in the town of Lisbon, in Juneau County.

SECTION 3442j. 346.57 (6) (a) of the statutes is amended to read:

346.57 **(6)** (a) On state trunk highways and connecting highways and on county trunk highways or highways marked and signed as county trunks, the speed limits specified in sub. (4) (e) ~~and~~, (f), (L), and (m) are not effective unless official signs giving notice thereof have been erected by the authority in charge of maintenance of the highway in question. The speed limit specified in sub. (4) (g) and (k) is not effective on any highway unless official signs giving notice thereof have been erected by the authority in charge of maintenance of the highway in question. The signs shall be erected at such points as the authority in charge of maintenance deems necessary to give adequate warning to users of the highway in question, but an alleged failure to post a highway as required by this paragraph is not a defense to a prosecution for violation of the speed limits specified in sub. (4) (e), (f), (g) ~~or~~, (k), (L), or (m), or in an ordinance enacted in conformity therewith, if official signs giving notice of the speed limit have been erected at those points on the highway in question where a person traversing such highway would enter it from an area where a different speed limit is in effect.

SECTION 3442k. 346.60 (2) (a) of the statutes is amended to read:

346.60 **(2)** (a) Except as provided in sub. (3m) or (5), any person violating s. 346.57 (4) (d) to (g) ~~or~~, (h), (L), or (m) or (5) or 346.58 may be required to forfeit not less than $30 nor more than $300.

SECTION 3442m. 346.60 (3m) (a) of the statutes is amended to read:

346.60 **(3m)** (a) If an operator of a vehicle violates s. 346.57 (2), (3), (4) (d) to (h), (L), or (m) or (5) where persons engaged in work in a highway maintenance or construction area or in a utility work area are at risk from

traffic, any applicable minimum and maximum forfeiture specified in sub. (2) or (3) for the violation shall be doubled.

SECTION 3443c. 346.65 (2g) (d) of the statutes is created to read:

346.65 **(2g)** (d) With respect to imprisonment under sub. (2) (b), the court shall ensure that the person is imprisoned for not less than 5 days or ordered to perform not less than 30 days of community service work under s. 973.03 (3) (a).

SECTION 3443g. 346.65 (6) (a) 1. of the statutes is amended to read:

346.65 **(6)** (a) 1. ~~The~~ Except as provided in s. 343.301, the court may order a law enforcement officer to seize the motor vehicle used in the violation or improper refusal and owned by the person, or, if the motor vehicle is not ordered seized, shall order a law enforcement officer to equip the motor vehicle with an ignition interlock device or immobilize any motor vehicle owned by the person, whose operating privilege is revoked under s. 343.305 (10) or who committed a violation of s. 346.63 (1) (a), (b) or (2) (a) 1. or 2., 940.09 (1) (a) or (b), (c) or (d) or 940.25 (1) (a), (b), (c) or (d) if the person whose operating privilege is revoked under s. 343.305 (10) or who is convicted of the violation has 2 or more prior suspensions, revocations or convictions, counting convictions under ss. 940.09 (1) and 940.25 in the person's lifetime, plus other convictions, suspensions or revocations counted under s. 343.307 (1). The court may not order a motor vehicle seized, equipped with an ignition interlock device or immobilized if that would result in undue hardship or extreme inconvenience or would endanger the health and safety of a person.

SECTION 3443k. 346.65 (6) (a) 1. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

346.65 **(6)** (a) 1. ~~Except as provided in s. 343.301, the~~ The court may order a law enforcement officer to seize the motor vehicle used in the violation or improper refusal and owned by the person~~, or, if the motor vehicle is not ordered seized, shall order a law enforcement officer to equip the motor vehicle with an ignition interlock device or immobilize any motor vehicle owned by the person,~~ whose operating privilege is revoked under s. 343.305 (10) or who committed a violation of s. 346.63 (1) (a)~~,~~ or (b) or (2) (a) 1. or 2., 940.09 (1) (a) ~~or~~, (b), (c), or (d), or 940.25 (1) (a), (b), (c), or (d) if the person whose operating privilege is revoked under s. 343.305 (10) or who is convicted of the violation has 2 or more prior suspensions, revocations, or convictions, counting convictions under ss. 940.09 (1) and 940.25 in the person's lifetime, plus other convictions, suspensions, or revocations counted under s. 343.307 (1). The court may not order a motor vehicle seized~~, equipped with an ignition interlock device or immobilized if that~~ if the court enters an order under s. 343.301 to immobilize the motor vehicle or equip the motor vehicle with an ignition interlock device or if seizure would result in undue hardship or extreme inconvenience or would endanger the health and safety of a person.

Vetoed In Part

SECTION 3443m. 346.65 (6) (m) of the statutes is amended to read:

346.65 **(6)** (m) ~~The~~ Except as provided in s. 343.301, the court may order a vehicle to be immobilized under this subsection for not more than the period that the person's operating privilege is revoked under s. 343.30 or 343.31. The court may order a vehicle to be equipped with an ignition interlock device under this subsection for not more than 2 years more than the period that the person's operating privilege is revoked under s. 343.30 or 343.31. If the court orders any motor vehicle immobilized or equipped with an ignition interlock device under this subsection, the owner shall be liable for the reasonable costs of the immobilization or the equipping of the ignition interlock device. If a motor vehicle that is immobilized is subject to a security agreement, the court shall release the motor vehicle to the secured party upon the filing of an affidavit by the secured party that the security agreement is in default and upon payment of the accrued cost of immobilizing the motor vehicle.

SECTION 3444. 346.655 (1) of the statutes is amended to read:

346.655 **(1)** If a court imposes a fine or a forfeiture for a violation of s. 346.63 (1) or (5), or a local ordinance in conformity therewith, or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, it shall impose a driver improvement surcharge in an amount of ~~$345~~ $355 in addition to the fine or forfeiture, penalty assessment, jail assessment ~~and~~, crimes laboratories and drug law enforcement assessment, and, if required by s. 349.04, truck driver education assessment.

SECTION 3445. 346.655 (2) (b) of the statutes is amended to read:

346.655 **(2)** (b) If the forfeiture is imposed by a municipal court, the court shall transmit the amount to the treasurer of the county, city, town, or village, and that treasurer shall make payment of 38.5% of the amount to the state treasurer as provided in s. 66.0114 (1) ~~(b)~~ (bm). The treasurer of the city, town, or village shall transmit the remaining 61.5% of the amount to the treasurer of the county.

SECTION 3445be. 346.94 (18) of the statutes is created to read:

346.94 **(18)** LOW−SPEED VEHICLES ON ROADWAY. (a) A person may operate a low−speed vehicle upon any roadway that is under the jurisdiction of a local authority and that has a speed limit of 25 or less miles per hour.

(b) No person may operate a low−speed vehicle upon any roadway that is under the jurisdiction of a local authority and that has a speed limit of more than 25 miles per hour but not more than 35 miles per hour unless the

roadway is designated for low−speed vehicle operation by municipal or county ordinance enacted under s. 349.237 (1).

(c) No person may operate a low−speed vehicle upon any highway that has a speed limit of more than 35 miles per hour. Except at crossings authorized under s. 349.237 (2), and at intersections where traffic is controlled by an official traffic control device, no person may operate a low−speed vehicle upon a state trunk highway or connecting highway. This paragraph does not apply to vehicles registered under s. 341.26 (2m) or vehicles exempted from this paragraph by the department by rule.

SECTION 3445bk. 346.95 (8) of the statutes is created to read:

346.95 **(8)** Any person violating s. 346.94 (18) may be required to forfeit not less than $30 nor more than $300.

SECTION 3445bp. 347.02 (8) of the statutes is created to read:

347.02 **(8)** Notwithstanding the requirements of this chapter or s. 340.01 (27m), the department may, by rule, establish for low−speed vehicles special equipment standards that differ from the equipment standards established under this chapter. Special equipment standards established under this subsection shall be identical to the federal standards established in 49 CFR 571.500, except that the department may establish additional standards for equipment not required under 49 CFR 571.500.

SECTION 3445c. 347.06 (1) of the statutes is amended to read:

347.06 **(1)** Except as provided in subs. (2) ~~and~~, (4), and (5), no person may operate a vehicle upon a highway during hours of darkness unless all headlamps, tail lamps, and clearance lamps with which such vehicle is required to be equipped are lighted. Parking lamps as defined in s. 347.27 shall not be used for this purpose.

SECTION 3445d. 347.06 (5) of the statutes is created to read:

347.06 **(5)** A state forest ranger appointed under s. 28.92 may operate a vehicle owned or leased by the department of forestry upon a highway during hours of darkness without lighted headlamps, tail lamps, or clearance lamps in the performance of his or her duties.

SECTION 3445dg. 347.14 (2) of the statutes is amended to read:

347.14 **(2)** A stop lamp shall be so constructed as to be actuated upon application of the service or foot brake or separate trailer brake and shall emit a red ~~or amber~~ light. The stop lamp for a motorcycle may emit, in addition to the red light, a blue light that is located in the center of the lamp and that comprises less than 10% of the surface area of the lamp. A stop lamp under this subsection shall be plainly visible and understandable from all distances up to 300 feet to the rear during normal sunlight when viewed from the driver's seat of the vehicle following.

SECTION 3445dm. 347.25 (4) of the statutes is amended to read:

347.25 **(4)** ~~No~~ Except as provided in s. 347.14 (2), no vehicle may be equipped with or display any blue colored light or lamp unless the vehicle is used in police work authorized by the state or a political subdivision of the state or is used by a fire department as authorized under sub. (1s).

SECTION 3445f. 347.413 (1) of the statutes is amended to read:

347.413 **(1)** No person may remove, disconnect, tamper with or otherwise circumvent the operation of an ignition interlock device installed in response to the court order under s. 343.301 (1) or 346.65 (6). This subsection does not apply to the removal of an ignition interlock device upon the expiration of the order requiring the motor vehicle to be so equipped or to necessary repairs to a malfunctioning ignition interlock device by a person authorized by the department.

SECTION 3445g. 347.413 (1) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

347.413 **(1)** No person may remove, disconnect, tamper with, or otherwise circumvent the operation of an ignition interlock device installed in response to the court order under s. ~~343.301 (1) or~~ 346.65 (6), 1999 stats., or s. 343.301 (1). This subsection does not apply to the removal of an ignition interlock device upon the expiration of the order requiring the motor vehicle to be so equipped or to necessary repairs to a malfunctioning ignition interlock device by a person authorized by the department.

Vetoed In Part

Vetoed In Part

SECTION 3445h. 347.417 (1) of the statutes is amended to read:

347.417 **(1)** No person may remove, disconnect, tamper with or otherwise circumvent the operation of any immobilization device installed in response to a court order under s. 343.301 (2) or 346.65 (6). This subsection does not apply to the removal of an immobilization device pursuant to a court order or to necessary repairs to a malfunctioning immobilization device.

SECTION 3445j. 347.417 (1) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

Vetoed In Part

347.417 **(1)** No person may remove, disconnect, tamper with, or otherwise circumvent the operation of any immobilization device installed in response to a court order under s. ~~343.301 (2) or~~ 346.65 (6), 1999 stats., or s. 343.301 (2). This subsection does not apply to the removal of an immobilization device pursuant to a court order or to necessary repairs to a malfunctioning immobilization device.

SECTION 3445k. 347.417 (2) of the statutes is amended to read:

347.417 **(2)** The department shall design a warning label which shall be affixed by the owner of each immobilization device before the device is used to immobilize any motor vehicle under s. ~~343.301 (2) or~~ 346.65 (6). The label shall provide notice of the penalties for removing, disconnecting, tampering with or otherwise circumventing the operation of the immobilization device.

SECTION 3445m. 347.417 (2) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

347.417 **(2)** The department shall design a warning label which shall be affixed by the owner of each immobilization device before the device is used to immobilize any motor vehicle under s. ~~343.301 (2) or~~ 346.65 (6), 1999 stats., or s. 343.301 (2). The label shall provide notice of the penalties for removing, disconnecting, tampering with, or otherwise circumventing the operation of the immobilization device.

SECTION 3445p. 348.16 (3) of the statutes is amended to read:

348.16 **(3)** Any motor vehicle whose operation is pickup or delivery, including operation for the purpose of moving or delivering supplies or commodities to or from any place of business or residence that has an entrance on a class "B" highway, may pick up or deliver on a class "B" highway ~~if the gross weight imposed on the highway by the wheels of any one axle does not exceed 16,500 pounds, subject to the approval of the county highway commissioner or the county highway committee in the case of highways maintained by the county~~ without complying with the gross vehicle weight limitations imposed by sub. (2).

Vetoed In Part

SECTION 3446k. 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~~ that 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~~ 2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is $17.

SECTION 3447k. 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~~ that 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~~ 2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is ~~$22~~ $23.

SECTION 3448k. 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~~ that 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~~ 2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is ~~$28~~ $29.

SECTION 3449k. 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~~ that 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~~ 2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is ~~$66~~ $69.

SECTION 3450k. 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~~ that 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~~ 2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is ~~$99~~ $104.

SECTION 3451k. 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~~ 2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is ~~$220~~ $230.

SECTION 3452k. 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~~ 2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is ~~$385~~ $403.

Vetoed In Part

SECTION 3453k. 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~~ 2001, and before ~~July 1, 2003~~ March 1, 2009, the fee is ~~$385 plus $110~~ $403 plus $115 for each 10,000−pound increment or fraction thereof by which the gross weight exceeds 100,000 pounds.

SECTION 3454k. 348.25 (8) (bm) 1. of the statutes is 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~~ March 1, 2009.

SECTION 3455k. 348.25 (8) (bm) 2. of the statutes is amended 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~~ $17.25 for each permit issued, rounded to the nearest whole dollar. This subdivision does not apply to applications submitted before January 1, ~~2000~~ 2002, or submitted after ~~June 30, 2003~~ February 28, 2009.

SECTION 3456. 348.27 (10) of the statutes is amended to read:

348.27 **(10)** TRANSPORTATION OF GRAIN OR COAL OR IRON. The department may issue annual or consecutive month permits for the transportation of loads of grain, as defined in s. ~~127.01 (18)~~ 126.01 (13), coal, iron ore concentrates or alloyed iron on a vehicle or a combination of 2 or more vehicles that exceeds statutory weight or length limitations and for the return of the empty vehicle or combination of vehicles over any class of highway for a distance not to exceed 5 miles from the Wisconsin state line. If the roads desired to be used by the applicant involve streets or highways other than those within the state trunk highway system, the application shall be accompanied by a written statement of route approval by the officer in charge of maintenance of the other highway. This subsection does not apply to highways designated as part of the national system of interstate and defense highways.

Vetoed In Part

SECTION 3456k. 349.04 of the statutes is created to read:

349.04 Truck driver education assessments. (1) If a court imposes a fine or forfeiture for a violation of a provision of chs. 346 to 348 or a rule issued under chs. 346 to 348 and the violation involved a commercial motor vehicle, the court shall impose a truck driver education assessment of $8.

(2) If a fine or forfeiture is suspended in whole or in part, the truck driver education assessment shall be reduced in proportion to the suspension.

(3) If any deposit is made for an offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the truck driver education assessment under this section. If the deposit is forfeited, the amount of the truck driver education assessment shall be transmitted to the state treasurer under sub. (4). If the deposit is returned, the amount of the truck driver education assessment shall also be returned.

Vetoed In Part

Vetoed In Part

(4) The clerk of the circuit court shall collect and transmit to the county treasurer the truck driver education assessment as required under s. 59.40 (2) (m). The county treasurer shall then pay the state treasurer as provided in s. 59.25 (3) (f) 2. The state treasurer shall deposit all amounts received under this subsection in the general fund to be credited to the appropriation account under s. 20.292 (1) (hm).

(5) This section first applies to fines and forfeitures imposed on the first day of the first month beginning after the director of the technical college system notifies the director of state courts under 2001 Wisconsin Act .... (this act), section 9148 (1f) that the truck driver training center at Waukesha County Technical College is scheduled to open.

SECTION 3456m. 349.06 (3) of the statutes is amended to read:

Vetoed In Part

349.06 **(3)** If an operator of a vehicle violates a local ordinance in strict conformity with s. 346.04 (1) or (2), 346.18 (6), 346.27, 346.37, 346.39, 346.46 (1), 346.57 (2), (3), (4) (d) to (h), (L), or (m) or (5) or 346.62 (2) where persons engaged in work in a highway maintenance or construction area or in a utility work area are at risk from traffic, any applicable minimum and maximum forfeiture for the violation shall be doubled.

SECTION 3456mg. 349.06 (4) of the statutes is created to read:

Vetoed In Part

349.06 **(4)** Any municipality or county may enact and enforce an ordinance that regulates the equipment of a low−speed vehicle if the ordinance strictly conforms to rules promulgated under s. 347.02 (8). An ordinance that incorporates by reference existing and future amendments of rules promulgated under s. 347.02 (8) shall be considered to be in strict conformity and not contrary to or inconsistent with s. 347.02 (8) and rules promulgated under that subsection.

SECTION 3456nm. 349.105 of the statutes is amended to read:

349.105 Authority to prohibit certain traffic on expressways and freeways. The authority in charge of maintenance of an expressway or freeway may, by order, ordinance or resolution, prohibit the use of such expressway or freeway by pedestrians, persons riding bicycles or other nonmotorized traffic or by persons operating low−speed vehicles, mopeds or motor bicycles. The state or local authority adopting any such prohibitory regulation shall erect and maintain official signs giving notice thereof on the expressway or freeway to which such prohibition applies.

SECTION 3456p. 349.11 (2) (d) of the statutes is created to read:

349.11 **(2)** (d) Modify the limits stated in s. 346.57 (4) (L) or (m).

SECTION 3456s. 349.237 of the statutes is created to read:

349.237 Authority to regulate operation of low−speed vehicles. The governing body of any municipality or county may by ordinance do any of the following:

(1) Designate any roadway under its jurisdiction having a speed limit of more than 25 miles per hour but

not more than 35 miles per hour upon which a low−speed vehicle may be operated.

(2) Designate locations for low−speed vehicles to cross a state trunk highway or connecting highway that is not a controlled−access highway. A municipality or county may erect official signs or mark a crossing designated under this subsection only as directed by the department.

SECTION 3457. 350.01 (3r) of the statutes is repealed.

Vetoed In Part

SECTION 3457m. 350.01 (9g) of the statutes is amended to read:

350.01 **(9g)** "Law enforcement officer" has the meaning specified under s. 165.85 (2) (c) and includes a person appointed as a conservation warden by the department under s. 23.10 (1) or a state forest ranger appointed under s. 28.92.

SECTION 3458. 350.01 (10t) of the statutes is created to read:

350.01 **(10t)** "Registration documentation" means a snowmobile registration certificate, a validated registration receipt, or a registration decal.

SECTION 3459. 350.01 (22) of the statutes is created to read:

350.01 **(22)** "Validated registration receipt" means a receipt issued by the department or an agent under s. 350.12 (3h) (ag) 1. a. that shows that an application and the required fee for a registration certificate has been submitted to the department.

SECTION 3460. 350.12 (3) (a) (intro.) of the statutes is amended to read:

350.12 **(3)** (a) (intro.) Except as provided under subs. (2) and (5) (cm), no person may operate and no owner may give permission for the operation of any snowmobile within this state unless the snowmobile is registered for public use or private use under this paragraph or s. 350.122 or as an antique under par. (b) and has the registration decals displayed as required under sub. (5) or s. 350.122 or unless the snowmobile has a reflectorized plate attached as required under par. (c) 3. A snowmobile that is not registered as an antique under par. (b) may be registered for public use. A snowmobile that is not registered as an antique under par. (b) and that is used exclusively on private property, as defined under s. 23.33 (1) (n), may be registered for private use. A snowmobile public−use registration certificate is valid for 2 years beginning on the July 1 prior to the date of application if registration is made prior to April 1 and beginning on the July 1 subsequent to the date of application if registration is made after April 1 and ending on June 30, 2 years thereafter. A snowmobile private−use registration certificate is valid from the date of issuance until ownership of the snowmobile is transferred. The fee for the issuance or renewal of a public−use registration certificate is ~~$20~~ $30, except that the fee is $5 if it is a snowmobile owned and operated by a political subdivision of this state. There is no fee for the issuance of a private−use registration certificate or for the issuance of a registration certificate to the state.

SECTION 3461. 350.12 (3) (a) 3. of the statutes is amended to read:

350.12 **(3)** (a) 3. The purchaser shall complete the application for transfer and cause it to be mailed or delivered to the department or an agent appointed under sub. (3h) (a) 3. within 10 days from the date of purchase. A fee of $5 shall be paid for transfer of a current registration certificate.

SECTION 3462. 350.12 (3) (c) 2. of the statutes is amended to read:

350.12 **(3)** (c) 2. The fee for issuing or renewing a commercial snowmobile certificate is ~~$60~~ $90. Upon receipt of the application form required by the department and the fee required under this subdivision, the department shall issue to the applicant a commercial snowmobile certificate and 3 reflectorized plates. The fee for additional reflectorized plates is ~~$20~~ $30 per plate.

SECTION 3463. 350.12 (3) (cm) of the statutes is created to read:

350.12 **(3)** (cm) Subsection (3h) does not not apply to commercial snowmobile certificates, reflectorized plates, or registration certificates issued for antique snowmobiles under par. (b).

SECTION 3464. 350.12 (3) (d) of the statutes is amended to read:

350.12 **(3)** (d) Upon receipt of the required fee, a sales tax report, payment of sales and use taxes due under s. 77.61 (1), and an application on forms prescribed by it, the department or an agent appointed under sub. (3h) (a) 3. shall issue to the applicant ~~a~~ an original registration certificate stating the registration number, the name and address of the owner, and other information the department deems necessary or a validated registration receipt. The department or an agent appointed under sub. (3h) (a) 3. shall issue 2 registration decals per snowmobile owned by an individual owner, this state, or a political subdivision of this state. The decals shall be no larger than 3 inches in height and 6 inches in width. The decals shall contain reference to the state, the department, whether the snowmobile is registered for public use or private use under par. (a), or as an antique under par. (b), and shall show the expiration date of the registration.

SECTION 3465. 350.12 (3) (e) of the statutes is amended to read:

350.12 **(3)** (e) If a ~~commercial snowmobile certificate,~~ registration certificate, registration decal, commercial snowmobile certificate, or reflectorized plate is lost or destroyed, the holder of the certificate, decal, or plate may apply for a duplicate on forms provided for by the department accompanied by a fee of $5. Upon receipt of a proper application and the required fee, the department or an agent appointed under sub. (3h) (a) 3. shall issue a duplicate certificate, decal, or plate to the applicant.

SECTION 3466. 350.12 (3h) (title) of the statutes is amended to read:

350.12 **(3h)** (title) REGISTRATION; ~~RENEWALS; AGENTS~~ PROCEDURES.

SECTION 3467. 350.12 (3h) (a) (intro.) of the statutes is amended to read:

350.12 **(3h)** (a) ~~*Issuance; appointment of agents*~~ *Issuers.* (intro.) For the issuance of ~~snowmobile certificates~~ original or duplicate registration documentation and for the transfer or renewal of registration documentation, the department may do any of the following:

SECTION 3468. 350.12 (3h) (a) 1. of the statutes is amended to read:

350.12 **(3h)** (a) 1. Directly issue ~~the certificates~~, transfer, or renew the registration documentation with or without using the expedited services specified in par. (ag) 1.

SECTION 3469. 350.12 (3h) (a) 2. of the statutes is repealed.

SECTION 3470. 350.12 (3h) (a) 3. of the statutes is amended to read:

350.12 **(3h)** (a) 3. Appoint persons who are not employees of the department as agents of the department to issue ~~the certificates as agents of the department~~, transfer, or renew the registration documentation using either or both of the expedited services specified in par. (ag) 1.

SECTION 3471. 350.12 (3h) (ag) of the statutes is created to read:

350.12 **(3h)** (ag) *Registration; methods of issuance.* 1. For the issuance of original or duplicate registration documentation and for the transfer or renewal of registration documentation, the department may implement either or both of the following expedited procedures to be provided by the department and any agents appointed under par. (a) 3.:

a. A noncomputerized procedure under which the department or agent may accept applications for registration certificates and issue a validated registration receipt at the time the applicant submits the application accompanied by the required fees.

b. A computerized procedure under which the department or agent may accept applications for registration documentation and issue to each applicant all or some of the items of the registration documentation at the time the applicant submits the application accompanied by the required fees.

2. Under either procedure under subd. 1., the applicant shall receive any remaining items of registration documentation directly from the department at a later date. The items of registration documentation issued at the time of the submittal of the application under either procedure shall be sufficient to allow the snowmobile for which the application is submitted to be operated in compliance with the registration requirements under this section.

SECTION 3472. 350.12 (3h) (ar) of the statutes is created to read:

350.12 **(3h)** (ar) *Fees.* 1. In addition to the applicable fee under sub. (3) (a), each agent appointed under par. (a) 3. shall collect an expedited service fee of $3 each time the agent issues a validated registration receipt under par. (ag) 1. a. The agent shall retain the entire amount of each expedited service fee the agent collects.

2. In addition to the applicable fee under sub. (3) (a), the department or the agent appointed under par. (a) 3. shall collect an expedited service fee of $3 each time the expedited service under par. (ag) 1. b. is provided. The agent shall remit to the department $1 of each expedited service fee the agent collects.

SECTION 3473. 350.12 (3h) (b) of the statutes is repealed.

SECTION 3474. 350.12 (3h) (c) of the statutes is repealed.

SECTION 3475. 350.12 (3h) (d) of the statutes is repealed.

SECTION 3476. 350.12 (3h) (e) of the statutes is repealed.

SECTION 3477. 350.12 (3h) (f) of the statutes is repealed.

SECTION 3478. 350.12 (3h) (g) of the statutes is amended to read:

350.12 **(3h)** (g) ~~*Remittal*~~ *Receipt of fees.* ~~An agent appointed under par. (e) shall remit to the department $2 of each $3 fee collected under par. (f). Any~~ All fees remitted to or collected by the department under par. ~~(d) or (f)~~ (ar) shall be credited to the appropriation account under s. 20.370 (9) (hu).

SECTION 3479. 350.12 (3h) (h) of the statutes is created to read:

350.12 **(3h)** (h) *Rules.* The department may promulgate rules to establish eligibility and other criteria for the appointment of agents under par. (a) 3. and to regulate the activities of these agents.

SECTION 3480. 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~~ $17.25. A trail use sticker issued for such a snowmobile may be issued only by the department and persons appointed by the department and expires on June 30 of each year.

SECTION 3483. 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), and (cw) shall be used for development and maintenance, the cooperative snowmobile sign program, major reconstruction or rehabilitation to improve bridges on existing approved trails, trail rehabi-

litation, signing of snowmobile routes, and state snowmobile trails and areas and distributed as follows:

Vetoed In Part

SECTION 3483m. 350.12 (4) (b) (intro.) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

350.12 **(4)** (b) *Trail aids and related costs.* (intro.) The moneys appropriated under ~~s.~~ ss. 20.370 (1) (mq) and (5) (cb), (cr), (cs), and (cw) and 20.375 (3) (sg) 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 3484. 350.12 (4) (bg) of the statutes is renumbered 350.12 (4) (bg) 1. and amended to read:

350.12 **(4)** (bg) 1. Of the moneys appropriated under s. 20.370 (5) (cs), the department shall make available in fiscal year ~~1992−93~~ 2001−02 and each fiscal year thereafter an amount equal to the amount calculated under s. 25.29 (1) (d) 2. to make payments to the department or a county under par. (bm) for trail maintenance costs incurred in the previous fiscal year that exceed the maximum specified under par. (b) 1. before expending any of the amount for the other purposes specified in par. (b).

Vetoed In Part

SECTION 3484m. 350.12 (4) (bg) 1. of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

350.12 **(4)** (bg) 1. Of the moneys appropriated under s. 20.370 (5) (cs), the department of natural resources shall make available in fiscal year 2001−02 and each fiscal year thereafter an amount equal to the amount calculated under s. 25.29 (1) (d) 2. to make payments to itself, to the department of forestry, or to a county under par. (bm) for trail maintenance costs incurred in the previous fiscal year that exceed the maximum specified under par. (b) 1. before expending any of the amount for the other purposes specified in par. (b).

Vetoed In Part

SECTION 3485. 350.12 (4) (bg) 2. of the statutes is created to read:

350.12 **(4)** (bg) 2. For fiscal year 2001−02, and for each fiscal year thereafter, the department shall calculate an amount equal to the number of trail use stickers issued under sub. (3j) in the previous fiscal year multiplied by $15 and shall credit this amount to the appropriation account under s. 20.370 (5) (cw). From the appropriation account under s. 20.370 (5) (cw), the department shall make payments to the department or a county for the purposes specified in par. (b). The department shall make payments under par. (bm) for trail maintenance costs that were incurred in the previous fiscal year and that exceed the maximum specified under par. (b) 1. before making payments for any of the other purposes specified in par. (b).

SECTION 3485c. 350.12 (4) (bm) (intro.) of the statutes is amended to read:

350.12 **(4)** (bm) *Supplemental trail aid payments; eligibility.* (intro.) A county ~~or~~, the department of forestry, or the department of natural resources shall be eligible for payments under par. (bg) if it applies for the aid and if all of the following apply:

SECTION 3485g. 350.12 (4) (bm) 1. of the statutes is amended to read:

350.12 **(4)** (bm) 1. The actual cost incurred by the department of forestry, the department of natural resources, or the county in maintaining its trails that are qualified under par. (b) 1. or 4. in the previous fiscal year exceeds the maximum of $250 per mile per year under par. (b) 1.

SECTION 3485n. 350.12 (4) (bm) 2. of the statutes is amended to read:

350.12 **(4)** (bm) 2. Of the actual cost incurred by the department of natural resources, the department of forestry, or the county in maintaining its trails that are qualified under par. (b) 1. or 4. for the fiscal year applicable under subd. 1., the actual cost incurred in grooming the trails exceeds a maximum of $130 per mile per year.

SECTION 3485r. 350.12 (4) (br) of the statutes is amended to read:

350.12 **(4)** (br) *Supplemental trail aid payments; insufficient funding.* If the aid that is payable to counties ~~and~~, to the department of natural resources, and to the department of forestry under par. (bm) exceeds the moneys available under par. (bg), the department of natural resources may prorate the payments or may request the joint committee on finance to take action under s. 13.101. The requirement of a finding of emergency under s. 13.101 (3) (a) 1. does not apply to such a request.

Vetoed In Part

SECTION 3485w. 350.12 (4) (c) 1. of the statutes is amended to read:

350.12 **(4)** (c) 1. Any moneys appropriated under s. 20.370 (1) (mq), (3) (aq) or (9) (mw) or 20.375 (3) (sg) that lapse shall revert to the snowmobile account in the conservation fund.

SECTION 3486. 350.12 (5) (b) of the statutes is amended to read:

350.12 **(5)** (b) The registration certificate or, for ~~owners~~ an owner who purchased a snowmobile and who ~~have~~ has received ~~an approved application for~~ a validated registration receipt ~~validated by the department~~ but who ~~have~~ has not yet received the registration certificate, the ~~approved application for~~ validated registration receipt shall be in the possession of the ~~user of~~ person operating the snowmobile at all times.

SECTION 3487. 350.12 (5) (c) of the statutes is amended to read:

350.12 **(5)** (c) The registration certificate or, for ~~owners~~ an owner who purchased a snowmobile and who ~~have~~ has received ~~an approved application for~~ a validated registration receipt ~~validated by the department~~ but who

Vetoed In Part

~~have~~ has not yet received the registration certificate, the ~~approved application for~~ validated registration receipt shall be exhibited, upon demand, by the ~~user~~ operator of the snowmobile for inspection by any person authorized to enforce this section as provided under s. 350.17 (1) and (3).

SECTION 3488. 350.12 (5) (cm) of the statutes is amended to read:

350.12 **(5)** (cm) A person may operate a snowmobile without having the registration decals displayed as provided under par. (a) if the owner has received ~~an approved application for~~ a validated registration receipt ~~validated by the department~~ and if the ~~user~~ operator of the snowmobile complies with pars. (b) and (c).

SECTION 3489. 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 renewal application. The owner shall sign the renewal application and return or present the application and the proper fee to the department or present the application and fee to an agent appointed under sub. (3h) ~~(e)~~ (a) 3.

SECTION 3490. 350.125 (1) (a) of the statutes is renumbered 350.125 (1) (a) (intro.) and amended to read:

350.125 **(1)** (a) (intro.) When a snowmobile dealer sells a snowmobile, the dealer, at the time of sale, shall require the buyer to complete an application for ~~a~~ an original registration certificate, collect the required fee, and ~~mail~~ do one of the following:

Vetoed In Part

1. Mail the application and fee to the department no later than 5 days after the date of sale and furnish the buyer with a validated registration receipt.

(ag) The department shall provide combination application and receipt forms ~~and the dealer shall furnish the buyer with a completed receipt showing that application for registration has been made. This completed~~ to be used by the dealer.

Vetoed In Part

(am) The validated registration receipt shall be in the possession of the ~~user of~~ person operating the snowmobile until the registration certificate is received.

(ar) No snowmobile dealer may charge an additional fee to the buyer for performing the service required under this subsection unless the dealer uses the expedited service specified in s. 350.12 (3h) (ag). No snowmobile dealer may perform this service for a registration under s. 350.122.

Vetoed In Part

SECTION 3491. 350.125 (1) (a) 2. of the statutes is created to read:

350.125 **(1)** (a) 2. Use the expedited service under s. 350.12 (3h) (ag) as an agent of the department.

SECTION 3491d. 350.14 (1) of the statutes is amended to read:

350.14 **(1)** The snowmobile recreational council shall carry out studies and make recommendations to the legislature, governor, department of natural resources, department of forestry, and department of transportation on all matters related to this chapter or otherwise affecting snowmobiles and snowmobiling.

SECTION 3491h. 350.145 (3) (a) 1. of the statutes is amended to read:

350.145 **(3)** (a) 1. Before June 30 of each even-numbered year, the department shall consult with the department of forestry and the snowmobile recreational council on the proposed changes for the succeeding biennium in the appropriations and laws that affect snowmobiles and snowmobiling.

SECTION 3491p. 350.15 (3) (a) of the statutes is amended to read:

350.15 **(3)** (a) If a snowmobile accident results in the death of any person, or in an injury that requires the treatment of a person by a physician, the operator of each snowmobile involved in the accident shall give notice of the accident to a ~~conservation warden or local~~ law enforcement officer as soon as possible and, within 10 days after the accident, shall file a written report of the accident with the department on the form prescribed by it.

SECTION 3491t. 350.17 (1) of the statutes is amended to read:

350.17 **(1)** Any ~~officer of the state traffic patrol under s. 110.07 (1), inspector under s. 110.07 (3), warden of the department under s. 23.10, county sheriff or municipal peace officer~~ law enforcement officer may enforce the provisions of this chapter.

SECTION 3492. 409.102 (1) (intro.) of the statutes is amended to read:

409.102 **(1)** (intro.) Except as otherwise provided in s. 409.104 on excluded transactions and s. 16.63 (4) on transactions involving tobacco settlement revenues, this chapter applies:

SECTION 3492f. 409.104 (12m) of the statutes is created to read:

409.104 **(12m)** To a transfer of an interest under a rent-to-own agreement under subch. XI of ch. 218; or

SECTION 3492r. 421.202 (7m) of the statutes is created to read:

421.202 **(7m)** A rent-to-own agreement under subch. XI of ch. 218;

SECTION 3492w. 423.102 of the statutes is amended to read:

423.102 Scope. This chapter applies to all consumer transactions, except that subch. II does not apply to cemetery preneed sales under ~~s.~~ ss. 440.92 and 440.922.

SECTION 3493. 426.201 (2) (intro.) of the statutes is amended to read:

426.201 **(2)** (intro.) Each person subject to the registration requirements under sub. (1) shall file a registration statement with the administrator within 30 days after commencing business in this state~~, and thereafter, on or before February 28 of each year~~. The registration statement shall include all of the following information:

Vetoed In Part

SECTION 3494. 426.201 (2) (fm) of the statutes is amended to read:

426.201 **(2)** (fm) The ~~average monthly outstanding~~ year−end balance of all consumer credit transactions held by the person ~~for the reporting period for which the registration statement is filed~~. In this paragraph, ~~"average monthly outstanding~~ "year−end balance" ~~and "reporting period" have the meanings~~ has the meaning given under s. 426.202 (1m) (a).

SECTION 3495. 426.201 (2m) of the statutes is created to read:

426.201 **(2m)** (a) Except as provided in par. (b), each person subject to the registration requirements under sub. (1) shall file a registration statement containing the information under sub. (2) (a) to (g) no later than February 28 of each year following the year of the person's initial registration under sub. (2).

(b) 1. In this paragraph, "year−end balance" has the meaning given in s. 426.202 (1m) (a).

2. Paragraph (a) does not apply if the person's year−end balance is not more than $250,000.

SECTION 3496. 426.201 (3) of the statutes is amended to read:

426.201 **(3)** The administrator shall adopt rules governing the filing of changes, additions, or modifications of the registration statement required by this section, and shall adopt rules pertaining to form, verification, fees, and similar matters pertaining to the registration.

Vetoed In Part

SECTION 3497. 426.202 (1m) (a) 1. (intro.) of the statutes is renumbered 426.202 (1m) (a) 3. and amended to read:

426.202 **(1m)** (a) 3. ~~"Average outstanding monthly~~ "Year−end balance" means, for ~~any person during~~ any reporting period, the ~~amount calculated as follows:~~ outstanding balance of all consumer credit transactions that a person has entered into or has obtained by assignment, and that originated in this state, as of December 31 preceding the annual registration filing date under s. 426.201 (2m) (a).

SECTION 3498. 426.202 (1m) (a) 1. a. of the statutes is repealed.

SECTION 3499. 426.202 (1m) (a) 1. b. of the statutes is repealed.

SECTION 3500. 426.202 (1m) (a) 1. c. of the statutes is repealed.

SECTION 3501. 426.202 (1m) (b) of the statutes is amended to read:

426.202 **(1m)** (b) *Registration fee requirement.* Any person required to register under s. 426.201 shall pay a registration fee to the administrator when the person files the registration statement required under s. 426.201~~, except that a person is not required to pay a registration fee under this section if the person's average outstanding monthly balance for that reporting period does not exceed $250,000~~.

SECTION 3502. 426.202 (1m) (c) of the statutes is amended to read:

426.202 **(1m)** (c) *Amount of registration fee.* The amount of the registration fee shall be determined in accordance with rates set by the administrator~~, subject to the maximum and minimum fees under pars. (d) and (e)~~. In setting these rates, the administrator shall consider the costs of administering chs. 421 to 427 and 429, including the costs of enforcement, education and seeking voluntary compliance with chs. 421 to 427 and 429. ~~Subject to pars. (d) and (e), the~~ The registration fee for a person shall be based on the person's ~~average monthly outstanding~~ year−end balance ~~during~~ for the reporting period.

SECTION 3503. 426.202 (1m) (d) of the statutes is repealed.

SECTION 3504. 426.202 (1m) (e) of the statutes is repealed.

SECTION 3504f. 440.03 (7m) of the statutes is amended to read:

Vetoed In Part

440.03 **(7m)** The department may promulgate rules that establish procedures for submitting an application for a credential or credential renewal by electronic transmission. Any rules promulgated under this subsection shall specify procedures for complying with any requirement that a fee be submitted with the application. The rules may also waive any requirement in chs. 440 to 480 that an application submitted to the department, an examining board or an affiliated credentialing board be executed, verified, certified, signed, sworn, or made under oath, notwithstanding ss. 440.26 (2) (b), 440.42 (2) (intro.), 440.91 (2) (intro.), 443.06 (1) (a), 443.10 (2) (a), 445.04 (2), 445.08 (4), 445.095 (1) (a), 448.05 (7), 450.09 (1) (a), 452.10 (1), and 480.08 (2m).

SECTION 3504h. 440.03 (13) of the statutes is renumbered 440.03 (13) (a) and amended to read:

440.03 **(13)** (a) ~~The~~ Except as provided in par. (b), the department may conduct an investigation to determine whether an applicant for a credential issued under chs. 440 to 480 satisfies any of the eligibility requirements specified for the credential, including whether the applicant does not have an arrest or conviction record.

(c) In conducting an investigation under ~~this subsection~~ par. (a) or (b), the department may require an applicant to provide any information that is necessary for the investigation or, for the purpose of obtaining information related to an arrest or conviction record of an applicant, to complete forms provided by the department of justice or the federal bureau of investigation. The department shall charge the applicant any fees, costs, or other expenses incurred in conducting the investigation under ~~this subsection~~ par. (a) or (b).

SECTION 3504k. 440.03 (13) (b) of the statutes is created to read:

440.03 **(13)** (b) Before granting a credential to a cemetery authority, cemetery salesperson, or preneed seller, or renewing such a credential, the department shall conduct an investigation to determine whether a person specified in s. 440.93 (1) (intro.) has been convicted of an offense specified in s. 440.93 (1) (d).

SECTION 3504p. 440.03 (16) of the statutes is created to read:

440.03 **(16)** Annually, the department shall distribute the form developed by the medical and optometry examining boards under 2001 Wisconsin Act .... (this act), section 9143 (3c), to all school districts and charter schools that offer kindergarten, to be used by pupils to provide evidence of eye examinations under s. 118.135.

SECTION 3504w. 440.05 (intro.) of the statutes is amended to read:

440.05 Standard fees. (intro.) The following standard fees apply to all initial credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, ~~442.06,~~ 444.03, 444.05, 444.11, 447.04 (2) (c) 2., 449.17, 449.18 and 459.46:

SECTION 3505. 440.05 (1) (a) of the statutes is amended to read:

440.05 **(1)** (a) Initial credential: ~~$44~~ $53. 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 3506. 440.05 (1) (b) of the statutes is amended to read:

440.05 **(1)** (b) Examination: If an examination is required, the applicant shall pay an examination fee~~. The~~ to the department. If the department prepares, administers, or grades the examination, the fee ~~for examination~~ to the department shall be an amount equal to the department's best estimate of the actual cost of preparing, administering ~~and~~, or grading the examination ~~or obtaining and administering an approved examination from a test service~~. If the department approves an examination prepared, administered, and graded by a test service provider, the fee to the department shall be an amount equal to the department's best estimate of the actual cost of approving the examination, including selecting, evaluating, and reviewing the examination.

SECTION 3507. 440.08 (1) of the statutes is amended to read:

440.08 **(1)** NOTICE OF RENEWAL. The department shall ~~mail~~ give a notice of renewal to ~~the last address provided to the department by~~ each holder of a credential at least 30 days prior to the renewal date of the credential. Notice may be mailed to the last address provided to the department by the credential holder or may be given by electronic transmission. Failure to receive a notice of renewal is not a defense in any disciplinary proceeding against the holder or in any proceeding against the holder for practicing without a credential. Failure to receive a notice of renewal does not relieve the holder from the obligation to pay a penalty for late renewal under sub. (3).

SECTION 3508m. 440.08 (2) (a) (intro.) of the statutes is amended to read:

440.08 **(2)** (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04, ~~442.06,~~ 444.03, 444.05, 444.11, 448.065, 447.04 (2) (c) 2., 449.17, 449.18 and 459.46, the renewal dates and renewal fees for credentials are as follows:

SECTION 3509. 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; ~~$52~~ $59.

SECTION 3510m. 440.08 (2) (a) 2. of the statutes is repealed.

SECTION 3511. 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; ~~$47~~ $56.

SECTION 3512. 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; ~~$78~~ $70.

SECTION 3513. 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; ~~$69~~ $73.

SECTION 3514. 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; ~~$58~~ $87.

SECTION 3515. 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; ~~$47~~ $70.

SECTION 3516. 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; ~~$47~~ $70.

SECTION 3517. 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; ~~$44~~ $53.

SECTION 3518. 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; ~~$108~~ $162.

SECTION 3519. 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; ~~$114~~ $167.

SECTION 3520. 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; ~~$134~~ $185.

SECTION 3521. 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; ~~$49~~ $60.

SECTION 3522. 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; ~~$47~~ $70.

SECTION 3523. 440.08 (2) (a) 14f. of the statutes is amended to read:

440.08 **(2)** (a) 14f. Athletic trainer: July 1 of each even−numbered year; ~~$44~~ $53.

SECTION 3524. 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; ~~$47~~ $56.

SECTION 3525. 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; ~~$135~~ $174.

SECTION 3526. 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; ~~$100~~ $106.

SECTION 3527. 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; ~~$47~~ $56.

SECTION 3528. 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; ~~$68~~ $71.

SECTION 3529. 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; ~~$55~~ $63.

SECTION 3530. 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; ~~$139~~ $168.

SECTION 3531. 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; ~~$48~~ $57.

SECTION 3532. 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; ~~$105~~ $131.

SECTION 3532m. 440.08 (2) (a) 26m. of the statutes is created to read:

440.08 **(2)** (a) 26m. Dentist, faculty member: October 1 of each odd−numbered year; $131.

SECTION 3533. 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; ~~$52~~ $58.

SECTION 3534. 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; ~~$47~~ $56.

SECTION 3535. 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; ~~$47~~ $70.

SECTION 3536. 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; ~~$47~~ $70.

SECTION 3537. 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; ~~$65~~ $76.

SECTION 3538. 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; ~~$47~~ $56.

SECTION 3539. 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; ~~$44~~ $53.

SECTION 3540. 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; ~~$49~~ $58.

SECTION 3541. 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; ~~$44~~ $53.

SECTION 3542. 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; ~~$140~~ $135.

SECTION 3543. 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; ~~$47~~ $56.

SECTION 3544. 440.08 (2) (a) 38. of the statutes is amended to read:

440.08 **(2)** (a) 38. Hearing instrument specialist: February 1 of each odd−numbered year; ~~$100~~ $106.

SECTION 3545. 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; ~~$44~~ $53.

SECTION 3546. 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; ~~$51~~ $56.

SECTION 3547. 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; ~~$75~~ $77.

SECTION 3548. 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; ~~$44~~ $53.

SECTION 3549. 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; ~~$44~~ $53.

SECTION 3550. 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; ~~$44~~ $53.

SECTION 3551. 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; ~~$131~~ $133.

SECTION 3552. 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; ~~$82~~ $84.

SECTION 3553. 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; ~~$54~~ $69.

SECTION 3554. 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; ~~$52~~ $66.

SECTION 3555. 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; ~~$47~~ $70.

SECTION 3556. 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; ~~$111~~ $120.

SECTION 3557. 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; ~~$49~~ $59.

SECTION 3559. 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; ~~$48~~ $62.

SECTION 3559. 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; ~~$61~~ $65.

SECTION 3560. 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; ~~$73~~ $97.

SECTION 3561. 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; ~~$47~~ $56.

SECTION 3562. 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; ~~$51~~ $62.

SECTION 3563. 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; ~~$122~~ $106.

SECTION 3564. 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; ~~$59~~ $72.

SECTION 3565. 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; ~~$140~~ $150.

SECTION 3566. 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; ~~$89~~ $101.

SECTION 3567m. 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; ~~$47~~ $53.

SECTION 3569. 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; ~~$69~~ $103.

SECTION 3570. 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; ~~$49~~ $53.

SECTION 3571. 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; ~~$63~~ $76.

SECTION 3572. 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; ~~$91~~ $93.

SECTION 3573. 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; ~~$48~~ $59.

SECTION 3574. 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; ~~$44~~ $53.

SECTION 3575. 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; ~~$44~~ $53.

SECTION 3576. 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; ~~$44~~ $53.

SECTION 3577. 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; ~~$105~~ $157.

SECTION 3578. 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; ~~$109~~ $128.

SECTION 3579. 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; ~~$57~~ $56.

Vetoed In Part

SECTION 3579c. 440.08 (2) (a) 66m. of the statutes is created to read:

440.08 **(2)** (a) 66m. Real estate closing agent: January 1 of each odd−numbered year; $53.

Vetoed In Part

SECTION 3580. 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; ~~$79~~ $83.

SECTION 3581. 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; ~~$47~~ $56.

SECTION 3582. 440.08 (2) (a) 67q. of the statutes is amended to read:

440.08 **(2)** (a) 67q. Registered massage therapist or bodyworker: March 1 of each odd−numbered year; ~~$44~~ $53.

SECTION 3583. 440.08 (2) (a) 67v. of the statutes is amended to read:

440.08 **(2)** (a) 67v. Registered music, art or dance therapist: October 1 of each odd−numbered year; ~~$44~~ $53.

SECTION 3584. 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; ~~$50~~ $65.

SECTION 3585. 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; ~~$54~~ $63.

SECTION 3586. 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; ~~$53~~ $70.

SECTION 3587. 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; ~~$55~~ $58.

SECTION 3588. 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; ~~$69~~ $73.

SECTION 3589. 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; ~~$53~~ $63.

SECTION 3590. 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; ~~$103~~ $119.

SECTION 3591. 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; ~~$95~~ $105.

SECTION 3592. 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; ~~$48~~ $58.

Vetoed In Part

SECTION 3605gb. 440.90 (1) of the statutes is renumbered 440.90 (1d).

SECTION 3605gf. 440.90 (1c) of the statutes is created to read:

440.90 **(1c)** "Burial space" has the meaning given in s. 157.061 (1d).

SECTION 3605gL. 440.90 (3g) of the statutes is created to read:

440.90 **(3g)** "Columbarium" has the meaning given in s. 157.061 (3g).

SECTION 3605gn. 440.90 (3r) of the statutes is created to read:

440.90 **(3r)** "Columbarium space" has the meaning given in s. 157.061 (3r).

SECTION 3605gp. 440.90 (4e) of the statutes is created to read:

440.90 **(4e)** "Lawn crypt" has the meaning given in s. 157.061 (8g).

SECTION 3605gx. 440.90 (10r) of the statutes is created to read:

440.90 **(10r)** "Religious cemetery authority" has the meaning given in s. 157.061 (15m).

SECTION 3605ic. 440.91 (1) of the statutes is amended to read:

440.91 **(1)** Except as provided in sub. (6m), every cemetery authority that sells or solicits the sale of a total of 10 or more ~~cemetery lots or mausoleum~~ burial spaces during a calendar year and that pays any commission or other compensation to any person for selling or soliciting the sale of its ~~cemetery lots or mausoleum~~ burial spaces shall register with the department. The registration shall be in writing and shall include the names of the officers of the cemetery authority.

SECTION 3605ih. 440.91 (2) (intro.) of the statutes is amended to read:

440.91 **(2)** (intro.) Except as provided in subs. (7) and (10), every individual who sells or solicits the sale of, or who expects to sell or solicit the sale of, a total of 10 or more ~~cemetery lots or mausoleum~~ burial spaces during a calendar year shall register with the department. An individual may not be registered as a cemetery salesperson except upon the written request of a cemetery authority and the payment of the fee specified in s. 440.05 (1). The cemetery authority shall certify in writing to the department that the individual is competent to act as a cemetery salesperson. Within 10 days after the certification of any cemetery salesperson, the cemetery salesperson shall verify and furnish to the department, in such form as the department prescribes, all of the following information:

SECTION 3605in. 440.91 (6m) of the statutes is repealed and recreated to read:

440.91 **(6m)** The registration requirement under sub. (1) does not apply to any of the following:

1. A religious cemetery authority.

2. A town, village, or city or fraternal or benevolent society that does not operate a cemetery in a county with a population that is greater than 600,000.

Vetoed In Part

SECTION 3605iq. 440.91 (7) of the statutes is renumbered 440.91 (7) (intro.) and amended to read:

440.91 **(7)** (intro.) An individual who solicits the sale of ~~cemetery lots or mausoleum~~ burial spaces in a cemetery organized, maintained, and operated by ~~a~~ any of the following is not required to be registered under sub. (2):

(b) A town, village, or city~~, church, synagogue or mosque, religious,~~ or fraternal or benevolent society ~~or incorporated college of a religious order is not required to be registered under sub. (2)~~, if the cemetery is not in a county with a population that is greater than 600,000.

SECTION 3605is. 440.91 (7) (a) of the statutes is created to read:

440.91 **(7)** (a) A religious cemetery authority.

SECTION 3605iv. 440.91 (9) of the statutes is amended to read:

440.91 **(9)** No cemetery authority or cemetery salesperson registered under sub. (1) or (2) may pay a fee or commission as compensation for a referral or as a finder's fee relating to the sale of ~~a cemetery lot,~~ cemetery merchandise or ~~mausoleum~~ a burial space to any person who is not registered under sub. (1) or (2) or who is not regularly and lawfully engaged in the sale of ~~cemetery lots,~~ cemetery merchandise or ~~mausoleum~~ burial spaces in another state or territory of the United States or a foreign country.

SECTION 3605kd. 440.92 (1) (a) of the statutes is amended to read:

440.92 **(1)** (a) Except as provided in subs. (4), (9) (a) and (10), every individual who sells or solicits the sale of cemetery merchandise or an undeveloped space under a preneed sales contract ~~and, if the~~ is required to be registered under this subsection and, if applicable, comply with the requirements under s. 445.125. If such an individual is employed by or acting as an agent for a cemetery authority or any other person, that cemetery authority or other person is also required to be registered under this subsection.

SECTION 3605kL. 440.92 (2) (title) of the statutes is renumbered 440.922 (title).

SECTION 3605km. 440.92 (2) (a) of the statutes is renumbered 440.922 (1) (a), and 440.922 (1) (a) 2., 3., 3g. and 4. (intro.), as renumbered, are amended to read:

440.922 **(1)** (a) 2. By affixing the cemetery merchandise to the ~~cemetery lot or mausoleum~~ burial space.

3. By storing the cemetery merchandise in a warehouse that is located on the property of the preneed seller if the preneed seller insures the cemetery merchandise and the preneed sales contract requires the preneed seller to ultimately affix the cemetery merchandise to the ~~cemetery lot or mausoleum~~ burial space without additional charge.

3g. By storing the cemetery merchandise anywhere on the property of the preneed seller if the property of the preneed seller is located in this state, the preneed seller insures the cemetery merchandise and the preneed sales contract requires the preneed seller to ultimately affix the cemetery merchandise to a ~~cemetery lot~~ burial space, to the outside of or the grounds surrounding a mausoleum or columbarium or to any other outdoor location without additional charge.

Vetoed In Part

4. (intro.) By having the cemetery merchandise stored in a warehouse that is not located on the property of the preneed seller if the warehouse has agreed to ship the cemetery merchandise to the preneed seller, purchaser, or beneficiary named in the preneed sales contract without additional charge to the purchaser and the preneed sales contract requires that the cemetery merchandise ultimately be affixed to the ~~cemetery lot or mausoleum~~ burial space without additional charge. If the cemetery merchandise is delivered under this subdivision, all of the following apply:

SECTION 3605kn. 440.92 (2) (am) of the statutes is renumbered 440.922 (2) and amended to read:

440.922 **(2)** AFFIXTURE OF CEMETERY MERCHANDISE. If a preneed sales contract for the sale of cemetery merchandise requires the preneed seller to ultimately affix the cemetery merchandise to a ~~cemetery lot, mausoleum~~ burial space or other location but the purchaser has not informed the preneed seller of the location where the cemetery merchandise is to be affixed and the location where the cemetery merchandise is to be affixed is not specified in the preneed sales contract, the preneed sales contract may provide that the preneed seller may charge the purchaser an additional fee at the

time that the cemetery merchandise is affixed not to exceed the additional costs to the preneed seller that are necessitated by the purchaser's choice of location.

SECTION 3605kp. 440.92 (2) (b) of the statutes is renumbered 440.922 (1) (b).

SECTION 3605kr. 440.92 (2) (c) of the statutes is renumbered 440.922 (3) and amended to read:

440.922 **(3)** VOIDING OF CONTRACTS. Except as provided in ~~par. (cm)~~ sub. (4), a preneed sales contract shall provide that if the purchaser voids the preneed sales contract at any time within 10 days after the date of the initial payment the preneed seller shall, within 30 days after the date on which the preneed sales contract is voided, refund all money paid by the purchaser for cemetery merchandise that has not been supplied or delivered and for the mausoleum space.

SECTION 3605kt. 440.92 (2) (cm) of the statutes is renumbered 440.922 (4).

SECTION 3605kv. 440.92 (2) (d) of the statutes is renumbered 440.922 (5) (a).

SECTION 3605kx. 440.92 (2) (e) of the statutes is renumbered 440.922 (5) (b).

Vetoed In Part

SECTION 3605kz. 440.92 (2) (f) of the statutes is renumbered 440.922 (5) (c) and amended to read:

440.922 **(5)** (c) If a preneed sales contract is voided under par. ~~(e)~~ (b), the preneed seller shall, within 30 days after the date on which the preneed sales contract is voided, refund all money paid by the purchaser, together with interest calculated at the legal rate of interest as provided under s. 138.04.

SECTION 3605mb. 440.92 (2) (g) and (h) of the statutes are renumbered 440.922 (6) and (10).

SECTION 3605md. 440.92 (2) (i) of the statutes is renumbered 440.922 (7) and amended to read:

440.922 **(7)** TRUSTING REQUIREMENTS. If a preneed sales contract includes provisions for the sale of cemetery merchandise or an undeveloped space that is subject to the trusting requirements under ~~sub.~~ s. 440.92 (3) (a) and (b) and for the sale of other goods or services that are not subject to the trusting requirements under ~~sub.~~ s. 440.92 (3) (a) and (b), the sale price of the goods or services that are not subject to the trusting requirements may not be inflated for the purpose of allocating a lower sale price to the cemetery merchandise or undeveloped space that is subject to the trusting requirements.

SECTION 3605mf. 440.92 (2) (j) of the statutes is renumbered 440.922 (8).

SECTION 3605mh. 440.92 (2) (k) of the statutes is renumbered 440.922 (9) and amended to read:

440.922 **(9)** NOTICE OF RIGHTS. A preneed sales contract shall include the following language in not less than 10−point boldface type: "SECTION ~~440.92 (2)~~ 440.922 OF THE WISCONSIN STATUTES SPECIFIES THE RIGHTS OF THE PURCHASER UNDER THIS CONTRACT. DEPENDING ON THE CIRCUMSTANCES, THESE MAY INCLUDE THE RIGHT TO VOID THE CONTRACT AND RECEIVE A REFUND OR THE RIGHT TO ASSIGN AN INTEREST IN THE CONTRACT TO ANOTHER PERSON."

SECTION 3605mj. 440.92 (3) (a) (intro.) of the statutes is amended to read:

440.92 **(3)** (a) (intro.) ~~A~~ Except as provided in par. (am), a preneed seller shall deposit into a preneed trust fund an amount equal to at least 40% of each payment of principal that is received from the sale of cemetery merchandise under a preneed sales contract, or the wholesale cost ratio for the cemetery merchandise multiplied by the amount of the payment of principal that is received, whichever is greater. In addition to the amount required to be deposited under this paragraph for the sale of cemetery merchandise and except as provided in par. (c), if a preneed seller receives payment for the sale of an undeveloped space under a preneed sales contract, the preneed seller shall deposit a percentage of each payment of principal that is received from the sale of the undeveloped space into a preneed trust fund, determined as follows:

SECTION 3605mm. 440.92 (3) (am) of the statutes is created to read:

Vetoed In Part

440.92 **(3)** (am) A preneed seller who sells cemetery merchandise for use in a county with a population greater than 600,000 shall deposit into a preneed trust fund an amount equal to at least 40% of each payment of principal that is received from the sale of cemetery merchandise under a preneed sales contract. In addition to the amount required to be deposited under this paragraph for the sale of cemetery merchandise and except as provided in par. (c), if a preneed seller who sells an undeveloped space located in a county with a population greater than 600,000 receives payment for the undeveloped space under a preneed sales contract, the preneed seller shall deposit at least 40% of each payment of principal that is received from the sale of the undeveloped space into a preneed trust fund.

SECTION 3605mn. 440.92 (3) (c) (intro.) of the statutes is amended to read:

440.92 **(3)** (c) (intro.) A preneed seller is not required to make the deposits required under par. (a) ~~1. and 2.~~ or (am) for payments for sales of undeveloped spaces under preneed contracts if any of the following applies:

SECTION 3605mv. 440.92 (5) of the statutes is renumbered 440.924.

SECTION 3605mx. 440.92 (6) (title) of the statutes is renumbered 440.926 (title) and amended to read:

440.926 (title) ~~**Reporting;**~~ **Preneed seller reporting and record keeping;** ~~**audits.**~~

SECTION 3605mz. 440.92 (6) (a) of the statutes is renumbered 440.926 (1) (a) and amended to read:

440.926 **(1)** (a) Every preneed seller registered under ~~sub.~~ s. 440.92 (1) shall file an annual report with the department. The report shall be made on a form

prescribed and furnished by the department. The report shall be made on a calendar−year basis unless the department, by rule, provides for other reporting periods. The report is due on or before the 60th day after the last day of the reporting period.

SECTION 3605ob. 440.92 (6) (b) and (c) of the statutes are renumbered 440.926 (1) (b) and (c).

SECTION 3605od. 440.92 (6) (d) of the statutes is renumbered 440.926 (2) (c) and amended to read:

440.926 **(2)** (c) All records described under ~~pars.~~ sub. (1) (b) 2. and (c) and maintained by the department are confidential and are not available for inspection or copying under s. 19.35 (1). This paragraph does not apply to any information regarding the name, address, or employer of or financial information related to an individual that is requested under s. 49.22 (2m) by the department of workforce development or a county child support agency under s. 59.53 (5).

Vetoed In Part

SECTION 3605of. 440.92 (6) (e) and (f) of the statutes are renumbered 440.926 (1) (d) and (e).

SECTION 3605oh. 440.92 (6) (g) of the statutes is renumbered 440.926 (2) (a), and 440.926 (2) (a) 1. and 2., as renumbered, are amended to read:

440.926 **(2)** (a) 1. The records needed to prepare the reports required under ~~par.~~ sub. (1) (a).

2. Records that show, for each deposit in a trust fund or account specified in ~~pars.~~ sub. (1) (b) 2. and (c), the name of the purchaser or beneficiary of the preneed sales contract relating to the deposit and the item purchased.

SECTION 3605oj. 440.92 (6) (h) of the statutes is renumbered 440.926 (2) (b) and amended to read:

440.926 **(2)** (b) The records under ~~par.~~ sub. (1) (b) 1. shall be permanently maintained by the preneed seller. The records under ~~par.~~ sub. (1) (b) 2. shall be maintained for not less than 3 years after all of the obligations of the preneed sales contract have been fulfilled. The department may promulgate rules to establish longer time periods for maintaining records under this paragraph.

SECTION 3605oL. 440.92 (6) (i) of the statutes is renumbered 440.926 (3) (a) and amended to read:

440.926 **(3)** (a) The department may promulgate rules requiring preneed sellers registered under ~~sub.~~ s. 440.92 (1) to maintain other records and establishing minimum time periods for the maintenance of those records.

SECTION 3605on. 440.92 (6) (j) of the statutes is renumbered 440.926 (4) and amended to read:

440.926 **(4)** AUDITS. The department may audit, at reasonable times and frequency, the records, trust funds, and accounts of any preneed seller registered under ~~sub.~~ s. 440.92 (1), including records, trust funds, and accounts pertaining to services provided by a preneed seller which are not otherwise subject to the requirements under this ~~section~~ subchapter. The department may conduct audits under this ~~paragraph~~ subsection on a random basis, and shall conduct all audits under this ~~paragraph~~ subsection without providing prior notice to the preneed seller.

SECTION 3605op. 440.92 (6) (k) of the statutes is renumbered 440.926 (3) (b) and amended to read:

440.926 **(3)** (b) The department may promulgate rules establishing a filing fee to accompany the report required under ~~par.~~ sub. (1) (a). The filing fee shall be based on the approximate cost of regulating preneed sellers.

SECTION 3605or. 440.92 (7) of the statutes is renumbered 440.927 and amended to read:

440.927 Approval of warehouses. No person may own or operate a warehouse unless the warehouse is approved by the department. Upon application, the department shall approve a warehouse that is located in this state if the person who operates the warehouse is licensed as a public warehouse keeper by the department of agriculture, trade and consumer protection under ch. 99, but may not approve a warehouse that is located in this state unless the person is so licensed. The department shall promulgate rules establishing the requirements for approval of warehouses that are located outside this state. The rules shall require warehouses that are located outside this state to file with the department a bond furnished by a surety company authorized to do business in this state in an amount that is sufficient to guarantee the delivery of cemetery merchandise to purchasers under preneed sales contracts. The department shall compile and keep a current list of the names and addresses of all warehouses approved under this ~~subsection~~ section and shall make the list available for public inspection during the times specified in s. 230.35 (4) (f).

Vetoed In Part

SECTION 3605ot. 440.92 (9) (title) of the statutes is amended to read:

440.92 **(9)** (title) EXEMPTIONS; CERTIFICATION OF COMPLIANCE OF RELIGIOUS CEMETERY ~~AFFILIATED WITH RELIGIOUS SOCIETY~~ AUTHORITIES.

SECTION 3605ov. 440.92 (9) (a) of the statutes is amended to read:

440.92 **(9)** (a) If ~~the cemetery authority of a cemetery that is affiliated with a religious society organized under ch. 187 or that religious society~~ a religious cemetery authority or the church, synagogue, mosque, incorporated college of a religious order, or religious society organized under ch. 187 that is affiliated with a religious cemetery authority files an annual certification with the department as provided in this subsection, neither the religious cemetery authority nor any employee of the cemetery is required to be registered as a cemetery preneed seller under sub. (1) during the period for which the certification is effective, but the religious cemetery authority and any employee are required to comply, if applicable, with the requirements of s. 445.125.

SECTION 3605ox. 440.92 (9) (b) 3. of the statutes is amended to read:

440.92 **(9)** (b) 3. A notarized statement of a person who is legally authorized to act on behalf of the religious ~~society~~ cemetery authority under this subsection that, during the 12−month period immediately preceding the date on which the certification is filed with the department, each employee specified under subd. 2. and the religious cemetery authority have either fully complied or have substantially complied with ~~subs. (2),~~ sub. (3) (a) and (b) and ~~(5)~~ ss. 440.922 and 440.924.

SECTION 3605oz. 440.92 (9) (c) of the statutes is amended to read:

440.92 **(9)** (c) If the statement under par. (b) 3. includes a statement of substantial compliance, the statement of substantial compliance must also specify those instances when the employee or religious cemetery authority did not fully comply with sub. ~~(2),~~ (3) (a) or (b) or ~~(5)~~ s. 440.922 or 440.924.

Vetoed In Part

SECTION 3605qb. 440.92 (9) (e) of the statutes is amended to read:

440.92 **(9)** (e) During the effective period specified under par. (d), the department may not audit the preneed trust funds or any records or accounts relating to the preneed trust funds of the religious cemetery authority or any employee of the cemetery to which a certification under this subsection applies.

SECTION 3605qd. 440.92 (9) (f) of the statutes is amended to read:

440.92 **(9)** (f) The church, synagogue, mosque, incorporated college of a religious order, or religious society that is affiliated with a cemetery to which a certification under this subsection applies is liable for the damages of any person that result from the failure of any employee specified under par. (b) 2. or the religious cemetery authority to fully comply with sub. ~~(2),~~ (3) (a) or (b) or ~~(5)~~ s. 440.922 or 440.924 during the 12−month period for which such compliance has been certified under this subsection.

SECTION 3605qg. 440.92 (10) of the statutes is amended to read:

440.92 **(10)** EXEMPTIONS; CERTAIN NONPROFIT CEMETERIES. This section does not apply to a cemetery authority that is not required to be registered under s. 440.91 (1) ~~and~~, that is not organized or conducted for pecuniary profit, and that does not operate a cemetery in a county with a population greater than 600,000.

SECTION 3605qh. 440.922 (1) (title) of the statutes is created to read:

440.922 **(1)** (title) DELIVERY OF CEMETERY MERCHANDISE.

SECTION 3605qhc. 440.922 (4) (title) of the statutes is created to read:

440.922 **(4)** (title) PHYSICAL ALTERATION OF CEMETERY MERCHANDISE.

SECTION 3605qhe. 440.922 (5) (title) of the statutes is created to read:

440.922 **(5)** (title) UNDEVELOPED SPACE SALES.

SECTION 3605qhg. 440.922 (6) (title) of the statutes is created to read:

440.922 **(6)** (title) INTEREST ASSIGNMENTS.

SECTION 3605qhj. 440.922 (8) (title) of the statutes is created to read:

440.922 **(8)** (title) CONTRACT REQUIREMENTS.

SECTION 3605qhk. 440.922 (10) (title) of the statutes is created to read:

440.922 **(10)** (title) CONFLICTING PROVISIONS.

SECTION 3605qj. 440.926 (1) (title) of the statutes is created to read:

440.926 **(1)** (title) REPORTS.

SECTION 3605qjd. 440.926 (2) (title) of the statutes is created to read:

440.926 **(2)** (title) RECORDS.

SECTION 3605qjf. 440.926 (3) (title) of the statutes is created to read:

440.926 **(3)** (title) RULES.

Vetoed In Part

SECTION 3605qr. 440.93 (1) (b) of the statutes is amended to read:

440.93 **(1)** (b) Made a substantial misrepresentation or false promise to an individual to influence the individual to purchase ~~a cemetery lot,~~ cemetery merchandise or ~~mausoleum~~ a burial space.

SECTION 3605qt. 440.93 (1) (c) of the statutes is amended to read:

440.93 **(1)** (c) Engaged in any practice relating to the operation or management of a cemetery or the sale of ~~a cemetery lot,~~ cemetery merchandise or ~~mausoleum~~ a burial space which clearly demonstrates a lack of knowledge or ability to apply professional principles or skills.

SECTION 3605qx. 440.93 (1) (d) of the statutes is amended to read:

440.93 **(1)** (d) ~~Subject to ss. 111.321, 111.322 and 111.335, been convicted of an offense~~ Violated any law the circumstances of which substantially relate to the operation or management of a cemetery or the sale of ~~a cemetery lot,~~ cemetery merchandise or ~~mausoleum~~ a burial space. A certified copy of a judgment of conviction is prima facie evidence of a violation.

SECTION 3605qz. 440.93 (1) (f) of the statutes is amended to read:

440.93 **(1)** (f) Subject to ss. 111.321, 111.322, and 111.34, engaged in any practice relating to the operation or management of a cemetery or the sale of ~~a cemetery lot,~~ cemetery merchandise or ~~mausoleum~~ a burial space while the person's ability to practice was impaired by mental disease or defect or alcohol or other drugs.

SECTION 3605sb. 440.93 (1) (g) of the statutes is amended to read:

440.93 **(1)** (g) Violated this subchapter or subch. II of ch. 157, any rule promulgated under this subchapter or subch. II of ch. 157, or any order of the department.

SECTION 3605sd. 440.93 (1m) of the statutes is created to read:

440.93 **(1m)** The department may, in addition to or in lieu of a reprimand or revocation, limitation, suspension, or denial of a certificate of registration, assess against a person registered under this subchapter who has done anything specified in sub. (1) (a) to (g) a forfeiture of no more than $5,000 for each separate offense. Each day of continued violation constitutes a separate offense.

SECTION 3605sh. 440.945 (1) (a) of the statutes is amended to read:

440.945 **(1)** (a) "Installed" means permanently affixed to a ~~cemetery lot~~ burial space.

SECTION 3605sj. 440.945 (2) (a) of the statutes is amended to read:

Vetoed In Part

440.945 **(2)** (a) Adopt regulations, consistent with this section and with standards that the cemetery authority uses for its own monument installations, prescribing requirements and procedures for the sale, delivery, installation, or care of monuments, including requirements that each vendor provide reasonable advance notice to the cemetery authority of the date on which the vendor desires to install a monument; that each vendor carry worker's compensation insurance and a minimum amount of comprehensive general liability insurance, such minimum amount not to exceed $300,000; and that each owner of a ~~cemetery lot~~ burial space pay all fees and other amounts due the cemetery authority to satisfy any encumbrances pertaining to the ~~cemetery lot~~ burial space before a monument is installed.

SECTION 3605sL. 440.945 (2) (c) of the statutes is amended to read:

440.945 **(2)** (c) Charge either the owner of a ~~cemetery lot~~ burial space or a vendor a reasonable fee to cover the cemetery authority's labor costs. In this paragraph, "labor costs" means the amount, calculated in accordance with generally accepted accounting principles and practices, that is payable to employees of the cemetery authority for wages and fringe benefits for the period that the employees were engaged in marking the location for and inspecting the installation of the monument to ensure that it was properly installed, and may include any general administrative or overhead costs of the cemetery authority or any other costs that are directly related to marking the location for and inspecting the installation of the monument to ensure that it was properly installed.

SECTION 3605sn. 440.945 (3) (a) (intro.) of the statutes is amended to read:

440.945 **(3)** (a) (intro.) Every cemetery authority shall keep on file and make available for inspection and copying to owners and prospective purchasers of ~~cemetery lots~~ burial spaces and to other interested persons all of the following information:

SECTION 3605sp. 440.945 (4) (a) 1. of the statutes is amended to read:

440.945 **(4)** (a) 1. Require the owner or purchaser of a ~~cemetery lot~~ burial space to purchase a monument or services related to the installation of a monument from the cemetery authority.

SECTION 3605sr. 440.945 (4) (a) 2. of the statutes is amended to read:

440.945 **(4)** (a) 2. Restrict the right of the owner or purchaser of a ~~cemetery lot~~ burial space to purchase a monument or services related to the installation of a monument from the vendor of his or her choice.

SECTION 3605st. 440.945 (4) (a) 3. of the statutes is amended to read:

440.945 **(4)** (a) 3. Except as provided in sub. (2) (c), charge the owner or purchaser of a ~~cemetery lot~~ burial space a fee for purchasing a monument or services related to the installation of a monument from a vendor, or charge a vendor a fee for delivering or installing the monument. Nothing in this subdivision shall be construed to prohibit a cemetery authority from charging the owner or purchaser of a ~~cemetery lot~~ burial space a reasonable fee for services relating to the care of a monument. **Vetoed In Part**

SECTION 3605sv. 440.945 (4) (a) 4. of the statutes is amended to read:

440.945 **(4)** (a) 4. Discriminate against any owner or purchaser of a ~~cemetery lot~~ burial space who has purchased a monument or services related to the installation of a monument from a vendor.

SECTION 3605ud. 440.947 (1) (c) of the statutes is renumbered 440.90 (6g).

SECTION 3605uh. 440.948 of the statutes is created to read:

440.948 Burial agreements. Any agreement for the purchase of a casket, outer burial container not preplaced into the burial excavation of a grave, or combination casket–outer burial container, that is not immediately required for the burial or other disposition of human remains, is subject to the requirements of s. 445.125 (1).

SECTION 3605uv. 440.95 (4) (c) of the statutes is amended to read:

440.95 **(4)** (c) Fails to file a report or files an incomplete, false, or misleading report under s. ~~440.92 (6)~~ 440.926.

SECTION 3605ux. 440.95 (5) of the statutes is amended to read:

440.95 **(5)** Except as provided in sub. (4), any person who violates ~~s.~~ ss. 440.92 to 440.927 or any rule promulgated under ~~s.~~ ss. 440.92 to 440.927 may be required to forfeit not more than $200 for each offense. Each day of continued violation constitutes a separate offense.

SECTION 3606pb. 442.001 of the statutes is renumbered 442.001 (intro.) and amended to read:

442.001 ~~Definition~~ Definitions. (intro.) In this chapter~~, "examining:~~

(3) "Examining board" means the accounting examining board.

SECTION 3606pd. 442.001 (1) of the statutes is created to read:

442.001 **(1)** "Attest service" means any of the following:

(a) An audit or any other engagement that is performed or intended to be performed in accordance with rules promulgated under s. 442.01 (1) (a).

(b) A review of a financial statement that is performed or intended to be performed in accordance with rules promulgated under s. 442.01 (1) (b).

(c) An examination of prospective financial information that is performed or intended to be performed in accordance with rules promulgated under s. 442.01 (1) (c).

SECTION 3606pf. 442.001 (4) of the statutes is created to read:

442.001 **(4)** "Firm" means a proprietorship, partnership, limited liability partnership, corporation, service corporation, or limited liability company.

SECTION 3606ph. 442.001 (5) of the statutes is created to read:

442.001 **(5)** "Member of a firm" means a director, manager, employee, officer, owner, shareholder, principal, or partner of a firm.

SECTION 3606pj. 442.01 (1) of the statutes is created to read:

442.01 **(1)** The examining board shall promulgate rules that adopt by reference all of the following:

(a) The statements on auditing standards issued by the Auditing Standards Board of the American Institute of Certified Public Accountants.

(b) The statements on standards for accounting and review services issued by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants.

(c) The statements on standards for attestation engagements issued by the Auditing Standards Board, the Accounting and Review Services Committee, and the Consulting Services Executive Committee of the American Institute of Certified Public Accountants.

SECTION 3606pL. 442.01 (2) of the statutes is amended to read:

442.01 **(2)** No standard or rule relating to professional conduct or unethical practice may be adopted until the examining board has held a public hearing with reference thereto, subject to the rules promulgated under s. 440.03 (1). No rule or standard shall become effective until 60 days after its adoption by the examining board. Any person who has appeared at the public hearing and filed written protest against any proposed standard or rule may, upon the adoption of such standard or rule, obtain a review thereof under ch. 227. Thereafter every person practicing as a certified public accountant in the state shall be governed and controlled by the rules and standards prescribed by the examining board.

SECTION 3606pn. 442.01 (3) of the statutes is amended to read:

442.01 **(3)** The examining board shall record its proceedings.

SECTION 3606pp. 442.02 (title) of the statutes is amended to read:

442.02 (title) ~~**Public**~~ **Certified public accountant, definition.**

SECTION 3606pr. 442.02 (1m) (intro.) of the statutes is amended to read:

442.02 **(1m)** (intro.) A person shall be considered to be in practice as a certified public accountant, within the meaning and intent of this chapter, if any of the following conditions is met:

SECTION 3606pt. 442.02 (1m) (a) of the statutes is amended to read:

442.02 **(1m)** (a) The person holds himself or herself out to the public in any manner as one skilled in the knowledge, science, and practice of accounting, and as qualified and ready to render professional service therein as a certified public accountant for compensation.

SECTION 3606pv. 442.02 (1m) (b) of the statutes is amended to read:

442.02 **(1m)** (b) The person maintains an office for the transaction of business as a certified public accountant or, except as an employee of a certified public accountant, practices accounting, as distinguished from bookkeeping, for more than one employer.

SECTION 3606px. 442.02 (1m) (dm) of the statutes is created to read:

442.02 **(1m)** (dm) The person provides or offers to provide an attest service.

SECTION 3606pz. 442.02 (5m) of the statutes is amended to read:

442.02 **(5m)** Subsection (1m) (f) does not prohibit any officer, employee, partner, or principal of any organization from affixing his or her signature to any statement or report in reference to the affairs of that organization with any wording designating the position, title, or office that he or she holds in that organization ~~and does not prohibit any act of a public official or public employee in the performance of his or her duties~~.

SECTION 3606rb. 442.02 (6) of the statutes is amended to read:

442.02 **(6)** Every member of a ~~partnership and every officer and director of a corporation~~ firm who, ~~in the capacity of partner, officer or director~~ as a member of the firm, does any of the things enumerated in sub. (1m) (a) to (f), shall be considered to be in practice as a certified public accountant.

SECTION 3606rd. 442.02 (7) of the statutes is renumbered 442.025 (1) and amended to read:

442.025 **(1)** ~~Nothing contained in this chapter shall prevent the employment~~ Persons employed by a certified public accountant~~, or by a public accountant,~~ or ~~by a~~ firm ~~or corporation furnishing public accounting services as principal, of persons~~ licensed under this chapter to serve as accountants in various capacities, as needed, if all of the following conditions are met:

(a) The employees serving as accountants work under the control and supervision of certified public accountants~~, or accountants with certificates of authority granted under s. 442.06~~.

(b) ~~Those~~ The employees serving as accountants ~~shall~~ do not issue any statements or reports over their own names except office reports to their employer that are customary.

(c) The employees serving as accountants are not in any manner held out to the public as certified public accountants ~~as described in this chapter~~.

SECTION 3606rf. 442.02 (8) of the statutes is renumbered 442.025 (2) and amended to read:

442.025 **(2)** ~~Nothing contained in this chapter shall apply to a~~ A practicing attorney, who, in connection with his or her professional work renders any accounting service.

SECTION 3606rh. 442.02 (9) of the statutes is renumbered 442.025 (3) and amended to read:

442.025 **(3)** (intro.) ~~Nothing contained in this chapter shall apply to any persons who may be~~ A person employed by more than one person~~, partnership or corporation,~~ for the purpose of keeping books, making trial balances, or statements, and preparing ~~audits or~~ reports, if all of the following requirements are met:

(a) The ~~audits or~~ reports described in this subsection are not used or issued by the employers as having been prepared by a certified public accountant.

(b) The persons employed as described in this subsection do not do any of the things enumerated in ~~sub.~~ s. 442.02 (1m) (f) ~~without complying with sub.~~ except as authorized under s. 442.02 (5m).

SECTION 3606rj. 442.02 (10) of the statutes is renumbered 442.025 (4) and amended to read:

442.025 **(4)** ~~Nothing contained in this chapter shall apply to~~ The holders of state−granted certified public accountant certificates from other states who may be temporarily in this state on professional business incident to their regular practice in the states of their domicile, but with neither residence nor office in this state.

SECTION 3606rL. 442.025 of the statutes is created to read:

442.025 Applicability. This chapter does not require a certificate or license under this chapter for any of the following:

(5) A public official or public employee in performing his or her duties.

(6) A person who performs services involving the use of accounting skills, including management advisory services, the preparation of tax returns, and the preparation of financial statements without issuing reports on the statements.

(7) A person who prepares financial statements and issues information thereon that does not purport to be in compliance with the statement on standards for accounting and review services issued by the American Institute of Certified Public Accountants.

SECTION 3606rn. 442.03 (1) of the statutes is renumbered 442.03 and amended to read:

442.03 Licenses required. No person may lawfully practice in this state as a certified public accountant either in the person's own name, ~~or as an employee,~~ or under an assumed name, or as ~~an officer, member or employee of a firm, or as an officer or employee of a corporation~~ a member of a firm, unless the person has been granted by the examining board a certificate as a certified public accountant, and unless the person~~, firm or corporation, jointly and severally, has~~ and firm have complied with all of the provisions of this chapter, including licensure.

SECTION 3606rp. 442.03 (2) of the statutes is repealed.

SECTION 3606rr. 442.03 (3) of the statutes is repealed.

SECTION 3606rt. 442.04 (3) of the statutes is repealed.

SECTION 3606rv. 442.04 (4) (b) of the statutes is repealed.

SECTION 3606rx. 442.04 (4) (bm) of the statutes is amended to read:

442.04 **(4)** (bm) ~~After December 31, 2000, a~~ A person may not take the examination leading to the certificate to practice as a certified public accountant unless the person has completed at least 150 semester hours of education with an accounting concentration at an institution, and has received a bachelor's or higher degree with an accounting concentration from an institution, except as provided in par. (c).

SECTION 3606rz. 442.04 (4) (c) of the statutes is amended to read:

442.04 **(4)** (c) If an applicant has a bachelor's or higher degree from an institution but does not have ~~a resident major in accounting required in par. (b) or~~ an accounting concentration required in par. (bm), the examining board may review such other educational experience from an institution as the applicant presents and, if the examining board determines that such other experience provides the reasonable equivalence of ~~a resident major in accounting required in par. (b) or~~ an accounting concentration required in par. (bm), the examining board shall approve the applicant for examination.

SECTION 3606tb. 442.04 (5) of the statutes is amended to read:

442.04 **(5)** The examining board may not grant a certificate as a certified public accountant to any person

other than a person who is 18 years of age or older, does not have an arrest or conviction record, subject to ss. 111.321, 111.322, and 111.335, and, except as provided in s. 442.05, has successfully passed ~~a written~~ an examination in such subjects affecting accountancy as the examining board considers necessary. ~~If the person applying for the certificate passes the examination during the period beginning on May 17, 1996, and ending on December 31, 2000, the examining board may not grant the certificate unless the applicant has at least 3 years of public accounting experience or its equivalent, the sufficiency of the experience or the equivalency to be judged by the examining board. If the person applying for the certificate passes the examination after December 31, 2000, the~~ The examining board may not grant the certificate unless the applicant has at least ~~2 years~~ one year of public accounting experience or its equivalent, the sufficiency of the experience or the equivalency to be judged by the examining board. The examining board shall ensure that evaluation procedures and examinations are nondiscriminatory, relate directly to accountancy, and are designed to measure only the ability to perform competently as an accountant. The examining board may use the examination service provided by the American Institute of Certified Public Accountants.

SECTION 3606td. 442.06 of the statutes is repealed.

SECTION 3606tf. 442.07 (title) of the statutes is amended to read:

442.07 (title) **Requirements for practice as certified public accountant ~~or public accountant~~.**

SECTION 3606th. 442.07 (1) of the statutes is amended to read:

442.07 **(1)** Any person who has been issued a certificate of the person's qualifications to practice as a certified public accountant, shall be styled and known as a "certified public accountant" and no other person shall assume to use such title or the abbreviation "C.P.A." or any other word, words, letters, or figures to indicate that the person using the same is a certified public accountant. The terms "chartered accountant" and "certified accountant" and the abbreviation "C.A." are specifically prohibited to such other persons as being prima facie misleading to the public. ~~Any person who has been issued a certificate of authority, as herein provided, shall be styled and known as a "public accountant" and no other person, other than a certified public accountant, shall assume to use such designation or any other word, words, letters or figures to indicate that such person is entitled to practice as a public accountant.~~

SECTION 3606tj. 442.07 (2) of the statutes is repealed.

SECTION 3606tL. 442.07 (3) of the statutes is amended to read:

442.07 **(3)** Any ~~partnership, which~~ firm that is entitled to practice as certified public accountants in this state or any other state~~,~~ and every resident member ~~and resident manager~~ of ~~which~~ the firm who is a certified public accountant of this state, after registering the ~~partnership~~ firm name with the examining board, may use the designation "certified public accountants" in connection with the ~~partnership~~ firm name. ~~Any partnership, every member and resident manager of which is a certified public accountant of this state or any other state or holds a certificate of authority under this chapter, after registering the partnership name with the examining board, may use the designation "public accountants" in connection with the partnership name. An assumed name, in use prior to September 21, 1935, may be used the same as a partnership name, provided the individual persons practicing as principals under that name hold certificates granted by the examining board and register the name with the examining board.~~

SECTION 3606tn. 442.08 of the statutes is repealed and recreated to read:

442.08 Licensure. (1) The department shall issue a license to an individual who holds an unrevoked certificate as a certified public accountant, submits an application for the license on a form provided by the department, and pays the fee specified in s. 440.05 (1).

(2) The department shall issue a license to a firm that submits an application for the license on a form provided by the department, pays the fee specified in s. 440.05 (1), and does each of the following:

(a) Identifies each office of the firm that is located in this state.

(b) If any person who holds an ownership interest in the firm is not licensed under sub. (1), designates an individual licensed under sub. (1) as the individual responsible for the firm's compliance with this chapter.

(c) Demonstrates, to the satisfaction of the department, each of the following:

1. That all attest services provided by the firm in this state are under the charge of an individual licensed under sub. (1).

2. That more than 50% of the ownership interest of the firm is held by individuals who hold certificates or licenses to practice as a certified public accountant issued under the laws of any state or foreign country.

3. That each person who holds an ownership interest in the firm, and who does not hold a certificate or license to practice as a certified public accountant, is an individual who actively participates in the firm or an affiliated entity.

(3) The examining board shall promulgate rules that define "ownership interest" for purposes of sub. (2) and for determining the percentage of a person's ownership interest in a firm. In promulgating the rules, the examining board shall consider the financial interests and voting rights of all members of a firm.

SECTION 3606tp. 442.083 of the statutes is created to read:

442.083 Renewal. The renewal dates and renewal fees for licenses issued under this chapter are specified under s. 440.08 (2) (a). The department may not renew a license issued to a firm unless, at the time of renewal, the firm satisfies the requirements under s. 442.08 (2) and demonstrates, to the satisfaction of the department, that the firm has complied with the requirements under s. 442.087.

SECTION 3606tr. 442.087 of the statutes is created to read:

442.087 Peer review. (1) DEFINITION. In this section, "peer review" means a process for a person licensed under this chapter to evaluate the professional competency of the members of a firm who are responsible for attest services provided by the firm or who sign or authorize another individual to sign accounting reports or financial statements on behalf of the firm.

(2) RENEWAL OF FIRM LICENSES. After January 1, 2005, the department may not renew the license of a firm unless, at least once every 3 years, the firm undergoes the peer review that is specified in the rules promulgated under sub. (3) and that is conducted by a person approved by the examining board under the rules who is not affiliated with the firm or members of the firm undergoing review.

(3) RULES. The examining board shall promulgate rules that describe the peer review required to renew a firm's license under sub. (2). The rules shall include requirements for the examining board to approve one or more persons to conduct the peer reviews. The rules shall also require each person approved by the examining board to conduct peer reviews to periodically report to the examining board on the effectiveness of the peer reviews conducted by the person and to provide the examining board with a listing of all firms that have undergone peer review conducted by the person.

(4) CONFIDENTIALITY. A person approved by the examining board to conduct peer reviews may not disclose to any person, including the examining board or the department, any information obtained or document produced during the course of or as a result of a review unless the firm undergoing the review consents to the disclosure.

SECTION 3606tt. 442.10 (1) of the statutes is amended to read:

442.10 **(1)** Whenever any person, as a certified public accountant ~~or public accountant~~, signs or certifies any report, schedule, or statement relative to the affairs of any corporation, association, or partnership in which the person is financially interested or by which the person is regularly engaged as an officer or employee, the signature or certification shall be accompanied by a specific statement setting forth the fact that the person is financially interested in or is an officer or regular employee of the corporation, association, or partnership. If the person is both financially interested and an officer or regular employee, the statement shall cover both financial interest and employment. In the case of a ~~corporation holding a certificate of authority~~ firm signing or certifying as ~~above~~ described in this subsection, the interest of any of its ~~stockholders~~ members shall be disclosed.

SECTION 3606tv. 442.10 (2) of the statutes is amended to read:

442.10 **(2)** Notwithstanding sub. (1), no person licensed under this chapter, and no firm of which the person is a ~~partner or shareholder~~ member, may express an opinion as an independent certified public accountant on financial statements of any enterprise unless the person and the firm are independent of the enterprise. The requirement for independence under this subsection also extends to the spouse of such a person and to other relatives having a financial or business relationship with the enterprise which, in the opinion of the examining board, may impair independence.

SECTION 3606tx. 442.11 (1) of the statutes is amended to read:

442.11 **(1)** Uses any term other than certified public accountant or the abbreviation C. P. A. to indicate that he or she is a certified public accountant with a specially granted title.

SECTION 3606tz. 442.11 (2) of the statutes is amended to read:

442.11 **(2)** While practicing under an assumed name, or as a member of a ~~partnership~~ firm, other than a ~~partnership~~ firm with a name that is registered under s. 442.07 ~~as composed of certified public accountants, or as an officer of a corporation~~ (3), announces, either in writing or by printing, that the assumed name~~, partnership or corporation~~ or firm is practicing as a certified public accountant.

SECTION 3606vb. 442.11 (3) of the statutes is repealed.

SECTION 3606vd. 442.11 (4) of the statutes is repealed.

SECTION 3606vf. 442.11 (6) of the statutes is repealed.

SECTION 3606vh. 442.11 (7) of the statutes is amended to read:

442.11 **(7)** Practices as a certified public accountant ~~or as a public accountant~~ after his or her certificate has been revoked.

SECTION 3606vj. 442.11 (8) of the statutes is amended to read:

442.11 **(8)** As an individual~~, member of a partnership or officer or director of a corporation~~ or member of a firm, practices or permits the ~~partnership or corporation~~ firm to practice as a certified public accountant ~~or as a public accountant~~ unless a license has been secured for the current licensure period.

SECTION 3606vL. 442.11 (9) of the statutes is amended to read:

442.11 **(9)** Sells, buys, gives, or obtains an alleged certificate as a certified public accountant~~, a certificate of authority~~ or a license in any manner other than that provided for by this chapter.

SECTION 3606vn. 442.11 (10) of the statutes is amended to read:

442.11 **(10)** Attempts to practice as a certified public accountant ~~or as a public accountant~~ under the guise of a certificate not granted by the examining board or under cover of a certificate obtained illegally or fraudulently.

SECTION 3606vp. 442.11 (12) of the statutes is amended to read:

442.11 **(12)** Attempts by any subterfuge to evade the provisions of this chapter while practicing as a certified public accountant.

SECTION 3606vr. 442.11 (13) of the statutes is amended to read:

442.11 **(13)** As an individual~~, a member of a partnership or an officer of a corporation~~ or member of a firm, permits to be announced by printed or written statement that any report, certificate, exhibit, schedule, or statement has been prepared by or under supervision of a certified public accountant ~~or by or under supervision of a public accountant~~ when the person who prepared the report, certificate, exhibit, schedule, or statement was not a certified public accountant ~~or public accountant~~.

SECTION 3606vt. 442.12 (intro.) of the statutes is amended to read:

442.12 Disciplinary action. (intro.) Subject to the rules promulgated under s. 440.03 (1), the examining board may do any of the following:

SECTION 3606vv. 442.12 (3) of the statutes is amended to read:

442.12 **(3)** In the case of a ~~corporation or a partnership~~ firm, revoke, limit, or suspend the license of the ~~partnership or corporation~~ firm, or reprimand it, if it is found that any ~~officer, director or~~ member of the firm has been guilty of such act or omission as would be cause for revoking, limiting, or suspending a certificate or license to the person as an individual or for reprimanding the person.

SECTION 3606vx. 442.13 of the statutes is amended to read:

442.13 Ownership of accountant's working papers. All statements, records, schedules, working papers, and memoranda made by a certified public accountant ~~or public accountant~~ incident to or in the course of professional service to clients by ~~such~~ a certified public accountant, except reports submitted by a certified public accountant ~~or public accountant~~ to a client, shall be and remain the property of ~~such~~ the certified public accountant, in the absence of an express agreement between ~~such~~ the certified public accountant and the client to the contrary. No such statement, record, schedule, working paper, or memorandum shall be sold, transferred, or bequeathed, without the consent of the client or the client's personal representative or assignee, to anyone other than ~~one or more surviving partners or new or successor partners of such~~ any member of the firm of the certified public accountant.

SECTION 3606vz. 442.14 of the statutes is repealed.

SECTION 3607. 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 ~~$2,500~~ $3,000 of the funds paid under the agreement by each depositor.

SECTION 3608bc. 447.04 (1) (b) of the statutes is amended to read:

447.04 **(1)** (b) ~~The~~ Except as provided in par. (c), the examining board may grant a license to practice dentistry to an individual who is licensed in good standing to practice dentistry in another state or territory of the United States or in another country if the applicant meets the requirements for licensure established by the examining board by rule and upon presentation of the license and payment of the fee specified under s. 440.05 (2).

SECTION 3608be. 447.04 (1) (c) of the statutes is created to read:

447.04 **(1)** (c) 1. The examining board shall grant a license to practice dentistry to an applicant who is licensed in good standing to practice dentistry in another jurisdiction upon presentation of the license and who does all of the following:

a. Pays the fee specified in s. 440.05 (2).

b. Submits evidence satisfactory to the examining board that the applicant has been offered employment as a full−time faculty member at a school of dentistry in this state.

c. Makes responses during any interview that the examining board may require that demonstrate, to the satisfaction of the examining board, that the applicant is competent to practice dentistry.

2. A license granted under subd. 1. authorizes the license holder to practice dentistry only within educational facilities and only for the purpose of carrying out the license holder's teaching duties.

3. A license granted under subd. 1. is no longer in effect if the license holder ceases to be employed as a full−time faculty member at a school of dentistry in this state.

4. The examining board may promulgate rules to carry out the purposes of this paragraph.

SECTION 3608bf. 447.34 (2) of the statutes is amended to read:

447.34 **(2)** Legal counsel, certified public accountants licensed under ch. 442, or other persons as to matters the director or officer believes in good faith are within the person's professional or expert competence.

SECTION 3608bh. 450.03 (1) (f) of the statutes is created to read:

450.03 **(1)** (f) A person who has successfully completed his or her second year in, and is enrolled at, an accredited school of pharmacy and whose practice of pharmacy is limited to performing duties under the direct supervision of a person licensed as a pharmacist by the board.

SECTION 3608bi. 450.03 (1) (g) of the statutes is created to read:

450.03 **(1)** (g) A person who has applied for a license under s. 450.05 whose practice of pharmacy is limited to performing duties under the direct supervision of a person licensed as a pharmacist by the board and during the period before which the board takes final action on the person's application.

SECTION 3608bk. 450.04 (3) (b) of the statutes is amended to read:

Vetoed In Part

450.04 **(3)** (b) Has completed an internship in the practice of pharmacy ~~under s. 450.045~~ or has practical experience acquired in another state which is comparable to that included in ~~the~~ an internship and which is approved and verified by the board or by the agency which is the equivalent of the board in the state in which the practical experience was acquired.

SECTION 3608bL. 450.045 of the statutes is repealed.

SECTION 3608cg. 452.01 (3p) of the statutes is created to read:

452.01 **(3p)** "Closing agent" means any person who coordinates the closing of a conveyance of real estate by ensuring that title to the real estate is transferred to the buyer and that the purchase price is transferred to the seller, except that "closing agent" does not include any of the following:

Vetoed In Part

(a) A receiver, trustee, administrator, executor, guardian, or other person appointed by or acting under the judgment or order of any court.

(b) A public officer while performing his or her official duties.

(c) A depository institution.

(d) An employee of a person specified in pars. (a) to (c) when the employee is engaged in the specific performance as such an employee.

(e) An attorney licensed to practice in this state while acting within the scope of his or her attorney's license.

SECTION 3608cm. 452.035 of the statutes is created to read:

452.035 Closing agents. No person, including an escrow agent, as defined in s. 138.052 (5m) (a) or 707.49 (1) (d), may engage in the business or occupation of, or advertise or hold himself or herself out as, a closing agent unless the person is registered as a closing agent by the department. The department shall issue a certificate of registration as a closing agent to a person who submits an application to the department on a form provided by the department, pays the fee specified in s. 440.05 (1), and submits evidence satisfactory to the department that he or she is competent to act as a closing agent. Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee specified under s. 440.08 (2) (a).

SECTION 3608cr. 452.05 (1) (a) of the statutes is amended to read:

452.05 **(1)** (a) Grant and issue licenses to brokers and salespersons and registrations to time-share salespersons and closing agents.

SECTION 3608cs. 452.07 (1m) of the statutes is created to read:

452.07 **(1m)** The department shall promulgate rules that specify the supervisory duties of brokers under s. 452.12 (3).

SECTION 3608dg. 452.11 (1) of the statutes is amended to read:

452.11 **(1)** A nonresident may become a broker, salesperson ~~or~~, time-share salesperson, or closing agent by conforming to all the provisions of this chapter.

SECTION 3608dm. 452.12 (3) (a) of the statutes is renumbered 452.12 (3) and amended to read:

452.12 **(3)** BROKER'S LIABILITY FOR ACTS OF EMPLOYEES. Each broker shall supervise, and is responsible for the acts of, any broker, salesperson, or time-share salesperson employed by the broker.

Vetoed In Part

SECTION 3608dp. 452.12 (3) (b) of the statutes is repealed.

SECTION 3608dq. 452.12 (6) (a) of the statutes is amended to read:

452.12 **(6)** (a) Any licensee, except a time-share salesperson registered under s. 452.025 or a closing agent registered under s. 452.035, may apply for registration as an inactive licensee on or before the license renewal date. This paragraph does not apply after October 31, 1995.

SECTION 3608dr. 452.13 (1) (b) of the statutes is renumbered 452.01 (3w).

SECTION 3608eg. 452.13 (1) (c) of the statutes is created to read:

452.13 **(1)** (c) "Closing funds" means any money related to the closing of real estate conveyance that is received by a closing agent. "Closing funds" does not include client funds, unless the client funds are transferred to a closing agent.

SECTION 3608em. 452.13 (2) (a) of the statutes is amended to read:

452.13 **(2)** (a) A broker who holds client funds or a closing agent who holds closing funds shall establish an interest-bearing common trust account in a depository institution. The interest-bearing common trust account shall earn interest at a rate not less than that applicable to individual accounts of the same type, size, and duration and for which withdrawals or transfers can be made without delay, subject to any notice period that the depository institution is required to observe by law or regulation.

SECTION 3608er. 452.13 (2) (b) (intro.) of the statutes is amended to read:

452.13 **(2)** (b) (intro.) Any broker or closing agent who maintains an interest−bearing common trust account shall do all of the following:

SECTION 3608fg. 452.13 (2) (c) of the statutes is amended to read:

452.13 **(2)** (c) A broker or closing agent shall deposit all client funds or closing funds in the interest−bearing common trust account.

Vetoed In Part

SECTION 3608fm. 452.13 (2) (e) (intro.) of the statutes is amended to read:

452.13 **(2)** (e) (intro.) For each interest−bearing common trust account, the broker or closing agent shall direct the depository institution to do all of the following:

SECTION 3608fr. 452.13 (2) (e) 2. of the statutes is amended to read:

452.13 **(2)** (e) 2. When the interest remittance is sent, furnish to the department of administration and to the broker or closing agent maintaining the interest−bearing common trust account a statement that includes the name of the broker or closing agent for whose account the remittance is made, the rate of interest applied, the amount of service charges or fees deducted, if any, and the account balance for the period that the statement covers.

SECTION 3608gg. 452.13 (2) (f) 1. of the statutes is amended to read:

452.13 **(2)** (f) 1. May not assess a service charge or fee that is due on an interest−bearing common trust account against any broker or closing agent or, except as provided in subd. 3., against any other account, regardless of whether the same broker or closing agent maintains the other account.

SECTION 3608gm. 452.13 (3) of the statutes is amended to read:

452.13 **(3)** DEPOSIT PROVISIONS. A broker or closing agent who deposits client funds or closing funds in an interest−bearing common trust account in compliance with this section may not be held liable to the owner or beneficial owner of the client funds or closing funds for damages due to compliance with this section. A broker, salesperson, or time−share salesperson who deposits client funds, or a closing agent who deposits closing funds, in an interest−bearing common trust account in compliance with this section is not required to disclose alternative depository arrangements that could be made by the parties or to disclose that a deposit will be made under this section.

SECTION 3608gr. 452.13 (4) of the statutes is amended to read:

452.13 **(4)** TRUST ACCOUNT OPTIONAL. This section does not require a broker or closing agent to hold client funds or closing funds or require a person to transfer client funds to a broker or transfer closing funds to a closing agent.

SECTION 3608h. 452.139 (2) (c) of the statutes is amended to read:

452.139 **(2)** (c) Nothing in this subsection limits the liability of a broker under s. 452.12 (3) ~~(a)~~ for misrepresentations made by an employee who is a broker. Nothing in this subsection limits the liability of a client for a misrepresentation that the client makes in connection with brokerage services.

SECTION 3608hg. 452.14 (1) of the statutes is amended to read: **Vetoed In Part**

452.14 **(1)** The department shall, upon motion of the board or upon its own determination, conduct investigations and, as appropriate, may hold hearings and make findings, if the department receives credible information that a broker, salesperson ~~or~~, time−share salesperson, or closing agent has violated this chapter or any rule promulgated under this chapter. **Vetoed In Part**

SECTION 3608hm. 452.14 (3) (intro.) of the statutes is amended to read:

452.14 **(3)** (intro.) Disciplinary proceedings shall be conducted by the board according to rules adopted under s. 440.03 (1). The board may revoke, suspend, or limit any broker's, salesperson's ~~or~~, time−share salesperson's, or closing agent's license or registration, or reprimand the holder of the license or registration, if it finds that the holder of the license or registration has:

SECTION 3608hr. 452.14 (3) (b) of the statutes is amended to read:

452.14 **(3)** (b) Made any substantial misrepresentation with reference to a transaction injurious to a seller or purchaser in which the broker, salesperson ~~or~~, time−share salesperson, or closing agent acts as agent;

SECTION 3608ig. 452.14 (3) (h) of the statutes is amended to read:

452.14 **(3)** (h) Failed, within a reasonable time, to account for or remit any moneys coming into the broker's, salesperson's ~~or~~, time−share salesperson's, or closing agent's possession which belong to another person;

SECTION 3608im. 452.14 (3) (i) of the statutes is amended to read:

452.14 **(3)** (i) Demonstrated incompetency to act as a broker, salesperson ~~or~~, time−share salesperson, or closing agent in a manner which safeguards the interests of the public;

SECTION 3608ir. 452.14 (3) (jm) of the statutes is amended to read:

452.14 **(3)** (jm) Intentionally encouraged or discouraged any person from purchasing or renting real estate in a particular area on the basis of race. If the board finds that any broker, salesperson ~~or~~, time−share salesperson, or closing agent has violated this paragraph, the board shall, in addition to any temporary penalty imposed under this subsection, apply the penalty provided in s. 452.17 (4);

SECTION 3608jg. 452.17 (2) of the statutes is amended to read:

452.17 **(2)** Any person who engages in or follows the business or occupation of, or advertises or holds himself or herself out as or acts temporarily or otherwise as, a time−share salesperson or closing agent in this state without being registered with the department shall be prosecuted by the district attorney in the county where the violation occurs and may be fined not less than $25 nor more than $200 or imprisoned not less than 10 days nor more than 6 months or both.

Vetoed In Part

SECTION 3608jm. 452.17 (4) (a) (intro.) of the statutes is amended to read:

452.17 **(4)** (a) (intro.) If the board finds that any broker, salesperson ~~or~~, time−share salesperson, or closing agent has violated s. 452.14 (3) (jm), the board:

SECTION 3608jr. 452.17 (4) (a) 1. of the statutes is amended to read:

452.17 **(4)** (a) 1. Shall, for the first offense, suspend the license or registration of the broker, salesperson ~~or~~, time−share salesperson, or closing agent for not less than 90 days.

SECTION 3608kg. 452.17 (4) (a) 2. of the statutes is amended to read:

452.17 **(4)** (a) 2. Shall, for the 2nd offense, revoke the license or registration of the broker, salesperson ~~or~~, time−share salesperson or, closing agent.

SECTION 3608km. 452.20 of the statutes is amended to read:

452.20 Limitation on actions for commissions. No person engaged in the business or acting in the capacity of a broker, salesperson ~~or~~, time−share salesperson, or closing agent within this state may bring or maintain an action in the courts of this state for the collection of a commission or compensation for the performance of any act mentioned in this chapter without alleging and proving that he or she was a duly licensed broker~~,~~ or salesperson or registered time−share salesperson or closing agent at the time the alleged cause of action arose.

Vetoed In Part

SECTION 3608kr. 452.21 of the statutes is amended to read:

452.21 Compensation presumed. In any prosecution for violation of this chapter, proof that a person acted as a broker, agent, salesperson ~~or~~, time−share salesperson, or closing agent is prima facie proof that compensation therefor was received or promised.

SECTION 3608Lg. 452.22 (2) of the statutes is amended to read:

452.22 **(2)** The certificate of the secretary or his or her designee to the effect that a specified individual or business entity is not or was not on a specified date the holder of a broker's, salesperson's ~~or~~, time−share salesperson's, or closing agent's license or registration, or that a specified license or registration was not in effect on a date specified, or as to the issuance, limitation, suspension, or revocation of any license or registration or the reprimand of any holder thereof, the filing or withdrawal of any application or its existence or nonexistence, is prima facie evidence of the facts therein stated for all purposes in any action or proceedings.

SECTION 3619k. 560.031 (3) of the statutes, as created by 1997 Wisconsin Act 27, is renumbered 560.031 (3) (am).

Vetoed In Part

SECTION 3619m. 560.031 (3) (bc) of the statutes is created to read:

Vetoed In Part

560.031 **(3)** (bc) In awarding grants, loans, and manufacturing rebates under this subsection, the board shall give priority to projects that involve recovered materials that constitute a relatively high volume of solid waste generated in this state or that are hazardous to human health or the environment.

SECTION 3619n. 560.031 (3) (cm) of the statutes is created to read:

560.031 **(3)** (cm) Annually, the board shall allocate up to $200,000 in financial assistance under this subsection for forgivable loans for projects that have exceptional potential to meet one of the qualifying considerations under par. (am) 1., 2., 3., or 4., but do not comply with the standard criteria established by the board or department for meeting its fiduciary responsibilities in managing state resources.

SECTION 3619s. 560.031 (6m) of the statutes is created to read:

560.031 **(6m)** Annually, in consultation with the council on recycling, the board shall establish a list of materials recovered from solid waste for which the board may award financial assistance.

SECTION 3619sd. 560.036 (2) (a) of the statutes is amended to read:

560.036 **(2)** (a) For the purposes of ss. 16.75 (3m), 16.854, 16.855 (10m), 16.87 (2), 18.16, 18.64, 18.77, 25.17 (59), 25.185, 34.05 (4), 38.18, 43.17 (9) (a), 59.52 (29) (c), 59.57 (1) (b), 60.47 (7), 61.55 (3), 62.15 (1) (c), 66.0901 (6), 84.075, 84.076, 119.495 (2), 120.12 (27), 200.49, 200.57, 229.46, 229.70, 229.8273, 229.845, 231.27 ~~and~~, 232.05 (2) (d), 234.01 (4n) (a) 3m. d., 234.35, 234.65 (1) (g), 252.12 (2) (c) 2., 560.038, 560.039, and 560.80 to 560.85, the department shall establish and periodically update a list of certified minority businesses, minority financial advisers, and minority investment firms. Any business, financial adviser, or investment firm may apply to the department for certification. For purposes of this paragraph, unless the context otherwise requires, a "business" includes a financial adviser or investment firm.

SECTION 3619sg. 560.036 (3) (a) of the statutes is amended to read:

560.036 **(3)** (a) The department shall promulgate rules establishing procedures to implement sub. (2). Those rules shall include a rule prescribing a uniform application form for certification under sub. (2).

SECTION 3619sj. 560.036 (3) (c) of the statutes is amended to read:

560.036 **(3)** (c) The department may promulgate rules establishing conditions with which a business, financial adviser, or investment firm must comply to qualify for certification, in addition to the qualifications specified under sub. (1) (e), (ep), and (fm), respectively. Those rules may not require that a business, financial adviser, or investment firm submit any income or franchise tax return to the department as a condition for qualification for certification.

SECTION 3619sm. 560.038 (1) (ar) of the statutes is amended to read:

560.038 **(1)** (ar) "Minority business" ~~has the meaning given in s. 560.036 (1) (e)~~ means a business that is certified by the department under s. 560.036 (2).

SECTION 3619sp. 560.039 (1) (b) of the statutes is amended to read:

560.039 **(1)** (b) "Minority business" ~~has the meaning given in s. 560.036 (1) (e)~~ means a business that is certified by the department under s. 560.036 (2).

Vetoed In Part

SECTION 3619w. 560.06 (2) of the statutes is amended to read:

560.06 **(2)** In each fiscal year ~~1999–2000~~, the department ~~may~~ shall provide ~~up to~~ $100,000 from the appropriations under s. 20.143 (1) (c) and (ie) in assistance to ~~a~~ the nonprofit organization specified in sub. (1) 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) and shall ensure that the nonprofit organization provides assistance to organizations and individuals in an area that includes the city of Beloit.

SECTION 3625. 560.13 (1) (b) of the statutes is amended to read:

560.13 **(1)** (b) "Brownfields redevelopment" means any work or undertaking by a person~~, municipality or local development corporation~~ to acquire a brownfields facility or site and to raze, demolish, remove, reconstruct, renovate, or rehabilitate the facility or existing buildings, structures, or other improvements at the site for the purpose of promoting the use of the facility or site for commercial, industrial, or other purposes. "Brownfields redevelopment" does not include construction of new facilities on the site for any purpose other than environmental remediation activities.

SECTION 3626. 560.13 (1) (e) of the statutes is repealed.

SECTION 3627. 560.13 (1) (f) of the statutes is repealed.

SECTION 3628. 560.13 (1) (g) of the statutes is amended to read:

560.13 **(1)** (g) "Person" means an individual, partnership, limited liability company, corporation ~~or limited liability company~~, nonprofit organization, city, village, town, county, or trustee, including a trustee in bankruptcy.

SECTION 3629. 560.13 (2) (a) (intro.) of the statutes is amended to read:

560.13 **(2)** (a) (intro.) Subject to subs. (4) and (5), from the appropriations under s. 20.143 (1) (br) and (qm) the department may make a grant to a person~~, municipality or local development corporation~~ if all of the following apply:

Vetoed In Part

SECTION 3630. 560.13 (2) (a) 1m. of the statutes is created to read:

560.13 **(2)** (a) 1m. The recipient does not use the grant proceeds to pay lien claims of the department of natural resources or the federal environmental protection agency based on investigation or remediation activities of the department of natural resources or the federal environmental protection agency or to pay delinquent real estate taxes or interest or penalties that relate to those taxes.

SECTION 3631. 560.13 (4) (a) of the statutes is repealed.

SECTION 3631m. 560.13 (4) (ac) of the statutes is created to read:

560.13 **(4)** (ac) The department shall consider grant applications and award grants on a semiannual basis.

SECTION 3632. 560.13 (4) (am) of the statutes is repealed.

SECTION 3634. 560.137 (1) (c) of the statutes is amended to read:

560.137 **(1)** (c) "Qualified business" means an existing or start–up business, including a Native American business, that is located in this state.

SECTION 3634c. 560.137 (2) of the statutes is renumbered 560.137 (2) (a), and 560.137 (2) (a) (intro.), as renumbered, is amended to read:

560.137 **(2)** (a) (intro.) Subject to ~~subs. (3), (4) and (5)~~ pars. (bm), (c), and (d), from the appropriations under s. 20.143 (1) (ig) and (kj), the department may do all of the following:

SECTION 3634d. 560.137 (3) of the statutes is renumbered 560.137 (2) (bm), and 560.137 (2) (bm) (intro.), as renumbered, is amended to read:

560.137 **(2)** (bm) (intro.) The department may not make a grant or loan to a qualified business under this ~~section~~ subsection unless the department determines all of the following:

SECTION 3634dm. 560.137 (3m) of the statutes is created to read:

560.137 **(3m)** From the appropriation under s. 20.143 (1) (kj), the department shall make grants to Oneida Small Business, Inc., and Project 2000 for the purpose of providing grants and loans to businesses. To be eligible for a grant or loan from proceeds under this subsection, a business must be located in this state in a county that contains or that is adjacent to any portion of

an Oneida reservation and must satisfy any of the following criteria:

(a) The business is a start−up business.

(b) The business, together with any affiliate, subsidiary, or parent entity, has fewer than 50 employees.

(c) The business is at least 51% owned, controlled, and actively managed by a member or members of the Oneida tribe.

SECTION 3634e. 560.137 (4) of the statutes is renumbered 560.137 (2) (c) and amended to read:

560.137 **(2)** (c) As a condition of approval of a grant or loan under this ~~section~~ subsection, 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~~ paragraph if the department determines that the qualified business is subject to extreme financial hardship.

SECTION 3634f. 560.137 (5) of the statutes is renumbered 560.137 (2) (d) and amended to read:

560.137 **(2)** (d) The department may not award a grant or loan under this ~~section~~ subsection to a qualified business for any purpose that is related to tourism unless the department of tourism concurs in the award.

SECTION 3634g. 560.137 (6) of the statutes is renumbered 560.137 (2) (e), and 560.137 (2) (e) 1. and 2., as renumbered, are amended to read:

560.137 **(2)** (e) 1. 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~~ subsection.

2. The department may forgive all or any part of a loan made under this ~~section~~ subsection.

SECTION 3635. 560.138 (1) (a) of the statutes is renumbered 560.138 (1) (an).

SECTION 3636. 560.138 (1) (ac) of the statutes is created to read:

560.138 **(1)** (ac) "Brownfields" has the meaning given in s. 560.13 (1) (a).

SECTION 3637. 560.138 (1) (b) of the statutes is amended to read:

560.138 **(1)** (b) "Qualified business" means an existing or start−up business, including a Native American business, that is located in or expanding into this state.

SECTION 3638. 560.138 (1) (c) of the statutes is created to read:

560.138 **(1)** (c) "Remediating brownfields" means abating, removing, or containing environmental pollution at a brownfields facility or site, or restoring soil or groundwater at a brownfields facility or site.

SECTION 3639. 560.138 (2) (a) of the statutes is renumbered 560.138 (2) (a) (intro.) and amended to read:

560.138 **(2)** (a) (intro.) Subject to subs. (3) and (4), from the appropriations under s. 20.143 (1) ~~(id)~~ (ig) and ~~(km)~~ (kj), the department may make a grant or loan to a qualified business for a project for ~~the purpose of diversifying~~ any of the following purposes:

1. Diversifying the economy of a community.

SECTION 3640. 560.138 (2) (a) 2. of the statutes is created to read:

560.138 **(2)** (a) 2. Remediating brownfields.

SECTION 3641. 560.138 (2) (b) 4. of the statutes is created to read:

560.138 **(2)** (b) 4. Whether a project will take place in a rural community, as determined by the department.

SECTION 3642. 560.138 (5) of the statutes is amended to read:

560.138 **(5)** The department shall deposit into the appropriation account under s. 20.143 (1) ~~(id)~~ (ig) all moneys received in repayment of loans made under this section.

SECTION 3643. 560.139 (1) (a) of the statutes is renumbered 560.139 (1) (a) 1. and amended to read:

560.139 **(1)** (a) 1. Subject to ~~par. (b)~~ subd. 2., from the appropriation under s. 20.143 (1) (kj) ~~or (km) or from both appropriations~~, the department shall make grants to the city of Milwaukee to fund a program to be administered by the Milwaukee Economic Development Corporation. Under the program, the Milwaukee Economic Development Corporation shall provide grants to persons for remediation and economic redevelopment projects in the Menomonee valley. A person may not receive a grant unless the person provides matching funds for at least 50% of the cost of the project.

SECTION 3644. 560.139 (1) (b) of the statutes is renumbered 560.139 (1) (a) 2. and amended to read:

560.139 **(1)** (a) 2. The department may not expend more than $900,000 in grants to the city of Milwaukee under this ~~subsection~~ paragraph.

SECTION 3645. 560.139 (1) (c) of the statutes is created to read:

560.139 **(1)** (c) 1. From the appropriation under section 20.143 (1) (qm) of the statutes, the department shall make a grant of $375,000 in fiscal year 2001−02 and a grant of $375,000 in fiscal year 2002−03 to the Milwaukee Economic Development Corporation and a grant of $375,000 in fiscal year 2001−02 and a grant of $375,000 in fiscal year 2002−03 to the Menomonee Valley Partners, Inc. The grants in fiscal year 2001−02 shall be made no later than 120 days after the effective date of this subdivision .... [revisor inserts date], and the grants in fiscal year 2002−03 shall be made no later than October 1, 2002.

2. The proceeds of the grants under subd. 1. must be used to fund projects that are selected for funding on the basis of the degree of blight and underused economic potential in the area, the area's potential for redevelopment, and the project's compatibility with the Menomonee Valley land use plan. The grant proceeds may be used to fund the cost of acquisitions, demolition, environmen-

tal assessments, removal of underground storage tanks and abandoned containers, site investigations, cleanup, and monitoring, and other costs associated with such activities.

3. A person may not receive for a project a grant from the Milwaukee Economic Development Corporation or the Menomonee Valley Partners, Inc., that is funded with the proceeds of a grant under subd. 1. unless the person provides matching funds at least equal to the amount of the grant received by the person.

SECTION 3646. 560.139 (2) (a) of the statutes 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 in an amount that equals 50% of the total amount that the Northwest Regional Planning Commission receives in the year from federal or private sources for the community−based venture fund.

SECTION 3649m. 560.16 (6) (a) 3. of the statutes is amended to read:

560.16 **(6)** (a) 3. A verified statement of the financial condition and business operation of the existing business for the previous 3 years, certified by an independent certified public accountant licensed or certified under ch. 442.

SECTION 3650. 560.165 (title) of the statutes is amended to read:

560.165 (title) **~~Division of international and export development~~ International services; fees and assessments.**

SECTION 3651. 560.165 of the statutes is renumbered 560.165 (1) and amended to read:

560.165 **(1)** The division of international and export development may charge fees for services it provides to cover the costs incurred by the division in providing the services. The division shall ~~deposit all fees~~ credit all moneys collected under this ~~section in~~ subsection to the appropriation account under s. 20.143 (1) (g).

SECTION 3652. 560.165 (2) of the statutes is created to read:

560.165 **(2)** The department may assess a state agency on a premium basis for the cost of services that are provided by the department's international liaison and that are requested by the state agency. Any premium charged by the department under this section must be agreed to by the state agency paying the premium. The department shall credit all moneys received from state agencies under this section to the appropriation account under s. 20.143 (1) (k).

SECTION 3653. 560.167 (1) (a) of the statutes is amended to read:

560.167 **(1)** (a) "Eligible business" means a business operating in this state that manufactures a product or performs a service, or both, with a potential to be exported and that, together with all of its affiliates and subsidiaries ~~and its parent company~~, had gross annual sales of $25,000,000 or less in the calendar year preceding the year in which it applies for a reimbursement under this section.

SECTION 3654. 560.167 (1) (d) of the statutes is created to read:

560.167 **(1)** (d) "United States trade show" means a trade event held in the United States that brings prospective foreign buyers to a central location and that is certified or coordinated by the U.S. department of commerce or the department.

SECTION 3655. 560.167 (2) (intro.) of the statutes is amended to read:

560.167 **(2)** (intro.) Subject to ~~sub.~~ subs. (2m) and (5), the department may make reimbursements totaling no more than $100,000 in a fiscal year from the appropriations under s. 20.143 (1) (c) and (ie) to eligible businesses for any of the following:

SECTION 3656. 560.167 (2) (a) of the statutes is amended to read:

560.167 **(2)** (a) Fees for participation in a trade show, U.S. trade show, or matchmaker trade delegation event.

SECTION 3657. 560.167 (2) (b) of the statutes is amended to read:

560.167 **(2)** (b) Costs associated with shipping displays, sample products, catalogs, or advertising material to a trade show, U.S. trade show, or matchmaker trade delegation event.

SECTION 3658. 560.167 (2) (c) of the statutes is amended to read:

560.167 **(2)** (c) Costs incurred at a trade show, U.S. trade show, or matchmaker trade delegation event for utilities, booth construction, or necessary modifications or repairs.

SECTION 3659. 560.167 (2) (d) of the statutes is amended to read:

560.167 **(2)** (d) Costs associated with foreign language translation of brochures or product information or with the use of translation services at a trade show, U.S. trade show, or matchmaker trade delegation event.

SECTION 3660. 560.167 (2m) of the statutes is created to read:

560.167 **(2m)** The department may reimburse the fees and costs under sub. (2) that are related to participation in a U.S. trade show only if the eligible business seeking reimbursement for its participation has developed a high−technology product with worldwide application.

SECTION 3661. 560.167 (5) (b) of the statutes is amended to read:

560.167 **(5)** (b) Reimburse an eligible business more than $5,000 for participation in a trade show, U.S. trade show, or matchmaker trade delegation event.

SECTION 3662. 560.167 (5) (c) of the statutes is amended to read:

560.167 **(5)** (c) Reimburse an eligible business for participating more than one time in the same trade show, U.S. trade show, or matchmaker trade delegation event held at different times or in different locations.

Vetoed In Part

SECTION 3663. 560.167 (6) of the statutes is amended to read:

560.167 **(6)** An eligible business that is approved for a reimbursement under sub. (4) shall provide to the department, within 90 days after the trade show, U.S. trade show, or matchmaker trade delegation event for which the reimbursement is sought, documentation detailing the costs for which the reimbursement is sought.

SECTION 3664. 560.17 (7) (e) of the statutes is created to read:

560.17 **(7)** (e) If the board awards, and the department makes, a grant under sub. (3) or (5c), the department may contract directly with and pay grant proceeds directly to any person providing technical or management assistance to the grant recipient.

SECTION 3664m. 560.172 of the statutes is created to read:

560.172 Fire suppression grant program. (1) GRANTS. (a) From the appropriation under s. 20.143 (1) (n), the department of commerce shall award grants to fire departments for up to 50% of the cost of acquiring fire suppression equipment and materials.

(b) The department of commerce may not award more than $250,000 in grants per fiscal year under this section.

(2) ELIGIBLE RECIPIENTS. A fire department is eligible for grants under this section if all of the following apply:

(a) The area in which the fire department provides fire protection and fire prevention services has a population of less than 6,000 on the date on which the application for the grant is submitted to the department of commerce.

(b) The fire department responds to all of the first alarms for structural fires that are issued in the area described in par. (a).

(c) The fire department has entered into an agreement with at least one other fire department to assist the latter fire department in the suppression of structural fires.

(3) ELIGIBLE EQUIPMENT AND MATERIALS. (a) A recipient of a grant under this section may use the grant proceeds to acquire, to the extent permitted under federal law, any of the following fire suppression equipment or materials:

1. Protective equipment and fire resistant clothing.

2. Fire suppression tools and communication equipment.

3. Materials necessary for fire prevention training or information that is provided by the recipient.

4. Fire suppression training equipment and materials.

5. Other equipment and materials as specified by rule by the department of commerce.

(b) A recipient of a grant under this section may not use the grant proceeds to acquire any of the following:

1. Buildings or vehicles.

2. Search and rescue or emergency medical equipment.

3. Equipment or materials that are used exclusively for suppressing forest fires.

(4) RULES. The department of commerce shall promulgate rules establishing criteria and procedures for awarding grants under this section. The rules shall include a definition of "structural fire" for purposes of this section.

SECTION 3665. 560.175 (7) of the statutes is created to read:

560.175 **(7)** If the department awards a grant under this section, the department may contract directly with and pay grant proceeds directly to any person providing technical or management assistance to the grant recipient.

SECTION 3667. 560.183 (title) of the statutes is amended to read:

Vetoed In Part

560.183 (title) **Physician and dentist loan assistance program.**

SECTION 3668. 560.183 (1) (ad) of the statutes is created to read:

560.183 **(1)** (ad) "Dental health shortage area" means an area that is designated by the federal department of health and human services under 42 CFR part 5, appendix B, as having a shortage of dental professionals.

SECTION 3669. 560.183 (1) (ae) of the statutes is created to read:

560.183 **(1)** (ae) "Dentist" means a dentist, as defined in s. 447.01 (7), who is licensed under ch. 447 and who practices general or pediatric dentistry.

SECTION 3670. 560.183 (2) (a) of the statutes is amended to read:

560.183 **(2)** (a) The department may repay, on behalf of a physician or dentist, up to $50,000 in educational loans obtained by the physician or dentist from a public or private lending institution for education in an accredited school of medicine or dentistry or for postgraduate medical or dental training.

SECTION 3671. 560.183 (2) (b) of the statutes is amended to read:

560.183 **(2)** (b) A physician or dentist who is a participant in the national health service corps scholarship program under 42 USC 254n, or a physician or dentist who was a participant in that program and who failed to carry out his or her obligations under that program, is not eligible for loan repayment under this section.

SECTION 3672. 560.183 (3) (a) of the statutes is amended to read:

560.183 **(3)** (a) The department shall enter into a written agreement with the physician~~. In the agreement,~~

~~the physician shall agree~~, in which the physician agrees to practice at least 32 clinic hours per week for 3 years in one or more eligible practice areas in this state, except that a physician specializing in psychiatry may only agree to practice psychiatry in a mental health shortage area and a physician in the expanded loan assistance program under sub. (9) may only agree to practice at a public or private nonprofit entity in a health professional shortage area. The physician shall also agree to care for patients who are insured or for whom health benefits are payable under medicare, medical assistance, or any other governmental program.

SECTION 3673. 560.183 (3) (am) of the statutes is created to read:

560.183 **(3)** (am) The department shall enter into a written agreement with the dentist, in which the dentist agrees to practice at least 32 clinic hours per week for 3 years in one or more dental health shortage areas in this state. The dentist shall also agree to care for patients who are insured or for whom dental health benefits are payable under medicare, medical assistance, or any other governmental program.

SECTION 3674. 560.183 (5) (b) 1. of the statutes is amended to read:

560.183 **(5)** (b) 1. The degree to which there is an extremely high need for medical care in the eligible practice area or health professional shortage area in which ~~the~~ a physician desires to practice and the degree to which there is an extremely high need for dental care in the dental health shortage area in which a dentist desires to practice.

SECTION 3675. 560.183 (5) (b) 2. of the statutes is amended to read:

560.183 **(5)** (b) 2. The likelihood that a physician will remain in the eligible practice area or health professional shortage area, and that a dentist will remain in the dental health shortage area, in which he or she desires to practice after the loan repayment period.

SECTION 3676. 560.183 (5) (b) 3. of the statutes is amended to read:

560.183 **(5)** (b) 3. The per capita income of the eligible practice area or health professional shortage area in which a physician desires to practice and of the dental health shortage area in which a dentist desires to practice.

SECTION 3677. 560.183 (5) (b) 4. of the statutes is amended to read:

560.183 **(5)** (b) 4. The financial or other support for physician recruitment and retention provided by individuals, organizations, or local governments in the eligible practice area or health professional shortage area in which a physician desires to practice and for dentist recruitment and retention provided by individuals, organizations, or local governments in the dental health shortage area in which a dentist desires to practice.

SECTION 3678. 560.183 (5) (b) 5. of the statutes is amended to read:

560.183 **(5)** (b) 5. The geographic distribution of the physicians and dentists who have entered into loan repayment agreements under this section and the geographic distribution of the eligible practice areas ~~or~~, health professional shortage areas, and dental health shortage areas in which the eligible applicants desire to practice.

SECTION 3679. 560.183 (5) (d) of the statutes is amended to read:

560.183 **(5)** (d) An agreement under sub. (3) does not create a right of action against the state on the part of the physician, dentist, or ~~the~~ lending institution for failure to make the payments specified in the agreement.

SECTION 3680. 560.183 (6m) (a) (intro.) of the statutes is amended to read:

560.183 **(6m)** (a) (intro.) The department shall, by rule, establish penalties to be assessed by the department against physicians and dentists who breach ~~an agreement~~ agreements entered into under sub. (3) ~~(a)~~. The rules shall do all of the following:

SECTION 3681. 560.183 (8) (b) of the statutes is amended to read:

560.183 **(8)** (b) Advise the department and rural health development council on the identification of eligible practice areas with an extremely high need for medical care and dental health shortage areas with an extremely high need for dental care.

SECTION 3682. 560.183 (8) (d) of the statutes is amended to read:

560.183 **(8)** (d) Assist the department to publicize the program under this section to physicians, dentists, and eligible communities.

SECTION 3683. 560.183 (8) (e) of the statutes is amended to read:

560.183 **(8)** (e) Assist physicians and dentists who are interested in applying for the program under this section.

SECTION 3684. 560.183 (8) (f) of the statutes is amended to read:

560.183 **(8)** (f) Assist communities in obtaining physicians' and dentists' services through the program under this section.

SECTION 3685. 560.183 (9) (intro.) of the statutes is amended to read:

560.183 **(9)** EXPANDED LOAN ASSISTANCE PROGRAM. (intro.) The department may agree to repay loans as provided under this section on behalf of a physician or dentist under an expanded physician and dentist loan assistance program that is funded through federal funds in addition to state matching funds. To be eligible for loan repayment under the expanded physician and dentist loan assistance program, a physician or dentist must fulfill all of the requirements for loan repayment under this section, as well as all of the following:

SECTION 3686. 560.183 (9) (a) of the statutes is amended to read:

560.183 **(9)** (a) The physician or dentist must be a U.S. citizen.

SECTION 3687. 560.183 (9) (b) of the statutes is amended to read:

560.183 **(9)** (b) The physician or dentist may not have a judgment lien against his or her property for a debt to the United States.

SECTION 3688. 560.183 (9) (c) (intro.) of the statutes is amended to read:

560.183 **(9)** (c) (intro.) The physician or dentist must agree to do all of the following:

SECTION 3689. 560.183 (9) (c) 2. of the statutes is amended to read:

560.183 **(9)** (c) 2. Use a sliding fee scale or a comparable method of determining payment arrangements for patients who are not eligible for medicare or medical assistance and who are unable to pay the customary fee for the physician's or dentist's services.

SECTION 3690. 560.183 (9) (c) 3. of the statutes is amended to read:

560.183 **(9)** (c) 3. Practice at a public or private nonprofit entity in a health professional shortage area, if a physician, or in a dental health shortage area, if a dentist.

SECTION 3690b. 560.184 (1) (ag) of the statutes is created to read:

560.184 **(1)** (ag) "Dental health shortage area" has the meaning given in s. 560.183 (1) (ad).

SECTION 3690c. 560.184 (1) (aj) of the statutes is created to read:

560.184 **(1)** (aj) "Dental hygienist" means an individual licensed under s. 447.04 (2).

SECTION 3690d. 560.184 (1) (am) of the statutes is amended to read:

560.184 **(1)** (am) "Eligible practice area" means a primary care shortage area, an American Indian reservation, or trust lands of an American Indian tribe, except that with respect to a dental hygienist "eligible practice area" means a dental health shortage area.

SECTION 3690e. 560.184 (1) (b) of the statutes is amended to read:

560.184 **(1)** (b) "Health care provider" means a dental hygienist, physician assistant, nurse−midwife, or nurse practitioner.

SECTION 3690f. 560.184 (3) (a) of the statutes is amended to read:

560.184 **(3)** (a) The department shall enter into a written agreement with the health care provider. In the agreement, the health care provider shall agree to practice at least 32 clinic hours per week for 3 years in one or more eligible practice areas in this state, except that a health care provider in the expanded loan assistance program under sub. (8) who is not a dental hygienist may only agree to practice at a public or private nonprofit entity in a health professional shortage area.

SECTION 3690g. 560.184 (5) (b) 1. of the statutes is amended to read:

560.184 **(5)** (b) 1. The degree to which there is an extremely high need for medical care in the eligible practice area or health professional shortage area in which an eligible applicant who is not a dental hygienist desires to practice and the degree to which there is an extremely high need for dental care in the dental health shortage area in which an eligible applicant who is a dental hygienist desires to practice.

SECTION 3690h. 560.184 (7) (a) of the statutes is amended to read:

560.184 **(7)** (a) Advise the department and council on the identification of communities with an extremely high need for health care, including dental heath care.

SECTION 3690i. 560.184 (8) (c) 2. and 3. of the statutes are amended to read:

560.184 **(8)** (c) 2. Use a sliding fee scale or a comparable method of determining payment arrangements for patients who are not eligible for medicare or medical assistance and who are unable to pay the customary fee for the ~~physician's~~ health care provider's services.

3. Practice at a public or private nonprofit entity in a health professional shortage area, if the health care provider is not a dental hygienist, or in a dental health shortage area, if the health care provider is a dental hygienist.

SECTION 3691. 560.185 (1) of the statutes is amended to read:

560.185 **(1)** Advise the department on matters related to the physician and dentist loan assistance program under s. 560.183 and the health care provider loan assistance program under s. 560.184.

SECTION 3692. 560.25 (2) (intro.) of the statutes is amended to read:

560.25 **(2)** GRANTS. (intro.) Subject to ~~subs.~~ sub. (4) ~~and (5)~~, the department may make a grant from the appropriation under s. 20.143 (1) (ko) and a grant of up to $500,000 in each fiscal year 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:

SECTION 3692c. 560.25 (2) (intro.) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

560.25 **(2)** GRANTS. (intro.) Subject to sub. (4), the department may make a grant from the appropriation under s. 20.143 (1) (ko) ~~and a grant of up to $500,000 in each fiscal year 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:

SECTION 3693. 560.25 (5) of the statutes is repealed.

SECTION 3694. 560.42 (5) of the statutes is repealed and recreated to read:

560.42 **(5)** REPORT. Beginning in 2003 and biennially thereafter, the center shall prepare a report describing its activities under this section since the period covered in the previous report. The department shall submit the

report with the report required under s. 560.55. The report may include recommendations for the legislature, governor, public records board, and regulatory agencies on simplifying the process of applying for permits, of reviewing and making determinations on permit applications, and of issuing permits, and shall include information on the number of requests for assistance, the types of assistance provided, and the center's success in resolving conflicts in permit application and review processes.

SECTION 3695. 560.42 (6) of the statutes is repealed.

SECTION 3696. 560.44 (2) of the statutes is amended to read:

560.44 **(2)** ADMINISTRATION OF BROWNFIELDS ~~GRANT PROGRAM~~ PROGRAMS. The center shall assist in administering the grant program under s. 560.13 and in administering grants and loans under s. 560.138 that are made for brownfields remediation projects.

SECTION 3697. 560.55 (1) of the statutes is repealed.

SECTION 3698. 560.55 (2) of the statutes is renumbered 560.55 and amended to read:

560.55 ~~Evaluation and report~~ Report. ~~No~~ Beginning on October 15, 2003, and no later than ~~January 1~~ October 15 of each odd−numbered year thereafter, the department shall submit to the governor and to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), a report ~~containing the evaluation prepared under sub. (1) and~~ describing the department's activities and the result of the department's activities under s. 560.54 since the period covered in the previous report. The department shall combine this report with the report required under s. 560.42 (5) and may combine this report with other reports published by the department, including the report under s. 15.04 (1) (d). The report may include recommendations for legislative proposals to change the entrepreneurial assistance programs and intermediary assistance programs.

SECTION 3700. 560.70 (7) of the statutes is renumbered 560.70 (7) (a) and amended to read:

560.70 **(7)** (a) ~~"Tax~~ Except as provided in pars. (b) and (c), "tax benefits" means the development zones credit under ss. 71.07 (2dx), 71.28 (1dx), and 71.47 (1dx)~~, except that in~~.

(b) 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). With respect to the development opportunity zones under s. 560.795 (1) (e) and (f), "tax benefits" also means the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

SECTION 3700d. 560.70 (7) (c) of the statutes is created to read:

560.70 **(7)** (c) In s. 560.798, "tax benefits" means the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm) and the development zones credit under ss. 71.07 (2dx), 71.28 (1dx), and 71.47 (1dx).

SECTION 3701. 560.795 (1) (e) of the statutes is created to read:

560.795 **(1)** (e) An area in the city of Milwaukee, the legal description of which is provided to the department by the local governing body of the city of Milwaukee.

SECTION 3701m. 560.795 (1) (f) of the statutes is created to read:

560.795 **(1)** (f) For the Gateway Project, an area in the city of Beloit, the legal description of which is provided to the department by the local governing body of the city of Beloit.

SECTION 3702. 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), and (e) 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~~ each area under sub. (1) (d) , (e), and (f) as a development opportunity zone shall be effective for 84 months, with the designation of the area under sub. (1) (d) beginning on January 1, 2000, and the designations of the areas under sub. (1) (e) and (f) beginning on the effective date of this paragraph .... [revisor inserts date].

SECTION 3703. 560.795 (2) (b) 5. of the statutes is created to read:

560.795 **(2)** (b) 5. The limit for tax benefits for the development opportunity zone under sub. (1) (e) is $4,700,000.

SECTION 3703m. 560.795 (2) (b) 6. of the statutes is created to read:

560.795 **(2)** (b) 6. The limit for tax benefits for the development opportunity zone under sub. (1) (f) is $4,700,000.

SECTION 3703p. 560.795 (2) (c) of the statutes is amended to read:

560.795 **(2)** (c) Annually, the department shall estimate the amount of forgone state revenue because of tax benefits claimed by corporations or persons in each development opportunity zone.

SECTION 3704. 560.795 (3) (a) 4. of the statutes is created to read:

560.795 **(3)** (a) 4. Any person that is conducting or that intends to conduct economic activity in a development opportunity zone under sub. (1) (e) 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 shall be entitled to claim tax benefits while the area is designated as a development opportunity zone.

SECTION 3704c. 560.795 (3) (a) 5. of the statutes is created to read:

560.795 **(3)** (a) 5. Any corporation that is conducting or that intends to conduct economic activity in a development opportunity zone under sub. (1) (f) 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 shall be entitled to claim tax benefits while the area is designated as a development opportunity zone.

SECTION 3704e. 560.795 (3) (b) 1. of the statutes is amended to read:

560.795 **(3)** (b) 1. The name and address of the corporation's or person's business for which tax benefits will be claimed.

SECTION 3704f. 560.795 (3) (b) 2. of the statutes is amended to read:

560.795 **(3)** (b) 2. The appropriate federal tax identification number of the corporation or person.

SECTION 3704g. 560.795 (3) (b) 3. of the statutes is amended to read:

560.795 **(3)** (b) 3. The names and addresses of other locations outside of the development opportunity zone where the corporation or person conducts business and a description of the business activities conducted at those locations.

SECTION 3704h. 560.795 (3) (b) 4. of the statutes is amended to read:

560.795 **(3)** (b) 4. The amount that the corporation or person proposes to invest in a business, or spend on the construction, rehabilitation, repair, or remodeling of a building, located within the development opportunity zone.

SECTION 3704i. 560.795 (3) (b) 5. of the statutes is amended to read:

560.795 **(3)** (b) 5. The estimated total investment of the corporation or person in the development opportunity zone.

SECTION 3704j. 560.795 (3) (b) 6. of the statutes is amended to read:

560.795 **(3)** (b) 6. The number of full−time jobs that will be created, retained, or substantially upgraded as a result of the corporation's or person's economic activity in relation to the amount of tax benefits estimated for the corporation or person.

SECTION 3704k. 560.795 (3) (b) 7. of the statutes is amended to read:

560.795 **(3)** (b) 7. The corporation's or person's plans to make reasonable attempts to hire employees from the targeted population.

SECTION 3704L. 560.795 (3) (b) 8. of the statutes is amended to read:

560.795 **(3)** (b) 8. A description of the commitment of the local governing body of the city in which the development opportunity zone is located to the corporation's or person's project.

SECTION 3705. 560.795 (3) (c) of the statutes is amended to read:

560.795 **(3)** (c) The department shall notify the department of revenue of all corporations or persons entitled to claim tax benefits under this ~~section~~ subsection.

SECTION 3706. 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), (2dm), or (2dx), 71.28 (1di), (1dm), or (1dx), or 71.47 (1di), (1dm), or (1dx).

SECTION 3707. 560.795 (4) (a) (intro.) of the statutes is amended to read:

560.795 **(4)** (a) (intro.) The department shall revoke the entitlement of a corporation or person to claim tax benefits under ~~this section~~ sub. (3) if the corporation or person does any of the following:

SECTION 3708. 560.795 (5) of the statutes is created to read:

560.795 **(5)** CERTIFICATION BASED ON THE ACTIVITY OF ANOTHER. (a) The department may certify for tax benefits a person that is conducting economic activity in the development opportunity zone under sub. (1) (e) or (f) and that is not otherwise entitled to claim tax benefits if all of the following apply:

1. The person's economic activity is instrumental in enabling another person to conduct economic activity in the development opportunity zone under sub. (1) (e) or (f).

2. The department determines that the economic activity of the other person under subd. 1. would not have occurred but for the involvement of the person to be certified for tax benefits under this subsection.

3. The person to be certified for tax benefits under this subsection will pass the benefits through to the other person conducting the economic activity under subd. 1., as determined by the department.

4. The other person conducting the economic activity under subd. 1. does not claim tax benefits under sub. (3).

(b) A person intending to claim tax benefits under this subsection shall submit to the department an application, in the form required by the department, containing information required by the department and by the department of revenue.

(c) The department shall notify the department of revenue of all persons certified to claim tax benefits under this subsection.

(d) The department annually shall verify information submitted to the department under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx), or 71.47 (1dm) or (1dx).

(e) The department shall revoke the entitlement of a person to claim tax benefits under this subsection if the person does any of the following:

1. Supplies false or misleading information to obtain the tax benefits.

2. Ceases operations in the development opportunity zone under sub. (1) (e) or (f).

3. Does not pass the benefits through to the other person conducting the economic activity under par. (a) 1., as determined by the department.

(f) The department shall notify the department of revenue within 30 days after revoking an entitlement under par. (e).

SECTION 3708m. 560.798 of the statutes is created to read:

560.798 Agricultural development zone. (1) In this section, "rural municipality" means any of the following:

(a) A city, town, or village that is located in a county with a population density of less than 150 persons per square mile.

(b) A city, town, or village with a population of 6,000 or less.

(2) (a) The department may, with the approval of the joint committee on finance, designate one area in the state as an agricultural development zone. The area must be located in a rural municipality. An agricultural business that is located in an agricultural development zone and that is certified by the department under sub. (3) is eligible for tax benefits as provided in sub. (3).

(b) The designation of an area as an agricultural development zone shall be in effect for 10 years from the time that the department first designates the area. However, not more than $5,000,000 in tax benefits may be claimed in an agricultural development zone. The department may change the boundaries of an agricultural development zone during the time that its designation is in effect. A change in the boundaries of an agricultural development zone does not affect the duration of the designation of the area or the maximum tax benefit amount that may be claimed in the agricultural development zone.

Vetoed In Part

(3) (a) The department may certify for tax benefits in an agricultural development zone a new or expanding agricultural business that is located in the agricultural development zone. In determining whether to certify a business under this subsection, the department shall consider, among other things, the number of jobs that will be created or retained by the business.

(b) When the department certifies an agricultural business under this subsection, the department shall establish a limit on the amount of tax benefits that the business may claim. The department shall enter into an agreement with the business that specifies the limit on the amount of tax benefits that the business may claim and reporting requirements with which the business must comply.

(4) (a) The department of commerce shall notify the department of revenue of all the following:

1. An agricultural development zone's designation.

2. A business' certification and the limit on the amount of tax benefits that the business may claim.

3. The revocation of a business' certification.

(b) The department shall annually verify information submitted to the department under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx), or 71.47 (1dm) or (1dx).

(5) The department shall promulgate rules for the operation of this section, including rules related to all the following:

(a) Criteria for designating an area as an agricultural development zone.

(b) Criteria for certifying a business for tax benefits.

(c) Standards for establishing the limit on the amount of tax benefits that a business may claim.

(d) Reporting requirements for certified businesses.

(e) The exchange of information between the department of commerce and the department of revenue.

(f) Reasons for revoking a business' certification.

(g) Standards for changing the boundaries of an agricultural development zone. **Vetoed In Part**

SECTION 3709. 560.80 (4) (a) and (b) of the statutes are consolidated, renumbered 560.80 (4) and amended to read:

560.80 **(4)** "Eligible development project costs" means costs that, in accordance with sound business and financial practices, are appropriately incurred in connection with a development project or a recycling development project~~. (b) "Eligible development project costs"~~, but does not include entertainment expenses or expenses incurred more than 6 months before the board approves a grant or loan under s. 560.83 or 560.835.

SECTION 3710. 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) (a) or 560.837 or a grant or loan under s. 560.83 (5) (a) or (b) or 560.835.

SECTION 3710j. 560.80 (8) of the statutes is amended to read:

560.80 **(8)** "Minority business" means a ~~minority business, as defined in s. 560.036 (1) (e),~~ business certified by the department under s. 560.036 (2) that has its principal place of business in this state.

SECTION 3711. 560.82 (5) of the statutes is renumbered 560.82 (5) (a).

SECTION 3712. 560.82 (5) (b) of the statutes is created to read:

560.82 **(5)** (b) If the department awards a grant under sub. (1), the department may contract directly with and pay grant proceeds directly to any person providing technical or management assistance to the grant recipient.

SECTION 3713. 560.96 of the statutes is created to read:

560.96 Technology zones. (1) In this section, "tax credit" means a credit under s. 71.07 (2di), (2dm), (2dx),

or (3g), 71.28 (1di), (1dm), (1dx), or (3g), or 71.47 (1di), (1dm), (1dx), or (3g).

Vetoed In Part

(2) (a) The department may, with the approval of the joint committee on finance, designate up to 8 areas in the state as technology zones. A business that is located in a technology zone and that is certified by the department under sub. (3) is eligible for a tax credit as provided in sub. (3).

(b) The designation of an area as a technology zone shall be in effect for 10 years from the time that the department first designates the area. However, not more than $5,000,000 in tax credits may be claimed in a technology zone. The department may change the boundaries of a technology zone during the time that its designation is in effect. A change in the boundaries of a technology zone does not affect the duration of the designation of the area or the maximum tax credit amount that may be claimed in the technology zone.

(3) (a) The department may certify for tax credits in a technology zone a business that satisfies all of the following requirements:

1. The business is located in the technology zone.
2. The business is a new or expanding business.
3. The business is a high−technology business.

(b) In determining whether to certify a business under this subsection, the department shall consider all of the following:

1. How many new jobs the business is likely to create.
2. The extent and nature of the high technology used by the business.
3. The likelihood that the business will attract related enterprises.
4. The amount of capital investment that the business is likely to make in the state.
5. The economic viability of the business.

Vetoed In Part

(c) When the department certifies a business under this subsection, the department shall establish a limit on the amount of tax credits that the business may claim. Unless its certification is revoked, and subject to the limit on the tax credit amount established by the department under this paragraph, a business that is certified may claim a tax credit for 3 years, except that a business that experiences growth, as determined for that business by the department under par. (d) and sub. (5) (e), may claim a tax credit for up to 5 years.

(d) The department shall enter into an agreement with a business that is certified under this subsection. The agreement shall specify the limit on the amount of tax credits that the business may claim, the extent and type of growth, which shall be specific to the business, that the business must experience to extend its eligibility for a tax credit, the business' baseline against which that growth will be measured, any other conditions that the business must satisfy to extend its eligibility for a tax credit, and reporting requirements with which the business must comply.

(4) (a) The department of commerce shall notify the department of revenue of all the following:

1. A technology zone's designation.
2. A business' certification and the limit on the amount of tax credits that the business may claim.
3. The extension or revocation of a business' certification.

(b) The department shall annually verify information submitted to the department under ss. 71.07 (2di), (2dm), (2dx), and (3g), 71.28 (1di), (1dm), (1dx), and (3g), and 71.47 (1di), (1dm), (1dx), and (3g).

(5) The department shall promulgate rules for the operation of this section, including rules related to all the following:

(a) Criteria for designating an area as a technology zone.

(b) A business' eligibility for certification, including definitions for all of the following:

1. New or expanding business.
2. High−technology business.

(c) Certifying a business, including use of the factors under sub. (3) (b).

(d) Standards for establishing the limit on the amount of tax credits that a business may claim.

(e) Standards for extending a business' certification, including what measures, in addition to job creation, the department will use to determine the growth of a specific business and how the department will establish baselines against which to measure growth.

(f) Reporting requirements for certified businesses.

(g) The exchange of information between the department of commerce and the department of revenue.

(h) Reasons for revoking a business' certification.

(i) Standards for changing the boundaries of a technology zone.

SECTION 3713c. 562.057 (4m) (a) 1. of the statutes is renumbered 562.057 (4m) (a) and amended to read:

562.057 **(4m)** (a) ~~For a racetrack at which $25,000,000 or more was wagered during~~ During the calendar year immediately preceding the year in which the applicant proposes to conduct wagering on simulcast races, at least ~~250~~ 275 race performances were conducted at the racetrack ~~during that period~~.

SECTION 3713d. 562.057 (4m) (a) 2. of the statutes is repealed.

SECTION 3713e. 562.057 (4m) (b) of the statutes is repealed.

SECTION 3713jm. 562.065 (4) of the statutes is amended to read:

562.065 **(4)** UNCLAIMED PRIZES. ~~Any~~ A licensee under s. 562.05 (1) (b) shall pay to the department 50% of 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). The licensee may retain the remaining 50% of the winnings.

Vetoed In Part

SECTION 3713k. 563.04 (14) of the statutes is created to read:

563.04 **(14)** Promulgate rules relating to the sale of equal shares of single raffle tickets to one or more purchasers under a Class A raffle license under s. 563.92 (1m).

SECTION 3713kg. 563.92 (1m) of the statutes is amended to read:

563.92 **(1m)** The department may issue a Class A license for the conduct of a raffle in which some or all of the tickets for that raffle are sold on days other than the same day as the raffle drawing and in which equal shares of a single ticket may be sold to one or more purchasers. The department may issue a Class B license for the conduct of a raffle in which all of the tickets for that raffle are sold on the same day as the raffle drawing.

SECTION 3713km. 563.93 (2) of the statutes is amended to read:

563.93 **(2)** No raffle ticket may exceed ~~$50~~ $100 in cost.

SECTION 3713kp. 563.93 (9) of the statutes is created to read:

563.93 **(9)** If a person who holds a Class A license sells equal shares of a single ticket to one or more purchasers, the person shall, prior to the raffle drawing for which the shares were sold, purchase any shares of the ticket that have not been sold.

SECTION 3733r. 601.41 (1) of the statutes is amended to read:

601.41 **(1)** DUTIES. The commissioner shall administer and enforce chs. 600 to 655 and ss. 59.52 (11) (c), 66.0137 (4) and (4m), 120.13 (2) (b) to (g), 149.13 and 149.144 and shall act as promptly as possible under the circumstances on all matters placed before the commissioner.

SECTION 3735. 601.47 (2) of the statutes is amended to read:

601.47 **(2)** ANNUAL REPORT. The commissioner shall determine the form for ~~and have printed~~ the report required in s. 601.46 (3)~~, in number sufficient~~ and shall have the report published in sufficient quantity to meet all requests for copies. The commissioner shall distribute copies upon request to any person who pays the ~~reasonable~~ price ~~thereof~~ determined for the report under sub. (1).

SECTION 3737m. 601.73 (2) (c) of the statutes is amended to read:

601.73 **(2)** (c) *Default judgment.* No plaintiff or complainant is entitled to a judgment by default in any proceeding in which process is served under this section and s. 601.72 until the expiration of 45 days after the date of mailing of the process under par. (b). If the proceeding is to foreclose or otherwise enforce a lien or security interest, the plaintiff or complainant is not entitled to a judgment by default under this paragraph until the expiration of 20 days after the date of mailing of the process under par. (b).

SECTION 3741amb. 607.25 of the statutes is created to read:

607.25 Loan to general fund. No later than the first day of the 2nd month after the effective date of this section .... [revisor inserts date], the life fund shall make a loan of $850,000 to the general fund. Notwithstanding s. 604.03 (2), no interest shall be charged on the loan during the period of the loan. The general fund shall repay the loan from moneys lapsed to the general fund from the appropriation under s. 20.515 (2) (a) at the end of the 2001−03 fiscal biennium, if any, and from moneys lapsed to the general fund from the appropriation under s. 20.515 (2) (g) in the amounts specified in s. 40.98 (6m). If the secretary of administration determines that the moneys lapsed from these appropriations will not be sufficient to repay the loan within a reasonable period of time, as determined by the secretary and the commissioner, the secretary shall transfer from the general fund to the life fund an amount sufficient to repay the loan.

SECTION 3741amc. Chapter 609 (title) of the statutes is amended to read:

CHAPTER 609

~~MANAGED CARE~~ DEFINED NETWORK PLANS

SECTION 3741amg. 609.01 (1d) of the statutes is amended to read:

609.01 **(1d)** "Enrollee" means, with respect to a ~~managed care~~ defined network plan, preferred provider plan, or limited service health organization, a person who is entitled to receive health care services under the plan.

SECTION 3741amp. 609.01 (3c) of the statutes is renumbered 609.01 (1b) and amended to read:

609.01 **(1b)** "~~Managed care~~ Defined network plan" means a health benefit plan that requires an enrollee of the health benefit plan, or creates incentives, including financial incentives, for an enrollee of the health benefit plan, to use providers that are managed, owned, under contract with, or employed by the insurer offering the health benefit plan.

SECTION 3741amt. 609.01 (3m) of the statutes is amended to read:

609.01 **(3m)** "Participating" means, with respect to a physician or other provider, under contract with a ~~managed care~~ defined network plan, preferred provider plan, or limited service health organization to provide health care services, items or supplies to enrollees of the ~~managed care~~ defined network plan, preferred provider plan, or limited service health organization.

SECTION 3741bmg. 609.01 (4) of the statutes is amended to read:

609.01 **(4)** "Preferred provider plan" means a health care plan offered by an organization established under ch. 185, 611, 613, or 614 or issued a certificate of authority

under ch. 618 that makes available to its enrollees, without referral and for consideration other than predetermined periodic fixed payments, coverage of either comprehensive health care services or a limited range of health care services, regardless of whether the health care services are performed by participating or nonparticipating providers ~~participating in the plan~~.

SECTION 3741bmp. 609.01 (5) of the statutes is amended to read:

609.01 **(5)** "Primary provider" means a participating primary care physician, or other participating provider authorized by the ~~managed care~~ defined network plan, preferred provider plan, or limited service health organization to serve as a primary provider, who coordinates and may provide ongoing care to an enrollee.

SECTION 3741bmt. 609.05 (1) of the statutes is amended to read:

609.05 **(1)** Except as provided in subs. (2) and (3), a limited service health organization, preferred provider plan, or ~~managed care~~ defined network plan shall permit its enrollees to choose freely among participating providers.

SECTION 3741cmg. 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~~ defined network plan may require an enrollee to designate a primary provider and to obtain health care services from the primary provider when reasonably possible.

SECTION 3741cmp. 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~~ defined network 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 3741cmr. 609.10 (5) of the statutes is amended to read:

609.10 **(5)** The commissioner may establish by rule standards in addition to ~~those~~ any established under s. 609.20 for what constitutes adequate notice and complete and understandable information under sub. (1) (c).

SECTION 3741cmt. 609.17 of the statutes is amended to read:

609.17 Reports of disciplinary action. Every limited service health organization, preferred provider plan, and ~~managed care~~ defined network plan shall notify the medical examining board or appropriate affiliated credentialing board attached to the medical examining board of any disciplinary action taken against a participating provider who holds a license or certificate granted by the board or affiliated credentialing board.

SECTION 3741dmg. 609.20 (title) of the statutes is amended to read:

609.20 (title) **Rules for preferred provider and ~~managed care~~ defined network plans.**

SECTION 3741dmp. 609.20 (intro.) of the statutes is renumbered 609.20 (1m) (intro.) and amended to read:

609.20 **(1m)** (intro.) The commissioner ~~shall~~ may promulgate rules relating to preferred provider plans and ~~managed care~~ defined network plans for ~~all~~ any of the following purposes, as appropriate:

SECTION 3741dmt. 609.20 (1) of the statutes is renumbered 609.20 (1m) (a).

SECTION 3741emg. 609.20 (2) of the statutes is renumbered 609.20 (1m) (b).

SECTION 3741emp. 609.20 (2m) of the statutes is created to read:

609.20 **(2m)** Any rule promulgated under this chapter shall recognize the differences between preferred provider plans and other types of defined network plans, take into account the fact that preferred provider plans provide coverage for the services of nonparticipating providers, and be appropriate to the type of plan to which the rule applies.

SECTION 3741emt. 609.20 (3) of the statutes, as affected by 1999 Wisconsin Act 9, is renumbered 609.20 (1m) (c).

SECTION 3741fmg. 609.20 (4) of the statutes, as affected by 2001 Wisconsin Act 9, is renumbered 609.20 (1m) (d).

SECTION 3741fmp. 609.22 (1) of the statutes is amended to read:

609.22 **(1)** PROVIDERS. A ~~managed care~~ defined network plan shall include a sufficient number, and sufficient types, of qualified providers to meet the anticipated needs of its enrollees, with respect to covered benefits, as appropriate to the type of plan and consistent with normal practices and standards in the geographic area.

SECTION 3741fmt. 609.22 (2) of the statutes is amended to read:

609.22 **(2)** ADEQUATE CHOICE. A ~~managed care~~ defined network plan that is not a preferred provider plan shall ensure that, with respect to covered benefits, each enrollee has adequate choice among participating providers and that the providers are accessible and qualified.

SECTION 3741gmg. 609.22 (3) of the statutes is amended to read:

609.22 **(3)** PRIMARY PROVIDER SELECTION. A ~~managed care~~ defined network plan that is not a preferred provider plan shall permit each enrollee to select his or her own primary provider from a list of participating primary care physicians and any other participating providers that are authorized by the ~~managed care~~ defined network plan to serve as primary providers. The list shall be updated on an ongoing basis and shall include a sufficient number of primary care physicians and any other participating

providers authorized by the plan to serve as primary providers who are accepting new enrollees.

SECTION 3741gmp. 609.22 (4) (a) 1. of the statutes is amended to read:

609.22 **(4)** (a) 1. If a ~~managed care~~ defined network plan that is not a preferred provider plan requires a referral to a specialist for coverage of specialist services, the ~~managed care~~ defined network plan that is not a preferred provider plan shall establish a procedure by which an enrollee may apply for a standing referral to a specialist. The procedure must specify the criteria and conditions that must be met in order for an enrollee to obtain a standing referral.

SECTION 3741gmt. 609.22 (4) (a) 2. of the statutes is amended to read:

609.22 **(4)** (a) 2. A ~~managed care~~ defined network plan that is not a preferred provider plan may require the enrollee's primary provider to remain responsible for coordinating the care of an enrollee who receives a standing referral to a specialist. A ~~managed care~~ defined network plan that is not a preferred provider plan may restrict the specialist from making any secondary referrals without prior approval by the enrollee's primary provider. If an enrollee requests primary care services from a specialist to whom the enrollee has a standing referral, the specialist, in agreement with the enrollee and the enrollee's primary provider, may provide primary care services to the enrollee in accordance with procedures established by the ~~managed care~~ defined network plan that is not a preferred provider plan.

SECTION 3741hmg. 609.22 (4) (a) 3. of the statutes is amended to read:

609.22 **(4)** (a) 3. A ~~managed care~~ defined network plan that is not a preferred provider plan must include information regarding referral procedures in policies or certificates provided to enrollees and must provide such information to an enrollee or prospective enrollee upon request.

SECTION 3741hmp. 609.22 (4m) (a) of the statutes is amended to read:

609.22 **(4m)** (a) A ~~managed care~~ defined network plan that provides coverage of obstetric or gynecologic services may not require a female enrollee of the ~~managed care~~ defined network 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~~ defined network 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.

SECTION 3741hmt. 609.22 (4m) (b) (intro.) of the statutes is amended to read:

609.22 **(4m)** (b) (intro.) A ~~managed care~~ defined network plan under par. (a) may not do any of the following:

SECTION 3741img. 609.22 (4m) (c) of the statutes is amended to read:

609.22 **(4m)** (c) A ~~managed care~~ defined network 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~~ defined network plan.

SECTION 3741imp. 609.22 (5) of the statutes is amended to read:

609.22 **(5)** SECOND OPINIONS. A ~~managed care~~ defined network plan shall provide an enrollee with coverage for a 2nd opinion from another participating provider.

SECTION 3741imt. 609.22 (6) (intro.) of the statutes is amended to read:

609.22 **(6)** EMERGENCY CARE. (intro.) Notwithstanding s. 632.85, if a ~~managed care~~ defined network plan provides coverage of emergency services, with respect to covered benefits, the ~~managed care~~ defined network plan shall do all of the following:

SECTION 3741jmg. 609.22 (7) of the statutes is amended to read:

609.22 **(7)** TELEPHONE ACCESS. A ~~managed care~~ defined network plan that is not a preferred provider plan shall provide telephone access for sufficient time during business and evening hours to ensure that enrollees have adequate access to routine health care services for which coverage is provided under the plan. A ~~managed care~~ defined network plan that is not a preferred provider plan shall provide 24−hour telephone access to the plan or to a participating provider for emergency care, or authorization for care, for which coverage is provided under the plan.

SECTION 3741jmp. 609.22 (8) of the statutes is amended to read:

609.22 **(8)** ACCESS PLAN FOR CERTAIN ENROLLEES. A ~~managed care~~ defined network plan shall develop an access plan to meet the needs, with respect to covered benefits, of its enrollees who are members of underserved populations. If a significant number of enrollees of the plan customarily use languages other than English, the ~~managed care~~ defined network plan shall provide access to translation services fluent in those languages to the greatest extent possible.

SECTION 3741jmt. 609.24 (1) (a) (intro.) of the statutes is amended to read:

609.24 **(1)** (a) (intro.) Subject to pars. (b) and (c) and except as provided in par. (d), a ~~managed care~~ defined network plan shall, with respect to covered benefits, provide coverage to an enrollee for the services of a provider, regardless of whether the provider is a participating provider at the time the services are provided, if the ~~managed care~~ defined network plan represented that the provider was, or would be, a participating provider in marketing

materials that were provided or available to the enrollee at any of the following times:

SECTION 3741kmg. 609.24 (1) (b) (intro.) of the statutes is amended to read:

609.24 **(1)** (b) (intro.) Except as provided in par. (d), a ~~managed care~~ defined network plan shall provide the coverage required under par. (a) with respect to the services of a provider who is a primary care physician for the following period of time:

SECTION 3741kmp. 609.24 (1) (c) (intro.) of the statutes is amended to read:

609.24 **(1)** (c) (intro.) Except as provided in par. (d), if an enrollee is undergoing a course of treatment with a participating provider who is not a primary care physician and whose participation with the plan terminates, the ~~managed care~~ defined network plan shall provide the coverage under par. (a) with respect to the services of the provider for the following period of time:

SECTION 3741kmt. 609.24 (1) (d) 1. of the statutes is amended to read:

609.24 **(1)** (d) 1. The provider no longer practices in the ~~managed care~~ defined network plan's geographic service area.

SECTION 3741Lmg. 609.24 (1) (d) 2. of the statutes is amended to read:

609.24 **(1)** (d) 2. The insurer issuing the ~~managed care~~ defined network plan terminates or terminated the provider's contract for misconduct on the part of the provider.

SECTION 3471Lmp. 609.24 (1) (e) 1. of the statutes is amended to read:

609.24 **(1)** (e) 1. An insurer issuing a ~~managed care~~ defined network plan shall include in its provider contracts provisions addressing reimbursement to providers for services rendered under this section.

SECTION 3741Lmt. 609.24 (1) (e) 2. of the statutes is amended to read:

609.24 **(1)** (e) 2. If a contract between a ~~managed care~~ defined network plan and a provider does not address reimbursement for services rendered under this section, the insurer shall reimburse the provider according to the most recent contracted rate.

SECTION 3741mmb. 609.24 (4) of the statutes is created to read:

609.24 **(4)** NOTICE OF PROVISIONS. A defined network plan shall notify all plan enrollees of the provisions under this section whenever a participating provider's participation with the plan terminates, or shall, by contract, require a participating provider to notify all plan enrollees of the provisions under this section if the participating provider's participation with the plan terminates.

SECTION 3741mmd. 609.30 (1) of the statutes is amended to read:

609.30 **(1)** PLAN MAY NOT CONTRACT. A ~~managed care~~ defined network plan may not contract with a participating provider to limit the provider's disclosure of information, to or on behalf of an enrollee, about the enrollee's medical condition or treatment options.

SECTION 3741mmf. 609.30 (2) of the statutes is amended to read:

609.30 **(2)** PLAN MAY NOT PENALIZE OR TERMINATE. A participating provider may discuss, with or on behalf of an enrollee, all treatment options and any other information that the provider determines to be in the best interest of the enrollee. A ~~managed care~~ defined network plan may not penalize or terminate the contract of a participating provider because the provider makes referrals to other participating providers or discusses medically necessary or appropriate care with or on behalf of an enrollee.

SECTION 3741mmh. 609.32 (1) (intro.) of the statutes is amended to read:

609.32 **(1)** STANDARDS; OTHER THAN PREFERRED PROVIDER PLANS. (intro.) A ~~managed care~~ defined network plan that is not a preferred provider plan shall develop comprehensive quality assurance standards that are adequate to identify, evaluate, and remedy problems related to access to, and continuity and quality of, care. The standards shall include at least all of the following:

SECTION 3741mmj. 609.32 (1m) of the statutes is created to read:

609.32 **(1m)** PROCEDURE FOR REMEDIAL ACTION; PREFERRED PROVIDER PLANS. A preferred provider plan shall develop a procedure for remedial action to address quality problems, including written procedures for taking appropriate corrective action.

SECTION 3741mmn. 609.32 (2) (a) of the statutes is amended to read:

609.32 **(2)** (a) A ~~managed care~~ defined network plan shall develop a process for selecting participating providers, including written policies and procedures that the plan uses for review and approval of providers. After consulting with appropriately qualified providers, the plan shall establish minimum professional requirements for its participating providers. The process for selection shall include verification of a provider's license or certificate, including the history of any suspensions or revocations, and the history of any liability claims made against the provider.

SECTION 3741mmp. 609.32 (2) (b) (intro.) of the statutes is amended to read:

609.32 **(2)** (b) (intro.) A ~~managed care~~ defined network plan shall establish in writing a formal, ongoing process for reevaluating each participating provider within a specified number of years after the provider's initial acceptance for participation. The reevaluation shall include all of the following:

SECTION 3741mmr. 609.32 (2) (c) of the statutes is amended to read:

609.32 **(2)** (c) A ~~managed care~~ defined network plan may not require a participating provider to provide ser-

vices that are outside the scope of his or her license or certificate.

SECTION 3741mmt. 609.34 of the statutes is renumbered 609.34 (1) and amended to read:

609.34 **(1)** A ~~managed care~~ defined network plan that is not a preferred provider plan shall appoint a physician as medical director. The medical director shall be responsible for clinical protocols, quality assurance activities, and utilization management policies of the plan.

SECTION 3741mmx. 609.34 (2) of the statutes is created to read:

609.34 **(2)** A preferred provider plan may contract for services related to clinical protocols and utilization management. A preferred provider plan or its designee is required to appoint a medical director only to the extent that the preferred provider plan or its designee assumes direct responsibility for clinical protocols and utilization management policies of the plan. The medical director, who shall be a physician, shall be responsible for such protocols and policies of the plan.

SECTION 3741mmy. 609.35 of the statutes is created to read:

609.35 Applicability of requirements to preferred provider plans. Notwithstanding ss. 609.22 (2), (3), (4), and (7), 609.32 (1), and 609.34 (1), a preferred provider plan that does not cover the same services when performed by a nonparticipating provider that it covers when those services are performed by a participating provider is subject to the requirements under ss. 609.22 (2), (3), (4), and (7), 609.32 (1), and 609.34 (1).

SECTION 3741mmz. 609.36 (1) (a) (intro.) of the statutes is amended to read:

609.36 **(1)** (a) (intro.) A ~~managed care~~ defined network plan shall provide to the commissioner information related to all of the following:

SECTION 3741nmg. 609.36 (2) of the statutes is amended to read:

609.36 **(2)** CONFIDENTIALITY. A ~~managed care~~ defined network plan shall establish written policies and procedures, consistent with ss. 51.30, 146.82, and 252.15, for the handling of medical records and enrollee communications to ensure confidentiality.

SECTION 3741nmp. 609.38 of the statutes is amended to read:

609.38 Oversight. The office shall perform examinations of insurers that issue ~~managed care~~ defined network plans consistent with ss. 601.43 and 601.44. The commissioner shall by rule develop standards for ~~managed care~~ defined network plans for compliance with the requirements under this chapter.

SECTION 3741nmt. 609.65 (1) (intro.) of the statutes is amended to read:

609.65 **(1)** (intro.) If an enrollee of a limited service health organization, preferred provider plan, or ~~managed care~~ defined network plan is examined, evaluated, or treated for a nervous or mental disorder pursuant to an emergency detention under s. 51.15, a commitment or a court order under s. 51.20 or 880.33 (4m) or (4r) or ch. 980, then, notwithstanding the limitations regarding participating providers, primary providers, and referrals under ss. 609.01 (2) to (4) and 609.05 (3), the limited service health organization, preferred provider plan, or ~~managed care~~ defined network plan shall do all of the following:

SECTION 3741omg. 609.65 (1) (a) of the statutes is amended to read:

609.65 **(1)** (a) If the provider performing the examination, evaluation, or treatment has a provider agreement with the limited service health organization, preferred provider plan, or ~~managed care~~ defined network plan which covers the provision of that service to the enrollee, make the service available to the enrollee in accordance with the terms of the limited service health organization, preferred provider plan, or ~~managed care~~ defined network plan and the provider agreement.

SECTION 3741omp. 609.65 (1) (b) (intro.) of the statutes is amended to read:

609.65 **(1)** (b) (intro.) If the provider performing the examination, evaluation or treatment does not have a provider agreement with the limited service health organization, preferred provider plan, or ~~managed care~~ defined network plan which covers the provision of that service to the enrollee, reimburse the provider for the examination, evaluation, or treatment of the enrollee in an amount not to exceed the maximum reimbursement for the service under the medical assistance program under subch. IV of ch. 49, if any of the following applies:

SECTION 3741omt. 609.65 (1) (b) 1. of the statutes is amended to read:

609.65 **(1)** (b) 1. The service is provided pursuant to a commitment or a court order, except that reimbursement is not required under this subdivision if the limited service health organization, preferred provider plan, or ~~managed care~~ defined network plan could have provided the service through a provider with whom it has a provider agreement.

SECTION 3741pmg. 609.65 (1) (b) 2. of the statutes is amended to read:

609.65 **(1)** (b) 2. The service is provided pursuant to an emergency detention under s. 51.15 or on an emergency basis to a person who is committed under s. 51.20 and the provider notifies the limited service health organization, preferred provider plan, or ~~managed care~~ defined network plan within 72 hours after the initial provision of the service.

SECTION 3741pmp. 609.65 (2) of the statutes is amended to read:

609.65 **(2)** If after receiving notice under sub. (1) (b) 2. the limited service health organization, preferred provider plan, or ~~managed care~~ defined network plan arranges for services to be provided by a provider with whom it has a provider agreement, the limited service

health organization, preferred provider plan, or ~~managed care~~ plan is not required to reimburse a provider under sub. (1) (b) 2. for any services provided after arrangements are made under this subsection.

SECTION 3741pmt. 609.65 (3) of the statutes is amended to read:

609.65 **(3)** A limited service health organization, preferred provider plan, or ~~managed care~~ defined network plan is only required to make available, or make reimbursement for, an examination, evaluation, or treatment under sub. (1) to the extent that the limited service health organization, preferred provider plan, or ~~managed care~~ defined network plan would have made the medically necessary service available to the enrollee or reimbursed the provider for the service if any referrals required under s. 609.05 (3) had been made and the service had been performed by a participating provider.

SECTION 3741qmg. 609.655 (1) (a) 1. of the statutes is amended to read:

609.655 **(1)** (a) 1. Is covered as a dependent child under the terms of a policy or certificate issued by a ~~managed care~~ defined network plan insurer.

SECTION 3741qmp. 609.655 (1) (a) 2. of the statutes is amended to read:

609.655 **(1)** (a) 2. Is enrolled in a school located in this state but outside the geographical service area of the ~~managed care~~ defined network plan.

SECTION 3741qmt. 609.655 (2) of the statutes is amended to read:

609.655 **(2)** If a policy or certificate issued by a ~~managed care~~ defined network plan insurer provides coverage of outpatient services provided to a dependent student, the policy or certificate shall provide coverage of outpatient services, to the extent and in the manner required under sub. (3), that are provided to the dependent student while he or she is attending a school located in this state but outside the geographical service area of the ~~managed care~~ defined network plan, notwithstanding the limitations regarding participating providers, primary providers, and referrals under ss. 609.01 (2) and 609.05 (3).

SECTION 3741rmg. 609.655 (3) (intro.) of the statutes is amended to read:

609.655 **(3)** (intro.) Except as provided in sub. (5), a ~~managed care~~ defined network plan shall provide coverage for all of the following services:

SECTION 3741rmp. 609.655 (3) (a) of the statutes is amended to read:

609.655 **(3)** (a) A clinical assessment of the dependent student's nervous or mental disorders or alcoholism or other drug abuse problems, conducted by a provider described in s. 632.89 (1) (e) 2. or 3. who is located in this state and in reasonably close proximity to the school in which the dependent student is enrolled and who may be designated by the ~~managed care~~ defined network plan.

SECTION 3741smg. 609.655 (3) (b) (intro.) of the statutes is amended to read:

609.655 **(3)** (b) (intro.) If outpatient services are recommended in the clinical assessment conducted under par. (a), the recommended outpatient services consisting of not more than 5 visits to an outpatient treatment facility or other provider that is located in this state and in reasonably close proximity to the school in which the dependent student is enrolled and that may be designated by the ~~managed care~~ defined network plan, except as follows:

SECTION 3741smp. 609.655 (3) (b) 1. of the statutes is amended to read:

609.655 **(3)** (b) 1. Coverage is not required under this paragraph if the medical director of the ~~managed care~~ defined network plan determines that the nature of the treatment recommended in the clinical assessment will prohibit the dependent student from attending school on a regular basis.

SECTION 3741smt. 609.655 (4) (a) of the statutes is amended to read:

609.655 **(4)** (a) Upon completion of the 5 visits for outpatient services covered under sub. (3) (b), the medical director of the ~~managed care~~ defined network plan and the clinician treating the dependent student shall review the dependent student's condition and determine whether it is appropriate to continue treatment of the dependent student's nervous or mental disorders or alcoholism or other drug abuse problems in reasonably close proximity to the school in which the student is enrolled. The review is not required if the dependent student is no longer enrolled in the school or if the coverage limits under the policy or certificate for treatment of nervous or mental disorders or alcoholism or other drug abuse problems have been exhausted.

SECTION 3741tmg. 609.655 (4) (b) of the statutes is amended to read:

609.655 **(4)** (b) Upon completion of the review under par. (a), the medical director of the ~~managed care~~ defined network plan shall determine whether the policy or certificate will provide coverage of any further treatment for the dependent student's nervous or mental disorder or alcoholism or other drug abuse problems that is provided by a provider located in reasonably close proximity to the school in which the student is enrolled. If the dependent student disputes the medical director's determination, the dependent student may submit a written grievance under the ~~managed care~~ defined network plan's internal grievance procedure established under s. 632.83.

SECTION 3741tmp. 609.655 (5) (a) of the statutes is amended to read:

609.655 **(5)** (a) A policy or certificate issued by a ~~managed care~~ defined network plan insurer is required to provide coverage for the services specified in sub. (3) only to the extent that the policy or certificate would have covered the service if it had been provided to the depen-

dent student by a participating provider within the geographical service area of the ~~managed care~~ defined network plan.

SECTION 3741tmt. 609.655 (5) (b) of the statutes is amended to read:

609.655 **(5)** (b) Paragraph (a) does not permit a ~~managed care~~ defined network plan to reimburse a provider for less than the full cost of the services provided or an amount negotiated with the provider, solely because the reimbursement rate for the service would have been less if provided by a participating provider within the geographical service area of the ~~managed care~~ defined network plan.

SECTION 3741umg. 609.70 of the statutes is amended to read:

609.70 Chiropractic coverage. Limited service health organizations, preferred provider plans, and ~~managed care~~ defined network plans are subject to s. 632.87 (3).

SECTION 3741ump. 609.75 of the statutes is amended to read:

609.75 Adopted children coverage. Limited service health organizations, preferred provider plans, and ~~managed care~~ defined network plans are subject to s. 632.896. Coverage of health care services obtained by adopted children and children placed for adoption may be subject to any requirements that the limited service health organization, preferred provider plan, or ~~managed care~~ defined network plan imposes under s. 609.05 (2) and (3) on the coverage of health care services obtained by other enrollees.

SECTION 3741umt. 609.77 of the statutes is amended to read:

609.77 Coverage of breast reconstruction. Limited service health organizations, preferred provider plans, and ~~managed care~~ defined network plans are subject to s. 632.895 (13).

SECTION 3741vmg. 609.78 of the statutes is amended to read:

609.78 Coverage of treatment for the correction of temporomandibular disorders. Limited service health organizations, preferred provider plans, and ~~managed care~~ defined network plans are subject to s. 632.895 (11).

SECTION 3741vmp. 609.79 of the statutes is amended to read:

609.79 Coverage of hospital and ambulatory surgery center charges and anesthetics for dental care. Limited service health organizations, preferred provider plans, and ~~managed care~~ defined network plans are subject to s. 632.895 (12).

SECTION 3741vmt. 609.80 of the statutes is amended to read:

609.80 Coverage of mammograms. ~~Managed care~~ Defined network plans are subject to s. 632.895 (8). Coverage of mammograms under s. 632.895 (8) may be subject to any requirements that the ~~managed care~~ defined network plan imposes under s. 609.05 (2) and (3) on the coverage of other health care services obtained by enrollees.

SECTION 3741wmg. 609.81 of the statutes is amended to read:

609.81 Coverage related to HIV infection. Limited service health organizations, preferred provider plans, and ~~managed care~~ defined network plans are subject to s. 631.93. ~~Managed care~~ Defined network plans are subject to s. 632.895 (9).

SECTION 3741wmp. 609.82 of the statutes is amended to read:

609.82 Coverage without prior authorization for emergency medical condition treatment. Limited service health organizations, preferred provider plans, and ~~managed care~~ defined network plans are subject to s. 632.85.

SECTION 3741wmt. 609.83 of the statutes is amended to read:

609.83 Coverage of drugs and devices. Limited service health organizations, preferred provider plans, and ~~managed care~~ defined network plans are subject to s. 632.853.

SECTION 3741xmg. 609.84 of the statutes is amended to read:

609.84 Experimental treatment. Limited service health organizations, preferred provider plans, and ~~managed care~~ defined network plans are subject to s. 632.855.

SECTION 3741xmp. 609.88 of the statutes is amended to read:

609.88 Coverage of immunizations. ~~Managed care~~ Defined network plans are subject to s. 632.895 (14).

SECTION 3741xmr. 609.89 of the statutes is amended to read:

609.89 Written reason for coverage denial. Limited service health organizations, preferred provider plans, and ~~managed care~~ defined network plans are subject to s. 631.17.

SECTION 3741xmt. 609.90 of the statutes is amended to read:

609.90 Restrictions related to domestic abuse. Limited service health organizations, preferred provider plans, and ~~managed care~~ defined network plans are subject to s. 631.95.

SECTION 3749. 614.80 of the statutes is amended to read:

614.80 Tax exemption. Every domestic and nondomestic fraternal, except those that offer a health maintenance organization as defined in s. 609.01 (2) or a limited service health organization as defined in s. 609.01 (3) is exempt from all state, county, district, municipal and school taxes or fees, except the fees required by s. 601.31 (2), but is required to pay all taxes and special assessments on its real estate and office equipment, except as provided in ss. 70.11 (4) and 70.1105 (1).

SECTION 3755g. 628.46 (2m) of the statutes is created to read:

628.46 **(2m)** Notwithstanding subs. (1) and (2), a claim for payment for chiropractic services is overdue if not paid within 30 days after the insurer receives clinical documentation from the chiropractor that the services were provided unless, within those 30 days, the insurer provides to the insured and to the chiropractor the written statement under s. 632.875 (2).

Vetoed In Part

SECTION 3760m. 632.875 (2) (intro.) of the statutes is amended to read:

632.875 **(2)** (intro.) If, on the basis of an independent evaluation, an insurer restricts or terminates a patient's coverage for the treatment of a condition or complaint by a chiropractor acting within the scope of his or her license and the restriction or termination of coverage results in the patient becoming liable for payment for his or her treatment, the insurer shall, within the time required under s. 628.46 (2m), provide to the patient and to the treating chiropractor a written statement that contains all of the following:

SECTION 3761r. 632.895 (10) (a) of the statutes is amended to read:

632.895 **(10)** (a) Except as provided in par. (b), every disability insurance policy and every health care benefits plan provided on a self−insured basis by a county board under s. 59.52 (11), by a city or village under s. 66.0137 (4), by a political subdivision under s. 66.0137 (4m), by a town under s. 60.23 (25), or by a school district under s. 120.13 (2) shall provide coverage for blood lead tests for children under 6 years of age, which shall be conducted in accordance with any recommended lead screening methods and intervals contained in any rules promulgated by the department of health and family services under s. 254.158.

SECTION 3763f. 632.895 (14) (c) of the statutes is amended to read:

632.895 **(14)** (c) The coverage required under par. (b) may not be subject to any deductibles, copayments, or coinsurance under the policy or plan. This paragraph applies to a ~~managed care~~ defined network plan, as defined in s. 609.01 ~~(3c)~~ (1b), only with respect to appropriate and necessary immunizations provided by providers participating, as defined in s. 609.01 (3m), in the plan.

SECTION 3763g. 632.895 (14) (d) 3. of the statutes is amended to read:

632.895 **(14)** (d) 3. A health care plan offered by a limited service health organization, as defined in s. 609.01 (3), or by a preferred provider plan, as defined in s. 609.01 (4), that is not a ~~managed care~~ defined network plan, as defined in s. 609.01 ~~(3c)~~ (1b).

SECTION 3766e. 635.02 (2) of the statutes is amended to read:

635.02 **(2)** "Case characteristics" means the demographic, actuarially based characteristics of the employees of a small employer, and the employer, if covered, such as age, sex, and geographic location ~~and occupation~~, used by a small employer insurer to determine premium rates for a small employer. "Case characteristics" does not include loss or claim history, health status, occupation, duration of coverage, or other factors related to claim experience.

SECTION 3766ec. 635.02 (3e) of the statutes is created to read:

635.02 **(3e)** "Eligible employee" has the meaning given in s. 632.745 (5) (a).

SECTION 3766ef. 635.02 (7) of the statutes is amended to read:

635.02 **(7)** "Small employer" means, with respect to a calendar year and a plan year, an employer that employed an average of at least 2 but not more than 50 eligible employees on business days during the preceding calendar year, or that is reasonably expected to employ an average of at least 2 but not more than 50 eligible employees on business days during the current calendar year if the employer was not in existence during the preceding calendar year, and that employs at least 2 eligible employees on the first day of the plan year.

SECTION 3766em. 635.05 (1) of the statutes is amended to read:

635.05 **(1)** Establishing restrictions on premium rates that a small employer insurer may charge a small employer such that the premium rates charged to small employers with similar case characteristics for the same or similar benefit design characteristics do not vary from the midpoint rate for those small employers by more than ~~35%~~ 10% of that midpoint rate.

SECTION 3766f. 635.05 (2) (a) 2. of the statutes is amended to read:

635.05 **(2)** (a) 2. An adjustment, not to exceed 15% per year, adjusted proportionally for rating periods of less than one year, for such rating factors as claim experience, health status, occupation, and duration of coverage, determined in accordance with the small employer insurer's rate manual or rating procedures.

SECTION 3766g. 635.05 (7) of the statutes is created to read:

635.05 **(7)** Specifying the manner in which rates must be published under s. 635.12.

SECTION 3766j. 635.12 of the statutes is created to read:

635.12 Annual publication of rates. Every small employer insurer shall annually publish the small employer insurer's current new business premium rates. The rates shall be published in the manner and according to categories required by rule under s. 635.05 (7). New business premium rates for coverage under the health care coverage program under subch. X of ch. 40 shall be published as required under s. 40.98 (2) (d).

SECTION 3766r. 635.19 (6) of the statutes is repealed. **Vetoed In Part**

SECTION 3768. 704.05 (5) (a) 2. of the statutes is amended to read:

704.05 **(5)** (a) 2. Give the tenant notice, personally or by ordinary mail addressed to the tenant's last−known address, of the landlord's intent to dispose of the ~~personalty~~ personal property by sale or other appropriate means if the property is not repossessed by the tenant. If the tenant fails to repossess the property within 30 days after the date of personal service or the date of the mailing of the notice, the landlord may dispose of the property by private or public sale or any other appropriate means. The landlord may deduct from the proceeds of sale any costs of sale and any storage charges if the landlord has first stored the personalty under subd. 1. If the proceeds minus the costs of sale and minus any storage charges are not claimed within 60 days after the date of the sale of the personalty, the landlord is not accountable to the tenant for any of the proceeds of the sale or the value of the property. The landlord shall send the proceeds of the sale minus the costs of the sale and minus any storage charges to the department of administration for deposit in the appropriation under s. 20.505 (7) ~~(gm)~~ (h).

SECTION 3769. 704.31 (3) of the statutes is amended to read:

704.31 **(3)** This section does not apply to a lease to which a local professional baseball park district created under subch. III of ch. 229 or the Fox River Navigational System Authority is a party.

SECTION 3774. 757.05 (1) (a) of the statutes is amended to read:

757.05 **(1)** (a) Whenever a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for a violation of s. 101.123 (2) (a), (am) 1., (ar), or (bm) or (5) or state laws or municipal or county ordinances involving nonmoving traffic violations or safety belt use violations under s. 347.48 (2m), there shall be imposed in addition a penalty assessment in an amount of ~~23%~~ 24% of the fine or forfeiture imposed. If multiple offenses are involved, the penalty assessment shall be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended in whole or in part, the penalty assessment shall be reduced in proportion to the suspension.

SECTION 3774c. 757.05 (1) (a) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

757.05 **(1)** (a) Whenever a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for a violation of s. 101.123 (2) (a), (am) 1., (ar), ~~or~~ (bm), or (br) or (5) or state laws or municipal or county ordinances involving nonmoving traffic violations or safety belt use violations under s. 347.48 (2m), there shall be imposed in addition a penalty assessment in an amount of 24% of the fine or forfeiture imposed. If multiple offenses are involved, the penalty assessment shall be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended in whole or in part, the penalty assessment shall be reduced in proportion to the suspension.

SECTION 3775. 757.05 (1) (b) of the statutes is amended to read:

757.05 **(1)** (b) If a fine or forfeiture is imposed by a court of record, after a determination by the court of the amount due, the clerk of the court shall collect and transmit ~~such~~ the amount to the county treasurer as provided in s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer as provided in s. 59.25 (3) (f) 2.

SECTION 3776. 757.05 (1) (c) of the statutes is amended to read:

757.05 **(1)** (c) If a fine or forfeiture is imposed by a municipal court, after a determination by the court of the amount due, the court shall collect and transmit ~~such~~ the amount to the treasurer of the county, city, town, or village, and that treasurer shall make payment to the state treasurer as provided in s. 66.0114 (1) ~~(b)~~ (bm).

SECTION 3777. 757.05 (1) (d) of the statutes is amended to read:

757.05 **(1)** (d) If any deposit of bail is made for a noncriminal offense to which this ~~section~~ subsection applies, the person making the deposit shall also deposit a sufficient amount to include the assessment prescribed in this ~~section~~ subsection for forfeited bail. If bail is forfeited, the amount of the assessment shall be transmitted monthly to the state treasurer under this ~~section~~ subsection. If bail is returned, the assessment shall also be returned.

SECTION 3777n. 757.05 (2) (a) of the statutes is amended to read:

757.05 **(2)** (a) *Law enforcement training fund.* ~~Twenty−seven fifty−fifths~~ Eleven twenty−fourths of all moneys collected from penalty assessments under 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). 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 3780c. 757.54 of the statutes is renumbered 757.54 (1) and amended to read:

757.54 **(1)** ~~The~~ Except as provided in sub. (2), the retention and disposal of all court records and exhibits in any civil or criminal action or proceeding or probate proceeding of any nature in a court of record shall be determined by the supreme court by rule.

SECTION 3780d. 757.54 (2) of the statutes is created to read:

757.54 **(2)** (a) In this subsection:

1. "Custody" has the meaning given in s. 968.205 (1) (a).

2. "Discharge date" has the meaning given in s. 968.205 (1) (b).

(b) Except as provided in par. (c), if an exhibit in a criminal action or a delinquency proceeding under ch. 938 includes any biological material that was collected in connection with the action or proceeding, the court presiding over the action or proceeding shall ensure that the exhibit is preserved until every person in custody as a result of the action or proceeding, or as a result of commitment under s. 980.06 that is based on a judgment of guilty or not guilty by reason of mental disease or defect in the action or proceeding, has reached his or her discharge date.

Vetoed In Part

(c) Subject to par. (e), the court may destroy biological material before the expiration of the time period specified in par. (b) if all of the following apply:

1. The court sends a notice of its intent to destroy the biological material to all persons who remain in custody as a result of the criminal action, delinquency proceeding, or commitment under s. 980.06 and to either the attorney of record for each person in custody or the state public defender.

2. No person who is notified under subd. 1. does either of the following within 90 days after the date on which the person received the notice:

a. Files a motion for testing of the biological material under s. 974.07 (2).

b. Submits a written request to preserve the biological material to the court.

3. No other provision of federal or state law requires the court to preserve the biological material.

(d) A notice provided under par. (c) 1. shall clearly inform the recipient that the biological material will be destroyed unless, within 90 days after the date on which the person receives the notice, either a motion for testing of the material is filed under s. 974.07 (2) or a written request to preserve the material is submitted to the court.

(e) If, after providing notice under par. (c) 1. of its intent to destroy biological material, a court receives a written request to preserve the material, the court shall preserve the material until the discharge date of the person who made the request or on whose behalf the request was made, subject to a court order issued under s. 974.07 (7), (9) (a), or (10) (a) 5., unless the court orders destruction or transfer of the biological material under s. 974.07 (9) (b) or (10) (a) 5.

SECTION 3780g. 757.57 (5) of the statutes is amended to read:

757.57 **(5)** Except as provided in SCR 71.04 (4), every reporter, upon the request of any party to an action or proceeding, shall make a typewritten transcript, and as many copies thereof as the party requests, of the testimony and proceedings reported by him or her in the action or proceeding, or any part thereof specified by the party, the transcript and each copy thereof to be duly certified by him or her to be a correct transcript thereof. For the transcripts the reporter is entitled to receive the fees prescribed in s. 814.69 (1) (b) and (bm).

SECTION 3780q. 757.69 (8) of the statutes is created to read:

757.69 **(8)**. Each court commissioner appointed under s. 48.065, 757.68, 757.72, 767.13, or 938.065 shall participate in programs of continuing court commissioner education required by the supreme court. The supreme court shall charge court commissioners a fee for the costs of the continuing education programs required under this subsection. All moneys collected under this subsection shall be credited to the appropriation account under s. 20.680 (2) (ga).

SECTION 3781. 758.19 (7) of the statutes is amended to read:

758.19 **(7)** The director of state courts shall adopt, revise biennially and submit to the cochairpersons of the joint committee on information policy and technology, the governor and the ~~secretary of administration~~ department of electronic government, no later than September 15 of each even−numbered year, a strategic plan for the utilization of information technology to carry out the functions of the courts and judicial branch agencies, as defined in s. 16.70 (5). The plan shall address the business needs of the courts and judicial branch agencies and shall identify all resources relating to information technology which the courts and judicial branch agencies desire to acquire, contingent upon funding availability, the priority for such acquisitions and the justification for such acquisitions. The plan shall also identify any changes in the functioning of the courts and judicial branch agencies under the plan.

SECTION 3781d. 758.19 (8) of the statutes is created to read:

758.19 **(8)** (a) From the appropriation under s. 20.625 (1) (c), the director of state courts shall reimburse counties up to 4 times each year for the actual expenses paid for interpreters required by circuit courts to assist persons with limited English proficiency under s. 885.38 (8) (a) 1. The amount of the reimbursement for mileage shall be 20 cents per mile going and returning from his or her residence if within the state; or, if without the state, from the point where he or she crosses the state boundary to the place of attendance, and returning by the usually traveled route between such points. The amount of the maximum hourly reimbursement for court interpreters shall be as follows:

1. Forty dollars for the first hour and $20 for each additional 0.5 hour for qualified interpreters certified under the requirements and procedures approved by the supreme court.

2. Thirty dollars for the first hour and $15 for each additional 0.5 hour for qualified interpreters, as defined in s. 885.38 (1) (c).

(b) To receive reimbursement under par. (a), a county must submit, on forms provided by the director of state courts, an accounting of the amount paid for expenses related to court interpreters that are eligible for reim-

bursement under par. (a). The forms must include expenses for the preceding 3−month period and must be submitted within 90 days after that 3−month period has ended. The director of state courts may not reimburse a county for any expenses related to court interpreters that are submitted after the 90−day period has ended. Reimbursement under par. (a) first applies to court interpreter expenses incurred on the effective date of this paragraph .... [revisor inserts date].

SECTION 3782. 765.12 (1) of the statutes is renumbered 765.12 (1) (a) and amended to read:

765.12 **(1)** (a) If ss. 765.02, 765.05, 765.08, and 765.09 are complied with, and if there is no prohibition against or legal objection to the marriage, the county clerk shall issue a marriage license. With each marriage license the county clerk shall provide a pamphlet describing the causes and effects of fetal alcohol syndrome. ~~After the application for the marriage license the clerk shall, upon the sworn statement of either of the applicants, correct any erroneous, false or insufficient statement in the marriage license or in the application therefor which shall come to the clerk's attention prior to the marriage and shall show the corrected statement as soon as reasonably possible to the other applicant.~~

SECTION 3783. 765.12 (1) (b) of the statutes is created to read:

765.12 **(1)** (b) If, after completion of the marriage license application, one of the applicants notifies the clerk in writing that any of the information provided by that applicant for the license is erroneous, the clerk shall notify the other applicant of the correction as soon as reasonably possible. If the marriage license has not been issued, the clerk shall prepare a new license with the correct information entered. If the marriage license has been issued, the clerk shall immediately send a letter of correction to the state registrar to amend the erroneous information.

SECTION 3784. 765.12 (1) (c) of the statutes is created to read:

765.12 **(1)** (c) If, after completion of the marriage license application, the clerk discovers that correct information has been entered erroneously, the clerk shall, if the marriage license has not been issued, prepare a new license with the correct information correctly entered. If the marriage license has been issued, the clerk shall immediately send a letter of correction to the state registrar to amend the erroneous information.

SECTION 3785. 765.13 of the statutes is amended to read:

765.13 Form of marriage document. The marriage document shall ~~contain the social security number of each party, as well as any other informational items that the department of health and family services determines are necessary and shall agree in the main with the standard form recommended by the federal agency responsible for national vital statistics. It~~ consist of the marriage license and the marriage license worksheet. The marriage license shall contain a notification of the time limits of the authorization to marry, a notation that the issue of the marriage license shall not be deemed to remove or dispense with any legal disability, impediment or prohibition rendering marriage between the parties illegal, and the signature of the county clerk, who shall acquire the information for the marriage document and enter it in its proper place when the marriage license is issued. The marriage license worksheet shall contain the social security number of each party, as well as any other information items that the department of health and family services determines are necessary and shall agree in the main with the standard form recommended by the federal agency responsible for national vital statistics. The county clerk shall transmit the marriage license worksheet to the state registrar within 5 days after the date of issuance of the marriage license.

SECTION 3786c. 767.08 (2) (b) of the statutes is amended to read:

767.08 **(2)** (b) The court in the action shall, as provided under s. 767.25 or 767.26, determine and adjudge the amount, if any, the person should reasonably contribute to the support and maintenance of the spouse or child and how the sum should be paid. This amount ~~may~~ must be expressed as a ~~percentage of the person's 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 the person's income or a~~ fixed sum unless the parties have stipulated to expressing the amount as a percentage of the payer's income and the requirements under s. 767.10 (2) (am) 1. to 3. are satisfied. The amount so ordered to be paid may be changed or modified by the court upon notice of motion or order to show cause by either party upon sufficient evidence.

SECTION 3786d. 767.10 (2) (am) of the statutes is created to read:

767.10 **(2)** (am) A court may not approve a stipulation for expressing child support or family support as a percentage of the payer's income unless all of the following apply:

1. The state is not a real party in interest in the action under any of the circumstances specified in s. 767.075 (1).

2. The payer is not subject to any other order, in any other action, for the payment of child or family support or maintenance.

3. All payment obligations included in the order, other than the annual receiving and disbursing fee under s. 767.29 (1) (d), are expressed as a percentage of the payer's income.

SECTION 3786e. 767.23 (1) (c) of the statutes is amended to read:

767.23 **(1)** (c) Subject to s. 767.477, requiring either party or both parties to make payments for the support of minor children, which payment amounts ~~may~~ must 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 unless the parties have stipulated to expressing the amount as a percentage of the payer's income and the requirements under s. 767.10 (2) (am) 1. to 3. are satisfied.

SECTION 3786f. 767.25 (1) (a) of the statutes is amended to read:

767.25 **(1)** (a) Order either or both parents to pay an amount reasonable or necessary to fulfill a duty to support a child. The support amount ~~may~~ must 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 unless the parties have stipulated to expressing the amount as a percentage of the payer's income and the requirements under s. 767.10 (2) (am) 1. to 3. are satisfied.

SECTION 3786g. 767.263 (1) of the statutes is amended to read:

767.263 **(1)** Each order for child support, family support, or maintenance payments shall include an order that the payer and payee notify the county child support agency under s. 59.53 (5) of any change of address within 10 business days of such change. Each order for child support, family support, or maintenance payments shall also include an order that the payer notify the county child support agency under s. 59.53 (5) and the payee, within 10 business days, of any change of employer and of any substantial change in the amount of his or her income, including receipt of bonus compensation, such that his or her ability to pay child support, family support, or maintenance is affected. The order shall also include a statement that clarifies that notification of any substantial change in the amount of the payer's income will not result in a change of the order unless a revision of the order under s. 767.32 or an annual adjustment of the child or family support amount under s. 767.33 is sought.

SECTION 3787. 767.265 (1) of the statutes 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), for support by a spouse under s. 767.02 (1) (f), or for maintenance payments under s. 767.02 (1) (g) ~~or for~~, each order for or obligation to pay 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, obligation, 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, obligation, 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 3788. 767.265 (1m) of the statutes 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~~ or in the payment of the annual receiving and disbursing fee, any assignment under sub. (1) 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 3788g. 767.265 (3m) of the statutes is amended to read:

767.265 **(3m)** Benefits under ch. 108 may be assigned and withheld only in the manner provided in s. 108.13 (4). Any order to withhold benefits under ch. 108 ~~may~~ shall be for a ~~percentage of benefits payable or for a fixed sum, or for a combination of both in the alternative by requiring the withholding of the greater or lesser of either a percentage of benefits payable or a~~ fixed sum unless the court−ordered obligation on which the withholding order is based is expressed in the court order as a percentage of the payer's income, in which case an order to withhold benefits under ch. 108 shall be for a percentage of benefits payable. When money is to be withheld from these benefits, no fee may be deducted from the amount withheld and no fine may be levied for failure to withhold the money.

SECTION 3788m. 767.27 (2) of the statutes is amended to read:

767.27 **(2)** ~~Except as provided in sub. (2m), disclosure~~ Disclosure forms required under this section shall be filed within 90 days after the service of summons or the filing of a joint petition or at such other time as ordered by the court or family court commissioner. Information contained on such forms shall be updated on the record to the date of hearing.

SECTION 3788p. 767.27 (2m) of the statutes is amended to read:

767.27 **(2m)** In every action in which the court has ordered a party to pay child ~~support under s. 767.25, 767.51 or 767.62 (4)~~ or family support under ~~s. 767.261 and the circumstances specified in s. 767.075 (1) apply~~ this chapter, including an action to revise a judgment or order under s. 767.32, the court shall require the ~~party who is ordered to pay the support to annually furnish the~~

~~disclosure form required under this section and may require that party to annually furnish a copy of his or her most recently filed state and federal income tax returns to the county child support agency under s. 59.53 (5) for the county in which the order was entered. In any action in which the court has ordered a party to pay child support under s. 767.25, 767.51 or 767.62 (4) or family support under s. 767.261, the court may require the party who is ordered to pay the support to annually furnish the disclosure form required under this section and a copy of his or her most recently filed state and federal income tax returns to the party for whom the support has been awarded~~ parties annually to exchange financial information. A party who fails to furnish the information as required by the court under this subsection may be proceeded against for contempt of court under ch. 785. If the court finds that a party has failed to furnish the information required under this subsection, the court may award to the party bringing the action costs and, notwithstanding s. 814.04 (1), reasonable attorney fees.

SECTION 3789. 767.29 (1) (d) of the statutes is amended to read:

767.29 **(1)** (d) For receiving and disbursing maintenance, child support, or family support payments, including arrears in any of those payments, and for maintaining the records required under par. (c), the department or its designee shall collect an annual fee of ~~$25~~ $35. The court or family court commissioner shall order each party ordered to make payments to pay the annual fee under this paragraph in each year for which payments are ordered or in which an arrearage in any of those payments is owed. 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 paragraph is not paid when due, the department or its designee may not deduct the annual fee from ~~the~~ any maintenance ~~or~~, child or family support, or arrearage payment, but may move the court for a remedial sanction under ch. 785.

SECTION 3790. 767.29 (1) (dm) 1m. of the statutes is amended 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, or arrearage payment.

SECTION 3793e. 767.32 (1) (a) of the statutes is amended to read:

767.32 **(1)** (a) After a judgment or order providing for child support under this chapter or s. 48.355 (2) (b) 4., 48.357 (5m) (a), 48.363 (2), 938.183 (4), 938.355 (2) (b) 4., 938.357 (5m) (a), 938.363 (2), or 948.22 (7), maintenance payments under s. 767.26, or family support payments under this chapter, or for the appointment of trustees under s. 767.31, the court may, from time to time, on the petition, motion, or order to show cause of either of the parties, or upon the petition, motion, or order to show cause of the department, a county department under s. 46.215, 46.22, or 46.23, or a county child support agency under s. 59.53 (5) if an assignment has been made under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., 49.19 (4) (h), or 49.45 (19) or if either party or their minor children receive aid under s. 48.57 (3m) or (3n) or ch. 49, and upon notice to the family court commissioner, revise and alter such judgment or order respecting the amount of such maintenance or child support and the payment thereof, and also respecting the appropriation and payment of the principal and income of the property so held in trust, and may make any judgment or order respecting any of the matters that such court might have made in the original action, except that a judgment or order that waives maintenance payments for either party shall not thereafter be revised or altered in that respect nor shall the provisions of a judgment or order with respect to final division of property be subject to revision or modification. ~~A~~ Except as provided in par. (d), a revision~~,~~ under this section~~,~~ of a judgment or order with respect to an amount of child or family support may be made only upon a finding of a substantial change in circumstances. In any action under this section to revise a judgment or order with respect to maintenance payments, a substantial change in the cost of living by either party or as measured by the federal bureau of labor statistics may be sufficient to justify a revision of judgment or order with respect to the amount of maintenance, except that a change in an obligor's cost of living is not in itself sufficient if payments are expressed as a percentage of income.

SECTION 3793f. 767.32 (1) (d) of the statutes is created to read:

767.32 **(1)** (d) In an action under this section to revise a judgment or order with respect to child or family support, the court is not required to make a finding of a substantial change in circumstances to change to a fixed sum the manner in which the amount of child or family support is expressed in the judgment or order.

SECTION 3793g. 767.33 of the statutes is repealed and recreated to read:

767.33 Annual adjustments in support orders. (1) (a) An order for child or family support under this chapter may provide for an annual adjustment in the amount to be paid based on a change in the payer's income if the amount of child or family support is expressed in the order as a fixed sum and based on the percentage standard established by the department under s. 49.22 (9). No adjustment may be made under this section unless the order provides for the adjustment.

(b) An adjustment under this section may not be made more than once in a year and shall be determined on the basis of the percentage standard established by the department under s. 49.22 (9).

(c) In the order the court or family court commissioner shall specify what information the parties must exchange to determine whether the payer's income has changed, and shall specify the manner and timing of the information exchange.

(2) If the court or family court commissioner provides for an annual adjustment, the court or family court commissioner shall make available to the parties, including the state if the state is a real party in interest under s. 767.075 (1), a form approved by the court or family court commissioner for the parties to use in stipulating to an adjustment of the amount of child or family support and to modification of any applicable income−withholding order. The form shall include an order, to be signed by a judge or family court commissioner, for approval of the stipulation of the parties.

(3) (a) If the payer's income changes from the amount found by the court or family court commissioner or stipulated to by the parties for the current child or family support order, the parties may implement an adjustment under this section by stipulating, on the form under sub. (2), to the changed income amount and the adjusted child or family support amount, subject to sub. (1) (b).

(b) The stipulation form must be signed by all parties, including the state if the state is a real party in interest under s. 767.075 (1), and filed with the court. If the stipulation is approved, the order shall be signed by a judge or family court commissioner and implemented in the same manner as an order for a revision under s. 767.32. An adjustment under this subsection shall be effective as of the date on which the order is signed by the judge or family court commissioner.

(4) (a) Any party, including the state if the state is a real party in interest under s. 767.075 (1), may file a motion, petition, or order to show cause for implementation of an annual adjustment under this section if any of the following applies:

1. A party refuses to provide the information required by the court under sub. (1) (c).

2. The payer's income changes, but a party refuses to sign the stipulation for an adjustment in the amount of child or family support.

(b) If the court or family court commissioner determines after a hearing that an adjustment should be made, the court or family court commissioner shall enter an order adjusting the child or family support payments by the amount determined by the court or family court commissioner, subject to sub. (1) (b). An adjustment under this subsection may not take effect before the date on which the party responding to the motion, petition, or order to show cause received notice of the action under this subsection.

(c) Notwithstanding par. (b), the court or family court commissioner may direct that all or part of the adjustment not take effect until such time as the court or family court commissioner directs, if any of the following applies:

1. The payee was seeking an adjustment and the payer establishes that extraordinary circumstances beyond his or her control prevent fulfillment of the adjusted child or family support obligation.

2. The payer was seeking an adjustment and the payee establishes that the payer voluntarily and unreasonably reduced his or her income below his or her earning capacity.

3. The payer was seeking an adjustment and the payee establishes that the adjustment would be unfair to the child.

(d) If in an action under this subsection the court or family court commissioner determines that a party has unreasonably failed to provide the information required under sub. (1) (c) or to provide the information on a timely basis, or unreasonably failed or refused to sign a stipulation for an annual adjustment, the court or family court commissioner may award to the aggrieved party actual costs, including service costs, any costs attributable to time missed from employment, the cost of travel to and from court, and reasonable attorney fees.

(5) (a) Nothing in this section affects a party's right to file at any time a motion, petition, or order to show cause under s. 767.32 for revision of a judgment or order with respect to an amount of child or family support.

(b) Nothing in this section affects a party's right to move the court for a finding of contempt of court or for remedial sanctions under ch. 785 if the other party unreasonably fails to provide or disclose information required under this section or unreasonably fails or refuses to sign a stipulation for an annual adjustment.

SECTION 3793m. 767.51 (3m) of the statutes is created to read:

767.51 **(3m)** (a) Upon the request of both parents, the court shall include in the judgment or order determining paternity an order changing the name of the child to a name agreed upon by the parents.

(b) Except as provided in par. (a), the court may include in the judgment or order determining paternity an order changing the surname of the child to a surname that consists of the surnames of both parents separated by a hyphen or, if one or both parents have more than one surname, of one of the surnames of each parent separated by a hyphen, if all of the following apply:

1. Only one parent requests that the child's name be changed, or both parents request that the child's name be changed but each parent requests a different name change.

2. The court finds that such a name change is in the child's best interest.

(c) Section 786.36 does not apply to a name change under this subsection.

SECTION 3794. 767.62 (5) (b) of the statutes is amended to read:

767.62 **(5)** (b) If a court in a proceeding under par. (a) determines that the man is not the father of the child, the court shall vacate any order entered under sub. (4) with respect to the man. The court or the county child support agency under s. 59.53 (5) shall notify the state registrar, in the manner provided in s. 69.15 (1) (b), to remove the man's name as the father of the child from the child's birth certificate. No paternity action may thereafter be brought against the man with respect to the child.

SECTION 3795. 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. 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~~ protection 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~~ protection assessment, and any applicable domestic abuse assessment. If the defendant is a nonresident of the state, an attachment may issue.

SECTION 3796. 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. 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~~ protection assessment imposed by s. 100.261, and any applicable domestic abuse assessment imposed by s. 973.055 (1).

SECTION 3797. 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. 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~~ protection 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 3798. 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. 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~~ protection 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. 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~~ protection 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 3799. 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. 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~~ protection assessment payments shall be made as provided in s. 100.261.

Vetoed In Part

SECTION 3800. 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. 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~~ protection assessment payments shall be made as provided in s. 100.261.

Vetoed In Part

SECTION 3801. 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. 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~~ protection 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 3816m. 779.41 (2) of the statutes is amended to read:

779.41 **(2)** Every keeper of a garage or repair shop who alters, repairs or does any work on any detached accessory, fitting or part of an automobile, truck, motorcycle, moped, low−speed vehicle, motor bicycle or similar motor vehicle or bicycle at the request of the owner or legal possessor thereof, shall have a lien upon and may retain possession of any such accessory, fitting or part until the charges for such alteration, repairing or other work have been paid. If the detached article becomes attached to such motor vehicle or bicycle while in the possession of the keeper, the keeper has a lien on the motor vehicle or bicycle under sub. (1).

SECTION 3816p. 800.02 (2) (a) (intro.) of the statutes is amended to read:

800.02 **(2)** (a) (intro.) The citation shall be signed by a peace officer or endorsed by a municipal attorney or, if applicable, signed by a conservation warden or a state forest ranger. In addition, the governing body of a municipality authorized to adopt the use of citations may designate by ordinance or resolution other municipal officials who may issue citations with respect to ordinances which are directly related to the official responsibilities of the officials. Officials granted the authority to issue citations may delegate, with the approval of the governing body, the authority to employees. Authority delegated to an official or employee may be revoked only in the same manner by which it is conferred. The citation shall contain substantially the following information:

SECTION 3817. 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~~ protection 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 3818. 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~~ protection assessment, any applicable domestic abuse assessment, and such other relief that is sought by the plaintiff.

SECTION 3819. 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. 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~~ protection 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 3820. 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. 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~~ protection 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 3821. 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. 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~~ protection 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 3822. 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. 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~~ protection 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 3823. 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~~ protection 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 3824. 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~~ protection 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~~ protection 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 3825. 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~~ protection 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~~ protection 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 3826. 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. 757.05, jail assessment under s. 302.46, crime laboratories and drug law enforcement assessment under s. 165.755, any applicable consumer ~~information~~ protection 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 3828c. 801.02 (7) (a) 2. c. of the statutes is amended to read:

801.02 **(7)** (a) 2. c. A person bringing an action seeking relief from a judgment of conviction or a sentence of a court, including an action for an extraordinary writ or a supervisory writ seeking relief from a judgment of conviction or a sentence of a court or an action under s. 809.30, 809.40, 973.19 ~~or~~, 974.06 or 974.07.

SECTION 3828g. 801.09 (2) (a) of the statutes is amended to read:

801.09 **(2)** (a) ~~Within~~ Except as provided in par. (c), within 45 days, exclusive of the day of service, after the summons has been served personally upon the defendant or served by substitution personally upon another authorized to accept service of the summons for the defendant; or

SECTION 3828i. 801.09 (2) (c) of the statutes is created to read:

801.09 **(2)** (c) Within 20 days, exclusive of the day of service, after the summons has been served personally upon the defendant or served by substitution personally upon another authorized to accept service of the summons for the defendant if the proceeding is to foreclose or otherwise enforce a lien or security interest.

SECTION 3828jc. 801.095 (1) of the statutes is amended to read:

801.095 **(1)** PERSONAL SERVICE; COMPLAINT ATTACHED.

STATE OF WISCONSIN CIRCUIT COURT : .... COUNTY

A. B.
Address
City, State Zip Code File No. ....
, Plaintiff

vs. S U M M O N S
C. D.
Address .... (Case Classification Type): .... (Code No.)
City, State Zip Code
, Defendant

THE STATE OF WISCONSIN, To each person named above as a Defendant:

You are hereby notified that the Plaintiff named above has filed a lawsuit or other legal action against you. The complaint, which is attached, states the nature and basis of the legal action.

Within ~~45~~ (20) (45) days of receiving this summons, you must respond with a written answer, as that term is used in chapter 802 of the Wisconsin Statutes, to the complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the court, whose address is ...., and to ...., Plaintiff's attorney, whose address is ..... You may have an attorney help or represent you.

If you do not provide a proper answer within ~~45~~ (20) (45) days, the court may grant judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated: ...., ... (year)

Signed: ....
A. B., Plaintiff
or
E. F., Plaintiff's Attorney
State Bar No.: ....
Address: ....
City, State Zip Code: ....
Phone No: ....

SECTION 3828je. 801.095 (2) of the statutes is amended to read:

801.095 **(2)** PERSONAL SERVICE; NO COMPLAINT ATTACHED.

STATE OF WISCONSIN CIRCUIT COURT : .... COUNTY

A. B.
Address
City, State Zip Cod File No. ....
, Plaintiff
vs. S U M M O N S
C. D.
Address .... (Case Classification Type): .... (Code No.)
City, State Zip Code
, Defendant

THE STATE OF WISCONSIN, To each person named above as a Defendant:

You are hereby notified that the Plaintiff named above has filed a lawsuit or other legal action against you.

Within ~~45~~ (20) (45) days of receiving this summons, you must respond with a written demand for a copy of the complaint. The demand must be sent or delivered to the court, whose address is ...., and to ...., Plaintiff's attorney, whose address is ..... You may have an attorney help or represent you.

If you do not demand a copy of the complaint within ~~45~~ (20) (45) days, the court may grant judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated: ...., ... (year)

Signed: ....
A. B., Plaintiff
or
E. F., Plaintiff's Attorney
State Bar No.: ....
Address: ....
City, State Zip Code: ....
Phone No.: ....

SECTION 3828jg. 801.095 (3) of the statutes is amended to read:

801.095 **(3)** NO PERSONAL SERVICE; COMPLAINT SERVED AT THE SAME TIME.

STATE OF WISCONSIN CIRCUIT COURT : .... COUNTY

A. B.
Address
City, State Zip Code File No. ....
, Plaintiff
vs. S U M M O N S
C. D.
Address .... (Case Classification Type): .... (Code No.)
City, State Zip Code
, Defendant

THE STATE OF WISCONSIN, To each person named above as a Defendant:

You are hereby notified that the Plaintiff named above has filed a lawsuit or other legal action against you. The complaint, which is also served upon you, states the nature and basis of the legal action.

Within ~~45~~ (20) (45) days after ...., ... (year), you must respond with a written answer, as that term is used in chapter 802 of the Wisconsin Statutes, to the complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the court, whose address is ...., and to ...., Plaintiff's attorney, whose address is ..... You may have an attorney help or represent you.

If you do not provide a proper answer within ~~45~~ (20) (45) days, the court may grant judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated: ...., ... (year)

Signed: ....
A. B., Plaintiff
or
E. F., Plaintiff's Attorney
State Bar No.: ....
Address: ....
City, State Zip Code: ....
Phone No: ....

SECTION 3828jm. 801.095 (4) of the statutes is amended to read:

801.095 **(4)** NO PERSONAL SERVICE; COMPLAINT NOT SERVED AT THE SAME TIME.

STATE OF WISCONSIN CIRCUIT COURT : .... COUNTY

A. B.
Address
City, State Zip Code File No. ....
, Plaintiff

vs. SUMMONS
C. D.
Address .... (Case Classification Type): .... (Code No.)
City, State Zip Code
, Defendant

THE STATE OF WISCONSIN, To each person named above as a Defendant:

You are hereby notified that the plaintiff named above has filed a lawsuit or other legal action against you.

Within ~~45~~ (20) (45) days after ...., ... (year), you must respond with a written demand for a copy of the complaint. The demand must be sent or delivered to the court, whose address is ...., and to ...., Plaintiff's attorney, whose address is ..... You may have an attorney help or represent you.

If you do not demand a copy of the complaint within ~~45~~ (20) (45) days, the court may grant judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated: ...., ... (year)

Signed: ....
A. B., Plaintiff
or
E. F., Plaintiff's Attorney
State Bar No.: ....
Address: ....
City, State Zip Code: ....
Phone No: ....

SECTION 3828jr. 802.06 (1) of the statutes is amended to read:

802.06 **(1)** WHEN PRESENTED. Except as provided in sub. (1m) or when a court dismisses an action or special proceeding under s. 802.05 (3), a defendant shall serve an answer within 45 days after the service of the complaint upon the defendant. ~~If~~ Except as provided in sub. (1m), if a guardian ad litem is appointed for a defendant, the guardian ad litem shall have 45 days after appointment to serve the answer. A party served with a pleading stating a cross−claim against the party shall serve an answer thereto within 45 days after the service upon the party. The plaintiff shall serve a reply to a counterclaim in the answer within 45 days after service of the answer. The state or an agency of the state or an officer, employee or agent of the state shall serve an answer to the complaint or to a cross−claim or a reply to a counterclaim within 45 days after service of the pleading in which the claim is asserted. If any pleading is ordered by the court, it shall be served within 45 days after service of the order, unless the order otherwise directs. The service of a motion permitted under sub. (2) alters these periods of time as follows, unless a different time is fixed by order of the court: if the court denies the motion or postpones its disposition until the trial on the merits, the responsive pleading shall be served within 10 days after notice of the court's action; or if the court grants a motion for a more definite statement, the responsive pleading shall be served within 10 days after the service of the more definite statement.

SECTION 3828js. 802.06 (1m) of the statutes is created to read:

802.06 **(1m)** ENFORCEMENT OF LIEN OR SECURITY INTEREST. If the proceeding is to foreclose or otherwise enforce a lien or security interest, the defendant or guardian ad litem shall serve an answer within 20 days after the service of the complaint upon the defendant or 20 days after appointment of the guardian ad litem.

SECTION 3828jt. 802.06 (6) of the statutes is amended to read:

802.06 **(6)** MOTION TO STRIKE. Upon motion made by a party before responding to a pleading or, if no responsive pleading is permitted upon motion made by a party within 45 days after the service of the pleading upon the party, or within 20 days after the service if the proceeding is to foreclose or otherwise enforce a lien or security interest, or upon the court's own initiative at any time, the court may order stricken from any pleading any insufficient defense or any redundant, immaterial, impertinent, scandalous or indecent matter.

SECTION 3828jv. 802.09 (1) of the statutes is amended to read:

802.09 **(1)** AMENDMENTS. A party may amend the party's pleading once as a matter of course at any time within 6 months after the summons and complaint are filed or within the time set in a scheduling order under s. 802.10. Otherwise a party may amend the pleading only by leave of court or by written consent of the adverse party; and leave shall be freely given at any stage of the

action when justice so requires. A party shall plead in response to an amended pleading within 45 days after service of the amended pleading, or within 20 days after the service if the proceeding is to foreclose or otherwise enforce a lien or security interest, unless (a) the court otherwise orders or (b) no responsive pleading is required or permitted under s. 802.01 (1).

SECTION 3828k. 805.15 (3) (intro.) of the statutes is amended to read:

805.15 **(3)** (intro.) ~~A~~ Except as provided in ss. 974.07 (10) (b) and 980.101 (2) (b), a new trial shall be ordered on the grounds of newly–discovered evidence if the court finds that:

SECTION 3828L. 805.16 (5) of the statutes is created to read:

805.16 **(5)** The time limits in this section for filing motions do not apply to a motion for a new trial based on newly discovered evidence that is brought under s. 974.06.

SECTION 3828m. 808.04 (2) of the statutes is amended to read:

808.04 **(2)** An appeal under s. 9.10 (4) (c), 227.60, or 799.445 shall be initiated within 15 days after entry of the judgment or order appealed from.

SECTION 3828r. 808.075 (4) (d) 3. of the statutes is amended to read:

808.075 **(4)** (d) 3. Annual adjustment of child or family support under s. 767.33.

SECTION 3829d. 808.075 (4) (h) of the statutes is amended to read:

808.075 **(4)** (h) Commitment, supervised release, recommitment ~~and~~, discharge, and postcommitment relief under ss. 980.06, 980.08, 980.09 ~~and~~, 980.10, and 980.101 of a person found to be a sexually violent person under ch. 980.

SECTION 3829n. 809.30 (1) (a) of the statutes is amended to read:

809.30 **(1)** (a) "Postconviction relief" means, in a felony or misdemeanor case, an appeal or a motion for postconviction relief other than a motion under s. 973.19 ~~or~~, 974.06, or 974.07 (2). In a ch. 48, 51, 55 or 938 case, other than a termination of parental rights case under s. 48.43, it means an appeal or a motion for reconsideration by the trial court of its final judgment or order; in such cases a notice of intent to pursue such relief or a motion for such relief need not be styled as seeking "postconviction" relief.

SECTION 3829p. 809.30 (2) (L) of the statutes is amended to read:

809.30 **(2)** (L) An appeal under s. 974.06 or 974.07 is governed by the procedures for civil appeals.

SECTION 3830d. 813.125 (3) (a) (intro.) of the statutes is amended to read:

813.125 **(3)** (a) (intro.) A judge or court commissioner may issue a temporary restraining order ordering the respondent to cease or avoid the harassment of another person, to avoid the petitioner's residence, except as provided in par. (am), or any premises temporarily occupied by the petitioner or both, or any combination of these remedies requested in the petition, if all of the following occur:

SECTION 3830f. 813.125 (3) (am) of the statutes is created to read:

813.125 **(3)** (am) If the petitioner and the respondent are not married, and the respondent owns the premises where the petitioner resides, and the petitioner has no legal interest in the premises, in lieu of ordering the respondent to avoid the petitioner's residence under par. (a) the judge or court commissioner may order the respondent to avoid the premises for a reasonable time until the petitioner relocates and shall order the respondent to avoid the new residence for the duration of the order.

SECTION 3830h. 813.125 (4) (a) (intro.) of the statutes is amended to read:

Vetoed In Part

813.125 **(4)** (a) (intro.) A judge or court commissioner may grant an injunction ordering the respondent to cease or avoid the harassment of another person, to avoid the petitioner's residence, except as provided in par. (am), or any premises temporarily occupied by the petitioner or both, or any combination of these remedies requested in the petition, if all of the following occur:

SECTION 3830j. 813.125 (4) (am) of the statutes is created to read:

813.125 **(4)** (am) If the petitioner and the respondent are not married, and the respondent owns the premises where the petitioner resides, and the petitioner has no legal interest in the premises, in lieu of ordering the respondent to avoid the petitioner's residence under par. (a) the judge or court commissioner may order the respondent to avoid the premises for a reasonable time until the petitioner relocates and shall order the respondent to avoid the new residence for the duration of the order.

SECTION 3830m. 814.04 (intro.) of the statutes, as affected by 2001 Wisconsin Act 6, is amended to read:

814.04 Items of costs. (intro.) Except as provided in ss. 93.20, 100.30 (5m), 106.50 (6) (i) and (6m) (a), 115.80 (9), 281.36 (2) (b) 1., 767.33 (4) (d), 769.313, 814.025, 814.245, 895.035 (4), 895.10 (3), 895.75 (3), 895.77 (2), 895.79 (3), 895.80 (3), 943.212 (2) (b), 943.245 (2) (d) and 943.51 (2) (b), when allowed costs shall be as follows:

SECTION 3826. 814.60 (2) (ai) of the statutes is amended to read:

814.60 **(2)** (ai) Consumer ~~information~~ protection assessment imposed by s. 100.261.

SECTION 3832c. 814.60 (2) (eg) of the statutes is created to read:

814.60 **(2)** (eg) Truck driver education assessment imposed by s. 349.04.

SECTION 3832k. 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 3832m. 814.63 (1) (c) of the statutes is amended to read:

814.63 **(1)** (c) This subsection does not apply to an action for a violation of s. 101.123 (2) (a), (am) 1., (ar) ~~or~~, (bm), or (br) or (5) or a safety belt use violation under s. 347.48 (2m).

SECTION 3834. 814.63 (3) (ai) of the statutes is amended to read:

814.63 **(3)** (ai) Consumer ~~information~~ protection assessment imposed by s. 100.261.

SECTION 3834m. 814.63 (3) (g) of the statutes is created to read:

814.63 **(3)** (g) Truck driver education assessment imposed by s. 349.04.

SECTION 3835g. 814.66 (1) (a) 2. of the statutes is amended to read:

814.66 **(1)** (a) 2. For filing a petition whereby any proceeding in estates of deceased persons is commenced, if the value of the property subject to administration, less encumbrances, liens or charges, is $10,000 or less, a fee of ~~$10~~ $20 and, if more than $10,000, a fee of ~~0.1%~~ 0.2% of the value of the property subject to administration, less encumbrances, liens or charges. The register in probate may not base a fee under this subdivision upon the value of property that is not subject to administration.

SECTION 3835h. 814.66 (1) (b) 2. of the statutes is amended to read:

814.66 **(1)** (b) 2. For filing a petition for guardianship of the estate under ch. 880 or an application for conservatorship under ch. 880, if the value of the property, less encumbrances, liens or charges, is $10,000 or less, a fee of ~~$10~~ $20 and, if more than $10,000, a fee of ~~0.1%~~ 0.2% of the value of the property, less encumbrances, liens or charges.

SECTION 3835i. 814.66 (3) of the statutes is amended to read:

814.66 **(3)** The register in probate shall, on the first Monday of each month, pay into the office of the county treasurer all fees collected by him or her and in his or her hands and still unclaimed as of that day. Each county treasurer shall make a report under oath to the state treasurer on or before the 5th day of January, April, July and October of all fees received by him or her under sub. (1) (a) to (f) up to the first day of each of those months and shall at the same time pay ~~50%~~ 66.67% of the fees to the state treasurer for deposit in the general fund. Each county treasurer shall retain the balance of fees received by him or her under this section for the use of the county.

SECTION 3836dd. 814.67 (1) (am) of the statutes is created to read:

814.67 **(1)** (am) For witnesses attending before a circuit court, $16 per day.

SECTION 3836f. 814.67 (1) (b) (intro.) of the statutes is amended to read: **Vetoed In Part**

814.67 **(1)** (b) (intro.) For attending before ~~any other court~~ the court of appeals or the supreme court:

SECTION 3836g. 814.67 (1) (b) 2. of the statutes is amended to read:

814.67 **(1)** (b) 2. For interpreters, ~~$35 per one−half day~~ a fee determined by the supreme court.

SECTION 3836r. 814.69 (1) (b) of the statutes is amended to read:

814.69 **(1)** (b) For a transcript under s. 757.57 (5), a fee from the party requesting the transcript at the rate of ~~$1.75~~ $2.25 per 25−line page for the original and ~~60~~ 50 cents per 25−line page for each copy. If the request is by the state or any political subdivision thereof, the fees of the reporter shall be at the rates provided in par. (a).

SECTION 3836s. 814.69 (1) (bm) of the statutes is created to read:

814.69 **(1)** (bm) If a party requests that a transcript under s. 757.57 (5) be prepared within 7 days after the request and the transcript is not required by supreme court rule or statute to be prepared within that 7−day period, a fee in addition to the fee under par. (b) of 75 cents per 25−line page for the original and 25 cents for each copy. The fee under this paragraph does not apply to a request made by the state or a political subdivision of the state.

SECTION 3836t. 818.05 of the statutes is amended to read:

818.05 Bond~~, liability~~ of plaintiff ~~for support~~. Before making the order for arrest the court or judge shall require a bond of the plaintiff, with or without sureties, to the effect that if the plaintiff fails to recover, the plaintiff will pay all costs that may be awarded to the defendant and all damages which the defendant may sustain by reason of the arrest, not exceeding the sum specified in the bond, which shall be at least $100. If the bond be executed by the plaintiff without sureties the plaintiff shall annex thereto an affidavit that the plaintiff is a resident and householder or freeholder within the state and worth double the sum specified in the bond above all of the plaintiff's debts and liabilities in property in this state not exempt from execution. ~~The plaintiff shall be liable for support of the defendant while the defendant is in jail, as specified in s. 898.14 (1).~~ This section does not apply to an order for arrest in an action to determine paternity or to any action under ch. 767 brought by the state or its designee.

SECTION 3843. 867.035 (1) (a) (intro.) of the statutes is amended to read:

867.035 **(1)** (a) (intro.) ~~Except as provided in~~ Subject to 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~~ sub. (2) or by lien under

sub. (2m) 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 3844. 867.035 (1) (a) 1. of the statutes is amended to read:

867.035 **(1)** (a) 1. No person files a petition for administration or summary settlement or assignment of the decedent's estate within 20 days of death.

SECTION 3845. 867.035 (1) (bm) (intro.) of the statutes is amended to read:

867.035 **(1)** (bm) (intro.) The department of health and family services ~~may not collect by affidavit under this section from any of~~ shall reduce the amount of its recovery under par. (a) by up to the amount specified in s. 861.33 (2) if necessary to allow the decedent's heirs or beneficiaries under the decedent's will to retain the following personal property of the decedent:

SECTION 3846. 867.035 (1) (bm) 1. of the statutes is repealed.

SECTION 3847. 867.035 (1) (bm) 2. of the statutes is amended to read:

867.035 **(1)** (bm) 2. Wearing apparel and jewelry held for personal use.

SECTION 3848. 867.035 (1) (bm) 3. of the statutes is amended to read:

867.035 **(1)** (bm) 3. Household furniture, furnishings, and appliances.

SECTION 3849. 867.035 (1) (bm) 4. of the statutes is repealed and recreated to read:

867.035 **(1)** (bm) 4. Other tangible personal property not used in trade, agriculture, or other business, not exceeding in value the amount specified in s. 861.33 (1) (a) 4.

SECTION 3850. 867.035 (2) of the statutes is amended to read:

867.035 **(2)** A person who possesses property of a decedent shall transmit the property to the department of health and family services, if the conditions in sub. (1) (a) 1. to 4. are satisfied, upon receipt of an affidavit by a person designated by the secretary of health and family services to administer this section showing that the ~~conditions in sub. (1) (a) are satisfied~~ department paid on behalf of the decedent or the decedent's spouse recoverable benefits specified in sub. (1) (a). Upon transmittal, the person is released from any obligation to other creditors or heirs of the decedent.

SECTION 3851. 867.035 (2m) of the statutes is created to read:

867.035 **(2m)** (a) If the conditions in sub. (1) (a) 1., 2., and 4. are satisfied, the department of health and family services shall have a lien in the amount that it may recover under sub. (1) (a) on any interest in the decedent's home, as defined in s. 49.496 (1) (b), transferred under s. 867.03 (1g). The department may record the lien in the office of the register of deeds of the county in which the real property is located. The department may enforce the lien by foreclosure in the same manner as a mortgage on real property, unless any of the following is alive:

1. The decedent's spouse.

2. A child of the decedent if the child is under age 21 or disabled, as defined in s. 49.468 (1) (a) 1.

(b) If the conditions in sub. (1) (a) 1. to 4. are satisfied, the department of health and family services shall have a lien in the amount that it may recover under sub. (1) (a) on any interest in any real property of the decedent transferred under s. 867.03 (1g). The department may record the lien in the office of the register of deeds of the county in which the real property is located and may enforce the lien by foreclosure in the same manner as a mortgage on real property.

SECTION 3852d. 885.37 (title) of the statutes is amended to read:

885.37 (title) **Interpreters ~~for persons with language difficulties or hearing or speaking impairments~~ in municipal courts and administrative agency contested cases.**

SECTION 3852g. 885.37 (1) (a) of the statutes is repealed.

SECTION 3852m. 885.37 (1) (b) of the statutes is amended to read:

885.37 **(1)** (b) If a municipal court has notice that a person who ~~fits any of the criteria under par. (a)~~ is a juvenile or parent subject to ch. 938, or who is a witness in a proceeding under ch. 938, has a language difficulty because of the inability to speak or understand English, has a hearing impairment, is unable to speak or has a speech defect, the court shall make a factual determination of whether the language difficulty or the hearing or speaking impairment is sufficient to prevent the individual from communicating with his or her attorney, reasonably understanding the English testimony or reasonably being understood in English. If the court determines that an interpreter is necessary, the court shall advise the person that he or she has a right to a qualified interpreter and that, if the person cannot afford one, an interpreter will be provided for him or her at the public's expense. Any waiver of the right to an interpreter is effective only if made voluntarily in person, in open court and on the record.

SECTION 3852r. 885.37 (2) of the statutes is amended to read:

885.37 **(2)** A municipal court may authorize the use of an interpreter in actions or proceedings in addition to those specified in sub. (1) (b).

SECTION 3853g. 885.37 (4) (a) of the statutes is repealed and recreated to read:

885.37 **(4)** (a) The necessary expense of furnishing an interpreter for an indigent person in a municipal court shall be paid by the municipality.

SECTION 3853m. 885.37 (5) (a) of the statutes is amended to read:

885.37 **(5)** (a) If a municipal court under sub. (1) (b) or (2) or an agency under sub. (3) decides to appoint an interpreter, the court or agency shall follow the applicable procedure under par. (b) or (c).

SECTION 3860m. 885.38 of the statutes is created to read:

885.38 Interpreters in circuit and appellate courts. (1) In this section:

(a) "Court proceeding" means any proceeding before a court of record.

(b) "Limited English proficiency" means any of the following:

1. The inability, because of the use of a language other than English, to adequately understand or communicate effectively in English in a court proceeding.

2. The inability, due to a speech impairment, hearing loss, deafness, deaf−blindness, or other disability, to adequately hear, understand, or communicate effectively in English in a court proceeding.

(c) "Qualified interpreter" means a person who is able to do all of the following:

1. Readily communicate with a person who has limited English proficiency.

2. Orally transfer the meaning of statements to and from English and the language spoken by a person who has limited English proficiency in the context of a court proceeding.

3. Readily and accurately interpret for a person who has limited English proficiency, without omissions or additions, in a manner that conserves the meaning, tone, and style of the original statement, including dialect, slang, and specialized vocabulary.

(2) The supreme court shall establish the procedures and policies for the recruitment, training, and certification of persons to act as qualified interpreters in a court proceeding and for the coordination, discipline, retention, and training of those interpreters.

(3) (a) In criminal proceedings and in proceedings under ch. 48, 51, 55, or 938, if the court determines that the person has limited English proficiency and that an interpreter is necessary, the court shall advise the person that he or she has the right to a qualified interpreter and that, if the person cannot afford one, an interpreter will be provided at the public's expense if the person is one of the following:

1. A party in interest.

2. A witness, while testifying in a court proceeding.

3. An alleged victim, as defined in s. 950.02 (4).

4. A parent or legal guardian of a minor party in interest or the legal guardian of a party in interest.

5. Another person affected by the proceedings, if the court determines that the appointment is necessary and appropriate.

(b) The court may appoint more than one qualified interpreter in a court proceeding when necessary.

(c) If a person with limited English proficiency, as defined in sub. (1) (b) 2., is part of a jury panel in a court proceeding, the court shall appoint a qualified interpreter for that person.

(d) If a person with limited English proficiency requests the assistance of the clerk of circuit courts regarding a legal proceeding, the clerk may provide the assistance of a qualified interpreter to respond to the person's inquiry.

(e) A qualified interpreter appointed under this subsection may, with the approval of the court, provide interpreter services outside the court room that are related to the court proceedings, including during court−ordered psychiatric or medical exams or mediation.

(f) A court may authorize the use of a qualified interpreter in actions or proceedings in addition to those specified in par. (a).

(4) (a) The court may accept the waiver of the right to a qualified interpreter by a person with limited English proficiency at any point in the court proceeding if the court advises the person of the nature and effect of the waiver and determines on the record that the waiver has been made knowingly, intelligently, and voluntarily.

(b) At any point in the court proceeding, for good cause, the person with limited English proficiency may retract his or her waiver and request that a qualified interpreter be appointed.

(5) Every qualified interpreter, before commencing his or her duties in a court proceeding, shall take a sworn oath that he or she will make a true and impartial interpretation. The supreme court may approve a uniform oath for qualified interpreters.

(6) Any party to a court proceeding may object to the use of any qualified interpreter for good cause. The court may remove a qualified interpreter for good cause.

(7) The delay resulting from the need to locate and appoint a qualified interpreter may constitute good cause for the court to toll the time limitations in the court proceeding.

(8) (a) Except as provided in par. (b), the necessary expenses of providing qualified interpreters to indigent persons with limited English proficiency under this section shall be paid as follows:

1. The county in which the circuit court is located shall pay the expenses in all proceedings before a circuit court and when the clerk of circuit court uses a qualified interpreter under sub. (3) (d). The county shall be reimbursed as provided in s. 758.19 (8) for expenses paid under this subdivision.

2. The court of appeals shall pay the expenses in all proceedings before the court of appeals.

3. The supreme court shall pay the expenses in all proceedings before the supreme court.

(b) The state public defender shall pay the expenses for interpreters assisting the state public defender in representing an indigent person in preparing for court proceedings.

SECTION 3862c. 891.45 of the statutes is renumbered 891.45 (2) and amended to read:

891.45 **(2)** In any proceeding involving the application by a state, county, or municipal fire fighter or his or her beneficiary for disability or death benefits under ~~s. 66.191, 1981 stats., or~~ s. 40.65 (2) or any pension or retirement system applicable to fire fighters, where at the time of death or filing of application for disability benefits the deceased or disabled ~~municipal~~ fire fighter had served a total of 5 years as a state, county, or municipal fire fighter and a qualifying medical examination given prior to the time of his or her ~~joining the department~~ becoming a state, county, or municipal fire fighter showed no evidence of heart or respiratory impairment or disease, and where the disability or death is found to be caused by heart or respiratory impairment or disease, such finding shall be presumptive evidence that such impairment or disease was caused by such employment. ~~In this section, "municipal fire fighter" includes any person designated as primarily a fire fighter under s. 61.66 (2) and any person under s. 61.66 whose duties as a fire fighter during the 5−year qualifying period took up at least two−thirds of his or her working hours.~~

Vetoed In Part

SECTION 3862h. 891.45 (1) of the statutes is created to read:

891.45 **(1)** In this section:

(a) "County fire fighter" means any person employed by a county whose duties primarily include active fire suppression or prevention.

(b) "Municipal fire fighter" includes any person designated as primarily a fire fighter under s. 61.66 (2) and any person under s. 61.66 whose duties as a fire fighter during the 5−year qualifying period took up at least two−thirds of his or her working hours.

(c) "State fire fighter" means any person employed by the state whose duties primarily include active fire suppression or prevention and who is a protective occupation participant, as defined in s. 40.02 (48).

SECTION 3862p. 891.455 (1) of the statutes is amended to read:

891.455 **(1)** In this section, "state, county, or municipal fire fighter" means a ~~municipal~~ fire fighter who is covered under s. 891.45 and any person under s. 61.66 whose duties as a fire fighter during the 10−year qualifying period specified in sub. (2) took up at least two−thirds of his or her working hours.

SECTION 3862t. 891.455 (2) of the statutes is amended to read:

891.455 **(2)** ~~Beginning with applications submitted by a municipal fire fighter or his or her beneficiary on May 12, 1998, in~~ In any proceeding involving an application by a state, county, or municipal fire fighter or his or her beneficiary for disability or death benefits under ~~s. 66.191, 1981 stats., or~~ s. 40.65 (2) or any pension or retirement system applicable to fire fighters, where at the time of death or filing of application for disability benefits the deceased or disabled ~~municipal~~ fire fighter had served a total of 10 years as a state, county, or municipal fire fighter and a qualifying medical examination given prior to the time of his or her ~~joining the department~~ becoming a state, county, or municipal fire fighter showed no evidence of cancer, and where the disability or death is found to be caused by cancer, such finding shall be presumptive evidence that the cancer was caused by such employment.

SECTION 3862w. 893.335 of the statutes is created to read:

893.335 Actions concerning property development rights. (1) In this section:

(a) "Nonprofit organization" means an organization defined in s. 94.10 (1) (b) that has jointly pursued or is currently pursuing the acquisition of property development rights with the state, a state agency, or a political subdivision.

(b) "Political subdivision" means a city, village, town, or county, or a department, division board, or other agency of a city, village, town, or county.

(c) "Property development rights" means the holder's nonpossessory interest in real property imposing any limitation or affirmative obligation the purpose of which may include retaining or protecting natural, scenic, or open space values of real property, assuring the availability of real property for agricultural, forest, recreational, or open space use, protecting natural resources, maintaining or enhancing air or water quality, preserving a burial site, as defined in s. 157.70 (1) (b), or preserving the historical, architectural, archaeological, or cultural aspects of real property.

(d) "Value" means the amount paid for comparable property development rights in an arm's−length sale completed within 12 months before the sale in question.

(2) (a) A person who sells the property development rights for a period of 30 years or longer in real property or his or her heir or devisee shall bring an action within one year after the sale of the property development rights to recover the difference between the value of the property development rights and the sale price of those rights or be barred.

(b) A person may bring an action under this subsection only if all of the following conditions are met:

1. The purchaser is a nonprofit organization, the state, an agency of the state, or a political subdivision.

2. The amount paid for the property development rights was at least 5% below the value of the property development rights.

(c) If the transfer of the property development rights involved a gift, a person may only recover for the portion of the transfer that was not a gift.

(4) If the person under sub. (2) is successful in obtaining a judgment under this section, the court shall include in the judgment compounded interest from the date that the property was sold, using the interest rate charged for delinquent property taxes by the county in which the property is located.

SECTION 3862x. 893.587 of the statutes is amended to read:

Vetoed In Part

893.587 ~~Incest~~ Sexual assault of a child; limitation. An action to recover damages for injury caused by ~~incest~~ an act that would constitute a violation of s. 948.02, 948.025, 948.06, or 948.095 shall be commenced within ~~2~~ 5 years after the plaintiff discovers the fact and the probable cause, or with the exercise of reasonable diligence should have discovered the fact and the probable cause, of the injury, whichever occurs first. This section does not shorten the period to commence an action provided under s. 893.16 (1).

SECTION 3862yg. 893.66 (title) of the statutes is amended to read:

893.66 (title) **~~Accountants~~ Certified public accountants; limitations of actions.**

SECTION 3862yr. 893.66 (1) of the statutes is amended to read:

893.66 **(1)** Except as provided in subs. (1m) to (4), an action to recover damages, based on tort, contract or other legal theory, against any certified public accountant licensed or certified under ch. 442 for an act or omission in the performance of professional accounting services shall be commenced within 6 years from the date of the act or omission or be barred.

SECTION 3863. 895.11 of the statutes is created to read:

895.11 Payments under the tobacco settlement agreement. (1) In this section, "tobacco settlement agreement" means the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998.

(2) The state's participation in the tobacco settlement agreement is affirmed.

(3) All payments received and to be received by the state under the tobacco settlement agreement are the property of the state, to be used as provided by law, including a sale, assignment, or transfer of the right to receive the payments under s. 16.63. No political subdivision of the state, and no officer or agent of any political subdivision of the state, shall have or seek to maintain any claim related to the tobacco settlement agreement or any claim against any party that was released from liability by the state under the tobacco settlement agreement.

SECTION 3864. 895.483 (title) of the statutes is amended to read: **Vetoed In Part**

895.483 (title) **Civil liability exemption; regional and ~~county~~ local emergency response teams and their sponsoring agencies.**

SECTION 3865. 895.483 (2) of the statutes is amended to read:

895.483 **(2)** A ~~county~~ local emergency response team, a member of such a team and the county, city, village, or town that contracts to provide the emergency response team to the county are immune from civil liability for acts or omissions related to carrying out responsibilities pursuant to a designation under s. 166.21 (2m) (e).

SECTION 3866d. 895.52 (2) (a) 2. of the statutes is amended to read:

895.52 **(2)** (a) 2. A duty to inspect the property, except as provided under ~~s.~~ ss. 23.115 (2) and 28.045 (3).

SECTION 3866h. 895.52 (3) (b) of the statutes is amended to read:

895.52 **(3)** (b) A death or injury caused by a malicious act or by a malicious failure to warn against an unsafe condition of which an officer, employee or agent knew, which occurs on property designated by the department of natural resources under s. 23.115, designated by the department of forestry under s. 28.045 or designated by another state agency for a recreational activity.

SECTION 3866p. 895.53 (1) (am) of the statutes is created to read:

895.53 **(1)** (am) "State forest ranger" means a person appointed as a state forest ranger by the department of forestry under s. 28.92.

SECTION 3866t. 895.53 (2) of the statutes is amended to read:

895.53 **(2)** Any person withdrawing blood at the request of a traffic officer, law enforcement officer, state forest ranger, or conservation warden for the purpose of determining the presence or quantity of alcohol, controlled substances, controlled substance analogs or any combination of alcohol, controlled substances and controlled substance analogs is immune from any civil or criminal liability for the act, except for civil liability for negligence in the performance of the act.

SECTION 3871t. 895.80 (1) of the statutes is amended to read:

895.80 **(1)** Any person who suffers damage or loss by reason of intentional conduct that occurs on or after November 1, 1995, and that is prohibited under s. 943.01, 943.20, 943.21, 943.24, 943.26, 943.34, 943.395, 943.41, 943.50 ~~or~~, 943.61, or 943.76, or by reason of intentional conduct that occurs on or after April 28, 1998, and that is prohibited under s. 943.201, has a cause of action against the person who caused the damage or loss.

SECTION 3871u. 895.80 (3m) of the statutes is created to read:

895.80 **(3m)** (a) In this subsection, "plant" includes the material taken, extracted, or harvested from a plant, or a seed or other plant material that is being used or that will be used to grow or develop a plant.

(b) If the violation of s. 943.01 (1) involves the circumstances under s. 943.01 (2d), the court may award a prevailing plaintiff the reasonable attorney fees incurred in litigating the action and, when determining the damages recoverable under sub. (3), shall include the market value of the plant before the damage or destruction, and the costs of production, research, testing, replacement, and plant development directly related to the plant that has been damaged or destroyed.

Vetoed In Part

SECTION 3871w. 895.80 (5) of the statutes is amended to read:

Vetoed In Part

895.80 **(5)** No person may bring a cause of action under both this section and s. 95.195, 943.212, 943.245 or 943.51 regarding the same incident or occurrence. If the plaintiff has a cause of action under both this section and s. 943.212, 943.245 or 943.51 regarding the same incident or occurrence, the plaintiff may choose which action to bring. If the plaintiff has a cause of action under both this section and s. 95.195, the plaintiff must bring the action under s. 95.195.

SECTION 3871x. 895.81 of the statutes is created to read:

895.81 Civil action for domestic abuse or sexual assault. (1) Any person who suffers damages as the result of intentional conduct that is prohibited under s. 940.225, or as the result of domestic abuse, as defined in s. 813.12 (1) (a), has a cause of action against the person who caused the damage.

(2) The burden of proof in a civil action under sub. (1) is with the person who suffers damage or loss to prove his or her case by a preponderance of the credible evidence.

(3) If the plaintiff prevails in a civil action under sub. (1), he or she may recover all of the following:

(a) Treble damages.

(b) All costs of investigation and litigation that were reasonably incurred.

(4) A person may bring a civil action under sub. (1) regardless of whether there has been a criminal action related to the loss or damage under sub. (1) and regardless of the outcome of any such criminal action.

SECTION 3871y. 898.14 of the statutes is repealed.

SECTION 3872. 905.015 of the statutes is amended to read:

905.015 Interpreters for persons with language difficulties, limited English proficiency, or hearing or speaking impairments. If an interpreter for a person with a language difficulty, limited English proficiency, as defined in s. 885.38 (1) (b), or a hearing or speaking impairment interprets as an aid to a communication which is privileged by statute, rules adopted by the supreme court, or the U.S. or state constitution, the interpreter may be prevented from disclosing the communication by any person who has a right to claim the privilege. The interpreter may claim the privilege but only on behalf of the person who has the right. The authority of the interpreter to do so is presumed in the absence of evidence to the contrary.

SECTION 3872v. 908.03 (6m) (b) (intro.) of the statutes is amended to read:

908.03 **(6m)** (b) *Authentication witness unnecessary.* (intro.) ~~A~~ The testimony of a custodian or other qualified witness required by sub. (6) is unnecessary if the party who intends to offer health care provider records into evidence at a trial or hearing does one of the following at least ~~40~~ 20 days before the trial or hearing:

SECTION 3872x. 908.03 (6m) (d) of the statutes is amended to read:

908.03 **(6m)** (d) *Fees.* ~~The~~ Before January 1, 2003, the department of health and family services shall, by rule, prescribe uniform fees that are based on an approximation of ~~the~~ actual costs. The fees, plus applicable tax, are the maximum amount that a health care provider may charge ~~under par. (c) 3.~~ for certified duplicate patient health care records. The rule shall also allow the health care provider to charge for actual postage or other actual delivery costs. The commencement of an action is not a prerequisite for the application of this paragraph.

Vetoed In Part

SECTION 3872y. 908.03 (6m) (d) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

908.03 **(6m)** (d) *Fees.* ~~Before January 1, 2003~~ After December 31, 2002, the department of health and family services shall, by rule, prescribe uniform fees that are based on an approximation of actual costs. The fees, plus applicable tax, are the maximum amount that a health care provider may charge for certified duplicate patient health care records. The rule shall also allow the health care provider to charge for actual postage or other actual delivery costs. ~~The commencement of an action is not a prerequisite for the application of this paragraph~~ For duplicate patient health care records and duplicate X−ray reports or the referral of X−rays to another health care provider that are requested before commencement of an action, s. 146.83 (1) (b) and (c) and (3m) applies.

SECTION 3876x. 938.02 (15) of the statutes is amended to read:

938.02 **(15)** "Relative" means a parent, grandparent, greatgrandparent, stepparent, brother, sister, first cousin, nephew, niece, uncle, or aunt, whether by blood, marriage, or adoption.

SECTION 3878. 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 ordi-

nance 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~~ more than 2 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 3878e. 938.17 (2) (h) 1. of the statutes is amended to read:

938.17 **(2)** (h) 1. If a juvenile who has violated a municipal ordinance, other than an ordinance enacted under s. 118.163 (1m) or (2), violates a condition of his or her dispositional order, the municipal court may impose on the juvenile any of the sanctions specified in s. 938.355 (6) (d) 2. to ~~4.~~ 5. that are authorized under par. (cm) except for monitoring by an electronic monitoring system or may petition the court assigned to exercise jurisdiction under this chapter and ch. 48 to impose on the juvenile the sanction specified in s. 938.355 (6) (d) 1. or home detention with monitoring by an electronic monitoring system as specified in s. 938.355 (6) (d) 3., if authorized under par. (cm), if at the time of judgment the court explained the conditions to the juvenile and informed the juvenile of the possible sanctions under s. 938.355 (6) (d) that are authorized under par. (cm) for a violation or if before the violation the juvenile has acknowledged in writing that he or she has read, or has had read to him or her, those conditions and possible sanctions and that he or she understands those conditions and possible sanctions.

SECTION 3879d. 938.183 (3) of the statutes is amended to read:

938.183 **(3)** When a juvenile who is subject to a criminal penalty under sub. (1m) or (2) attains the age of 17 years, the department may place the juvenile in a state prison named in s. 302.01, except that the department may not place any person under the age of 18 years in the correctional institution authorized in s. 301.16 (1n). If a juvenile who is subject to a criminal penalty under sub. (1m) or (2) is 15 years of age or over, the department may transfer the juvenile to the Racine youthful offender correctional facility named in s. 302.01 as provided in s. 938.357 (4) (d). A juvenile who is subject to a criminal penalty under sub. (1m) or (2) for an act committed before December 31, 1999, is eligible for parole under s. 304.06.

SECTION 3881. 938.19 (1) (d) 6. of the statutes is amended to read:

938.19 **(1)** (d) 6. The juvenile has violated ~~the terms~~ a condition of court−ordered supervision or aftercare supervision administered by the department or a county department, a condition of the juvenile's placement in a Type 2 secured correctional facility or a Type 2 child caring institution, or a condition of the juvenile's participation in the intensive supervision program under s. 938.534.

SECTION 3882. 938.20 (2) (cm) of the statutes is amended to read:

938.20 **(2)** (cm) If the juvenile has violated ~~the terms~~ a condition of aftercare supervision administered by the department or a county department, a condition of the juvenile's placement in a Type 2 secured correctional facility or a Type 2 child caring institution, or a condition of the juvenile's participation in the intensive supervision program under s. 938.534, the person who took the juvenile into custody may release the juvenile to the department or county department, whichever has ~~aftercare~~ supervision over the juvenile.

SECTION 3883. 938.20 (7) (c) 1m. of the statutes is amended to read:

938.20 **(7)** (c) 1m. In the case of a juvenile who has violated ~~the terms~~ a condition of aftercare supervision administered by the department or a county department, a condition of the juvenile's placement in a Type 2 secured correctional facility or a Type 2 child caring institution, or a condition of the juvenile's participation in the intensive supervision program under s. 938.534, to the department or county department, whichever has ~~aftercare~~ supervision of the juvenile.

SECTION 3884. 938.20 (8) of the statutes is amended to read:

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~~ a condition of aftercare supervision administered by the department or a county department, a condition of the juvenile's placement in a Type 2 secured correctional facility or a Type 2 child caring institution, or a condition of the juvenile's participation in the intensive supervision program under s. 938.534 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, 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 3885. 938.205 (1) (c) of the statutes is amended to read:

938.205 **(1)** (c) That the juvenile will run away or be taken away so as to be unavailable for proceedings of the court or its officers ~~or~~, proceedings of the division of hearings and appeals in the department of administration for revocation of aftercare supervision, or action by the department or county department relating to a violation of a condition of the juvenile's placement in a Type 2 secured correctional facility or a Type 2 child caring institution or a condition of the juvenile's participation in the intensive supervision program under s. 938.534.

SECTION 3886. 938.208 (1) (intro.) of the statutes is amended to read:

938.208 **(1)** (intro.) Probable cause exists to believe that the juvenile has committed a delinquent act and either presents a substantial risk of physical harm to another person or a substantial risk of running away so as to be unavailable for a court hearing ~~or~~, a revocation ~~hearing for juveniles on~~ of aftercare supervision hearing, or action by the department or county department relating to a violation of a condition of the juvenile's placement in a Type 2 secured correctional facility or a Type 2 child caring institution or a condition of the juvenile's participation in the intensive supervision program under s. 938.534. For juveniles who have been adjudged delinquent, the delinquent act referred to in this section may be the act for which the juvenile was adjudged delinquent. If the intake worker determines that any of the following conditions applies, the juvenile is considered to present a substantial risk of physical harm to another person:

SECTION 3887. 938.21 (5) (b) of the statutes is renumbered 938.21 (5) (b) (intro.) and amended to read:

938.21 **(5)** (b) (intro.) An order relating to a juvenile held in custody outside of his or her home shall also ~~describe~~ include all of the following:

1. A description of any efforts that were made to permit the juvenile to remain at home and the services that are needed to ensure the juvenile's well−being, to enable the juvenile to return safely to his or her home, and to involve the parents in planning for the juvenile.

SECTION 3888. 938.21 (5) (b) 2. of the statutes is created to read:

938.21 **(5)** (b) 2. If the juvenile is held in custody outside the home in a placement recommended by the intake worker, a statement that the court approves the placement recommended by the intake worker or, if the juvenile is placed outside the home in a placement other than a placement recommended by the intake worker, a statement that the court has given bona fide consideration to the recommendations made by the intake worker and all parties relating to the placement of the juvenile.

SECTION 3889e. 938.245 (2) (a) 9m. of the statutes is created to read:

938.245 **(2)** (a) 9m. That the juvenile report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the juvenile is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center. Section 938.34 (5g) applies to any community service work performed by a juvenile under this subdivision.

SECTION 3889g. 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.

SECTION 3889p. 938.293 (2) of the statutes is amended to read:

938.293 **(2)** All records relating to a juvenile which are relevant to the subject matter of a proceeding under this chapter shall be open to inspection by a guardian ad litem or counsel for any party, upon demand and upon presentation of releases where necessary, at least 48 hours before the proceeding. Persons entitled to inspect the records may obtain copies of the records with the permission of the custodian of the records or with the permission of the court. The court may instruct counsel not to disclose specified items in the materials to the juvenile or the parent if the court reasonably believes that the disclosure would be harmful to the interests of the juvenile. ~~Sections~~ Section 971.23 ~~and 972.11 (5)~~ shall be applicable in all delinquency proceedings under this chapter, except that the court shall establish the timetable for the disclosures required under ~~ss.~~ s. 971.23 (1), (2m) ~~and~~, (8), and ~~972.11 (5)~~ (9).

SECTION 3889r. 938.299 (4) (a) of the statutes is amended to read:

938.299 **(4)** (a) Chapters 901 to 911 govern the presentation of evidence at the fact−finding hearing under s. 938.31. ~~Section 972.11 (5) applies at fact−finding proceedings in all delinquency proceedings under this chapter.~~

SECTION 3890. 938.315 (1) (h) of the statutes is created to read:

938.315 **(1)** (h) Any period of delay resulting from the need to appoint a qualified interpreter.

SECTION 3890e. 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. 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), (1p), (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 3890g. 938.32 (1p) of the statutes is created to read:

938.32 **(1p)** The judge or juvenile court commissioner may establish as a condition under sub. (1) that the juvenile report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the juvenile is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center. Section 938.34 (5g) applies to any community service work performed by a juvenile under this subsection.

SECTION 3893t. 938.34 (7j) of the statutes is created to read:

938.34 **(7j)** YOUTH REPORT CENTER. Order the juvenile to report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the juvenile is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center. Subsection (5g) applies to any community service work performed by a juvenile under this subsection.

SECTION 3894. 938.34 (8) of the statutes, as affected by 1999 Wisconsin Act 185, 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 more than 2 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 3894s. 938.342 (1d) (c) of the statutes is created to read:

938.342 **(1d)** (c) Order the person to report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the person is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center. Section 938.34 (5g) applies to any community service work performed by a person under this paragraph.

SECTION 3894t. 938.342 (1g) (k) of the statutes is created to read:

938.342 **(1g)** (k) Order the person to report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the juvenile is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center. Section 938.34 (5g) applies to any community service work performed by a person under this paragraph.

SECTION 3895. 938.343 (2) of the statutes, as affected by 1999 Wisconsin Act 185, 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~~ more than 2 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 3895f. 938.343 (3m) of the statutes is created to read:

938.343 **(3m)** Order the juvenile to report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the juvenile is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center. Section 938.34 (5g) applies to any community service work performed by a juvenile under this subsection.

SECTION 3895j. 938.344 (2g) (a) 5. of the statutes is created to read:

938.344 **(2g)** (a) 5. Report to a youth report center after school, in the evening, on weekends, on other nonschool days, or at any other time that the juvenile is not under immediate adult supervision, for participation in the social, behavioral, academic, community service, and other programming of the center. Section 938.34 (5g) applies to any community service work performed by a juvenile under this subdivision.

SECTION 3897. 938.355 (2) (b) 6m. of the statutes is created to read:

938.355 **(2)** (b) 6m. If the juvenile is placed outside the home in a placement recommended by the agency designated under s. 938.33 (1), a statement that the court approves the placement recommended by the agency or, if the juvenile is placed outside the home in a placement other than a placement recommended by that agency, a statement that the court has given bona fide consideration to the recommendations made by the agency and all parties relating to the juvenile's placement.

SECTION 3897v. 938.355 (6) (d) 5. of the statutes is created to read:

938.355 **(6)** (d) 5. Participation after school, in the evening, on weekends, on other nonschool days, or at any other time that the juvenile is not under immediate adult supervision, in the social, behavioral, academic, community service, and other programming of a youth report center. Subdivision 4. and s. 938.34 (5g) apply to any community service work performed by a juvenile under this subdivision.

SECTION 3898. 938.355 (6d) (a) 4. of the statutes is created to read:

938.355 **(6d)** (a) 4. Subject to par. (d), subds. 1. and 2. do not preclude a juvenile who has been adjudged delinquent and who has violated a condition specified in sub. (2) (b) 7. from being taken into and held in custody under ss. 938.19 to 938.21.

SECTION 3899. 938.355 (6d) (b) 4. of the statutes is created to read:

938.355 **(6d)** (b) 4. Subject to par. (d), subds. 1. and 2. do not preclude a juvenile who has violated a condition of aftercare supervision administered by a county department from being taken into and held in custody under ss. 938.19 to 938.21.

SECTION 3900. 938.355 (6d) (c) 4. of the statutes is created to read:

938.355 **(6d)** (c) 4. Subject to par. (d), subds. 1. and 2. do not preclude a juvenile who has been found to be in need of protection or services and who has violated a condition specified in sub. (2) (b) 7. from being taken into and held in custody under ss. 938.19 to 938.21.

SECTION 3900k. 938.355 (6m) (a) (intro.) of the statutes is amended to read:

938.355 **(6m)** (a) (intro.) If the court finds by a preponderance of the evidence that a juvenile who has been found to have violated a municipal ordinance enacted under s. 118.163 (2) or who has been found to be in need of protection or services under s. 938.13 (6) has violated a condition specified under sub. (2) (b) 7., the court may order as a sanction any combination of the sanctions specified in subds.1g. to ~~3.~~ 4. and the dispositions specified in s. 938.342 (1g) (d) to (j) and (1m), regardless of whether the disposition was imposed in the order violated by the juvenile, if at the dispositional hearing under s. 938.335 the court explained those conditions to the juvenile and informed the juvenile of the possible sanctions under this paragraph for a violation or if before the violation the juvenile has acknowledged in writing that he or she has read, or has had read to him or her, those conditions and possible sanctions and that he or she understands those conditions and possible sanctions. The court may order as a sanction under this paragraph any of the following:

SECTION 3900n. 938.355 (6m) (a) 4. of the statutes is created to read:

938.355 **(6m)** (a) 4. Participation after school, in the evening, on weekends, on other nonschool days, or at any other time that the juvenile is not under immediate adult supervision, in the social, behavioral, academic, community service, and other programming of a youth report center. Subdivision 2. and s. 938.34 (5g) apply to any community service work performed by a juvenile under this subdivision.

SECTION 3900p. 938.355 (6m) (ag) of the statutes is amended to read:

938.355 **(6m)** (ag) If the court finds by a preponderance of the evidence that a juvenile who has been found to have violated a municipal ordinance enacted under s. 118.163 (1m) has violated a condition specified under sub. (2) (b) 7., the court may order as a sanction any com-

bination of the operating privilege suspension specified in par. (a) and the dispositions specified in s. 938.342 (1g) (b) to ~~(j)~~ (k) and (1m), regardless of whether the disposition was imposed in the order violated by the juvenile, if at the dispositional hearing under s. 938.335 the court explained those conditions to the juvenile and informed the juvenile of the possible sanctions under this paragraph for a violation or if before the violation the juvenile has acknowledged in writing that he or she has read, or has had read to him or her, those conditions and possible sanctions and that he or she understands those conditions and possible sanctions.

SECTION 3901. 938.357 (2v) of the statutes is created to read:

938.357 **(2v)** If a hearing is held under sub. (1) or (2m) and the change in placement would place the juvenile outside the home in a placement recommended by the person or agency primarily responsible for implementing the dispositional order, the change in placement order shall include a statement that the court approves the placement recommended by the person or agency or, if the juvenile is placed outside the home in a placement other than a placement recommended by that person or agency, a statement that the court has given bona fide consideration to the recommendations made by that person or agency and all parties relating to the juvenile's placement.

SECTION 3902. 938.357 (4) (b) 2. of the statutes is amended to read:

938.357 **(4)** (b) 2. If a juvenile whom the court has placed in a Type 2 child caring institution under s. 938.34 (4d) violates a condition of his or her placement in the Type 2 child caring institution, the child welfare agency operating the Type 2 child caring institution shall notify the county department that has supervision over the juvenile and, if the county department agrees to a change in placement under this subdivision, the child welfare agency shall notify the department and the department, after consulting with the child welfare agency, may place the juvenile in a Type 1 secured correctional facility under the supervision of the department, without a hearing under sub. (1), for not more than 10 days. If a juvenile is placed in a Type 1 secured correctional facility under this subdivision, the county department that has supervision over the juvenile shall reimburse the child welfare agency operating the Type 2 child caring institution in which the juvenile was placed at the rate established under s. 46.037, and that child welfare agency shall reimburse the department at the rate specified in s. 301.26 (4) (d) 2.~~, 3. or 4.~~ or 3., whichever is applicable, for the cost of the juvenile's care while placed in a Type 1 secured correctional facility.

SECTION 3908g. 938.46 of the statutes is amended to read:

938.46 New evidence. A juvenile whose status is adjudicated by the court under this chapter, or the juvenile's parent, guardian or legal custodian, may at any time within one year after the entering of the court's order petition the court for a rehearing on the ground that new evidence has been discovered affecting the advisability of the court's original adjudication. Upon a showing that such evidence does exist, the court shall order a new hearing. This section does not apply to motions made under s. 974.07 (2).

SECTION 3910. 938.532 (1) of the statutes is amended to read:

938.532 **(1)** PROGRAM. From the ~~appropriations~~ appropriation 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 3914. 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 136 juveniles, or an average daily population of more than 136 juveniles 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 that average daily population are otherwise available, in not less than 3 counties, including Milwaukee County. The office of juvenile offender review in the department shall evaluate and select for participation in the program juveniles who have been placed under the supervision of the department under s. 938.183, 938.34 (4h) or (4m), or 938.357 (4). The department shall place a program participant in the community, provide intensive surveillance of that participant, and provide an average of not more than $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 3915. 938.533 (3) (a) of the statutes is amended to read:

938.533 **(3)** (a) A participant in the corrective sanctions program remains under the supervision of the department, remains subject to the rules and discipline of that department, and is considered to be in custody, as defined in s. 946.42 (1) (a). Notwithstanding ss. 938.19 to 938.21, if a juvenile violates a condition of that juvenile's participation in the corrective sanctions program the department may, without a hearing, take the juvenile into custody and place the juvenile in a secured detention facility or return the juvenile to placement in a Type 1 secured correctional facility or a secured child caring institution. This paragraph does not preclude a juvenile who has violated a condition of the juvenile's participation in the corrective sanctions program from being taken into and held in custody under ss. 938.19 to 938.21.

SECTION 3916. 938.534 (1) (b) 3m. of the statutes is created to read:

938.534 **(1)** (b) 3m. Subject to par. (d), subds. 1. and 2. do not preclude a juvenile who has violated a condition of the juvenile's participation in the program from being taken into and held in custody under ss. 938.19 to 938.21.

SECTION 3921d. 938.538 (4) (a) of the statutes is amended to read:

938.538 **(4)** (a) A participant in the serious juvenile offender program is under the supervision and control of the department, is subject to the rules and discipline of the department and is considered to be in custody, as defined in s. 946.42 (1) (a). Notwithstanding ss. 938.19 to 938.21, if a participant violates a condition of his or her participation in the program under sub. (3) (a) 2. to 9. while placed in a Type 2 secured correctional facility the department may, without a hearing, take the participant into custody and return him or her to placement in a Type 1 secured correctional facility, a secured child caring institution or, if the participant is 17 years of age or over, a Type 1 prison, as defined in s. 301.01 (5). Any intentional failure of a participant to remain within the extended limits of his or her placement while participating in the serious juvenile offender program or to return within the time prescribed by the administrator of the division of intensive sanctions in the department is considered an escape under s. 946.42 (3) (c). This paragraph does not preclude a juvenile who has violated a condition of the juvenile's participation in the program under sub. (3) (a) 2. to 9. from being taken into and held in custody under ss. 938.19 to 938.21.

SECTION 3926. 938.539 (3) of the statutes is amended to read:

938.539 **(3)** Notwithstanding ss. 938.19 to 938.21, if a juvenile placed in a Type 2 child caring institution under s. 938.34 (4d) or 938.357 (4) (c) or in a Type 2 secured correctional facility under s. 938.357 (4) (a) or (c) violates a condition of his or her placement in the Type 2 child caring institution or Type 2 secured correctional facility, the juvenile may be placed in a Type 1 secured correctional facility as provided in s. 938.357 (4) (b). This subsection does not preclude a juvenile who has violated a condition of the juvenile's placement in a Type 2 secured correctional facility or a Type 2 child caring institution from being taken into and held in custody under ss. 938.19 to 938.21.

SECTION 3934. 939.74 (1) of the statutes is amended to read:

939.74 **(1)** Except as provided in ~~sub.~~ subs. (2)~~,~~ and (2d) and s. 946.88 (1), prosecution for a felony must be commenced within 6 years and prosecution for a misdemeanor or for adultery within 3 years after the commission thereof. Within the meaning of this section, a prosecution has commenced when a warrant or summons is issued, an indictment is found, or an information is filed.

SECTION 3935. 939.74 (2) (c) of the statutes is amended to read:

939.74 **(2)** (c) A prosecution for violation of s. 948.02, 948.025, 948.03 (2) (a), 948.05, 948.06, 948.07 (1), (2), (3), or (4), 948.08, or 948.095 shall be commenced before the victim reaches the age of 31 years or be barred, except as provided in sub. (2d) (c).

SECTION 3936c. 939.74 (2d) of the statutes is created to read:

939.74 **(2d)** (a) In this subsection, "deoxyribonucleic acid profile" means an individual's patterned chemical structure of genetic information identified by analyzing biological material that contains the individual's deoxyribonucleic acid.

(b) If before the time limitation under sub. (1) expired, the state collected biological material that is evidence of the identity of the person who committed a violation of s. 940.225 (1) or (2), the state identified a deoxyribonucleic acid profile from the biological material, and comparisons of that deoxyribonucleic acid profile to deoxyribonucleic acid profiles of known persons did not result in a probable identification of the person who is the source of the biological material, the state may commence prosecution of the person who is the source of the biological material for violation of s. 940.225 (1) or (2) within 12 months after comparison of the deoxyribonucleic acid profile relating to the violation results in a probable identification of the person.

(c) If before the time limitation under sub. (2) (c) expired, the state collected biological material that is evidence of the identity of the person who committed a violation of s. 948.02 (1) or (2) or 948.025, the state identified a deoxyribonucleic acid profile from the biological material, and comparisons of that deoxyribonucleic acid profile to deoxyribonucleic acid profiles of known persons did not result in a probable identification of the person who is the source of the biological material, the state may commence prosecution of the person who is the source of the biological material for violation of s. 948.02 (1) or (2) or 948.025 within 12 months after comparison

of the deoxyribonucleic acid profile relating to the violation results in a probable identification of the person.

SECTION 3937j. 940.09 (1d) of the statutes is renumbered 940.09 (1d) (b) and amended to read:

940.09 **(1d)** (b) If the person who committed an offense under sub. (1) (a), (b), (c), or (d) has 2 or more prior convictions, suspensions, or revocations, ~~as~~ counting convictions under sub. (1) and s. 940.25 in the person's lifetime, plus other convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure under s. 346.65 (6) may be followed regarding the immobilization or the seizure and forfeiture of a motor vehicle owned by the person who committed the offense or the equipping of a motor vehicle owned by the person with an ignition interlock device.

SECTION 3937k. 940.09 (1d) (a) of the statutes is created to read:

940.09 **(1d)** (a) Notwithstanding par. (b), if the person who committed an offense under sub. (1) (a), (b), (c), or (d) has 2 or more convictions, suspensions, or revocations counted under s. 343.307 (1) within any 5−year period, the procedure under s. 343.301 shall be followed if the court enters an order regarding operating privilege restriction and the installation of an ignition interlock device or enters an order regarding immobilization.

SECTION 3937m. 940.09 (1d) (a) of the statutes, as created by 2001 Wisconsin Act .... (this act), is renumbered 940.09 (1d) (a) 2.

SECTION 3937n. 940.09 (1d) (a) 1. of the statutes is created to read:

940.09 **(1d)** (a) 1. Except as provided in subd. 2., if the person who committed an offense under sub. (1) (a), (b), (c), or (d) has 2 or more prior convictions, suspensions, or revocations, counting convictions under sub. (1) and s. 940.25 in the person's lifetime, plus other convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure under s. 343.301 shall be followed if the court enters an order regarding operating privilege restriction or enters an order regarding immobilization.

SECTION 3937p. 940.09 (1d) (b) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

940.09 **(1d)** (b) If the person who committed an offense under sub. (1) (a), (b), (c), or (d) has 2 or more prior convictions, suspensions, or revocations, counting convictions under sub. (1) and s. 940.25 in the person's lifetime, plus other convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure under s. 346.65 (6) ~~may~~ shall be followed ~~regarding the immobilization or~~ if the court orders the seizure and forfeiture of ~~a~~ the motor vehicle owned by the person ~~who committed the offense or the equipping of a motor vehicle owned by the person with an ignition interlock device~~ and used in the violation.

Vetoed In Part

SECTION 3938j. 940.25 (1d) of the statutes is renumbered 940.25 (1d) (b) and amended to read:

940.25 **(1d)** (b) If the person who committed an offense under sub. (1) (a), (b), (c), or (d) has 2 or more prior convictions, suspensions, or revocations, ~~as~~ counting convictions under sub. (1) and s. 940.09 (1) in the person's lifetime, plus other convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure under s. 346.65 (6) may be followed regarding the immobilization or the seizure and forfeiture of a motor vehicle owned by the person who committed the offense or the equipping of a motor vehicle owned by the person with an ignition interlock device.

SECTION 3938k. 940.25 (1d) (a) of the statutes is created to read:

940.25 **(1d)** (a) Notwithstanding par. (b), if the person who committed an offense under sub. (1) (a), (b), (c), or (d) has 2 or more convictions, suspensions, or revocations counted under s. 343.307 (1) within any 5−year period, the procedure under s. 343.301 shall be followed if the court enters an order regarding operating privilege restriction and the installation of an ignition interlock device or enters an order regarding immobilization.

SECTION 3938m. 940.25 (1d) (a) of the statutes, as created by 2001 Wisconsin Act .... (this act), is renumbered 940.25 (1d) (a) 2.

SECTION 3938n. 940.25 (1d) (a) 1. of the statutes is created to read:

940.25 **(1d)** (a) 1. Except as provided in subd. 2., if the person who committed an offense under sub. (1) (a), (b), (c), or (d) has 2 or more prior convictions, suspensions, or revocations, counting convictions under sub. (1) and s. 940.09 (1) in the person's lifetime, plus other convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure under s. 343.301 shall be followed if the court enters an order regarding operating privilege restriction or enters an order regarding immobilization.

SECTION 3938p. 940.25 (1d) (b) of the statutes, as affected by 2001 Wisconsin Act .... (this act), is amended to read:

940.25 **(1d)** (b) If the person who committed an offense under sub. (1) (a), (b), (c), or (d) has 2 or more prior convictions, suspensions, or revocations, counting convictions under sub. (1) and s. 940.09 (1) in the person's lifetime, plus other convictions, suspensions, or revocations counted under s. 343.307 (1), the procedure under s. 346.65 (6) ~~may~~ shall be followed ~~regarding the immobilization or~~ if the court orders the seizure and forfeiture of ~~a~~ the motor vehicle owned by the person ~~who committed the offense or the equipping of a motor vehicle owned by the person with an ignition interlock device~~ and used in the violation.

SECTION 3938s. 940.295 (2) (j) of the statutes is amended to read:

940.295 **(2)** (j) The Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing under s. 115.52 and the Wisconsin Center for the Blind and Visually Impaired under s. 115.525.

SECTION 3938sg. 942.06 (2m) (b) of the statutes is amended to read:

942.06 **(2m)** (b) An employee or agent of the department of health and family services who conducts a lie detector test of a person under ~~the rules promulgated under~~ s. 51.375.

SECTION 3938sm. 942.06 (2q) (b) (intro.) of the statutes is amended to read:

942.06 **(2q)** (b) (intro.) An employee or agent of the department of health and family services who discloses, to any of the following, the fact that a person has had a lie detector test under ~~the rules promulgated under~~ s. 51.375 or the results of such a lie detector test:

SECTION 3938t. 942.06 (2q) (b) 1. of the statutes is amended to read:

942.06 **(2q)** (b) 1. Another employee or agent of the department of health and family services or another person to whom disclosure is permitted under s. 51.375 (2) (b).

SECTION 3938u. 943.01 (2) (d) of the statutes is amended to read:

943.01 **(2)** (d) If the total property damaged in violation of sub. (1) is reduced in value by more than ~~$1,000~~ $2,500. For the purposes of this paragraph, property is reduced in value by the amount which it would cost either to repair or replace it, whichever is less.

SECTION 3938up. 943.01 (2d) of the statutes is created to read:

943.01 **(2d)** (a) In this subsection, "plant research and development" means research regarding plants or development of plants, if the research or development is undertaken in conjunction or coordination with the state, a federal or local government agency, a university, or a private research facility.

(b) Any person violating sub. (1) under all of the following circumstances is guilty of a Class E felony:

1. The property damaged is a plant, material taken, extracted, or harvested from a plant, or a seed or other plant material that is being used or that will be used to grow or develop a plant.

2. The plant referred to in subd. 1. is or was being grown as feed for animals being used or to be used for commercial purposes, for other commercial purposes, or in conjunction with plant research and development.

SECTION 3938v. 943.01 (2g) (c) of the statutes is amended to read:

943.01 **(2g)** (c) The total property damaged in violation of sub. (1) is reduced in value by more than $500 but not more than ~~$1,000~~ $2,500. For purposes of this paragraph, property is reduced in value by the amount that it would cost to repair or replace it, whichever is less, plus other monetary losses associated with the damage.

SECTION 3938w. 943.017 (2) (d) of the statutes is amended to read: **Vetoed In Part**

943.017 **(2)** (d) If the total property affected in violation of sub. (1) is reduced in value by more than ~~$1,000~~ $2,500. For the purposes of this paragraph, property is reduced in value by the amount which it would cost to repair or replace it or to remove the marking, drawing, writing or etching, whichever is less.

SECTION 3939. 943.20 (1) (e) of the statutes is amended to read:

943.20 **(1)** (e) Intentionally fails to return any personal property which is in his or her possession or under his or her control by virtue of a written lease or written rental agreement~~, within 10 days~~ after the lease or rental agreement has expired. This paragraph does not apply to a person who returns personal property, except a motor vehicle, which is in his or her possession or under his or her control by virtue of a written lease or written rental agreement, within 10 days after the lease or rental agreement expires.

SECTION 3939b. 943.20 (3) (a) of the statutes is amended to read:

943.20 **(3)** (a) If the value of the property does not exceed ~~$1,000~~ $2,500, is guilty of a Class A misdemeanor.

SECTION 3939c. 943.20 (3) (b) of the statutes is repealed.

SECTION 3939d. 943.21 (3) (a) of the statutes is amended to read:

943.21 **(3)** (a) Is guilty of a Class A misdemeanor when the value of any beverage, food, lodging, accommodation, transportation or other service is ~~$1,000~~ $2,500 or less.

SECTION 3939e. 943.21 (3) (b) of the statutes is amended to read:

943.21 **(3)** (b) Is guilty of a Class E felony when the value of any beverage, food, lodging, accommodation, transportation or other service exceeds ~~$1,000~~ $2,500.

SECTION 3939f. 943.24 (1) of the statutes is amended to read:

943.24 **(1)** Whoever issues any check or other order for the payment of not more than ~~$1,000~~ $2,500 which, at the time of issuance, he or she intends shall not be paid is guilty of a Class A misdemeanor.

SECTION 3939g. 943.24 (2) of the statutes is amended to read:

943.24 **(2)** Whoever issues any single check or other order for the payment of more than ~~$1,000~~ $2,500 or whoever within a 15−day period issues more than one check or other order amounting in the aggregate to more than ~~$1,000~~ $2,500 which, at the time of issuance, the person intends shall not be paid is guilty of a Class E felony.

SECTION 3939h. 943.34 (1) (a) of the statutes is amended to read:

943.34 **(1)** (a) A Class A misdemeanor, if the value of the property does not exceed ~~$1,000~~ $2,500.

SECTION 3939i. 943.34 (1) (b) of the statutes is repealed.

SECTION 3939j. 943.395 (2) (a) of the statutes is amended to read:

943.395 **(2)** (a) Is guilty of a Class A misdemeanor if the value of the claim or benefit does not exceed ~~$1,000~~ $2,500.

SECTION 3939k. 943.395 (2) (b) of the statutes is amended to read:

943.395 **(2)** (b) Is guilty of a Class E felony if the value of the claim or benefit exceeds ~~$1,000~~ $2,500.

SECTION 3939L. 943.41 (8) (c) of the statutes is amended to read:

943.41 **(8)** (c) Any person violating any provision of sub. (5) or (6) (a), (b) or (d), if the value of the money, goods, services or property illegally obtained does not exceed ~~$1,000~~ $2,500 is guilty of a Class A misdemeanor~~; if the value of the money, goods, services or property exceeds $1,000 but does not exceed $2,500, in a single transaction or in separate transactions within a period not exceeding 6 months, the person is guilty of a Class E felony; or if~~. If the value of the money, goods, services or property exceeds $2,500, the person is guilty of a Class C felony.

SECTION 3939m. 943.50 (4) (a) of the statutes is amended to read:

943.50 **(4)** (a) A Class A misdemeanor, if the value of the merchandise does not exceed ~~$1,000~~ $2,500.

SECTION 3939n. 943.50 (4) (b) of the statutes is repealed.

SECTION 3939p. 943.61 (5) (a) of the statutes is amended to read:

943.61 **(5)** (a) A Class A misdemeanor, if the value of the library materials does not exceed ~~$1,000~~ $2,500.

SECTION 3939q. 943.61 (5) (b) of the statutes is repealed.

SECTION 3939r. 943.62 (4) (a) of the statutes is amended to read:

943.62 **(4)** (a) A Class A misdemeanor, if the value of the advance payment or required refund, as applicable, does not exceed ~~$500~~ $2,500.

SECTION 3939s. 943.62 (4) (b) of the statutes is repealed.

SECTION 3940. 943.70 (1) (a) of the statutes is renumbered 943.70 (1) (am).

SECTION 3941. 943.70 (1) (ag) of the statutes is created to read:

943.70 **(1)** (ag) "Access" means to instruct, communicate with, interact with, intercept, store data in, retrieve data from, or otherwise use the resources of.

SECTION 3942. 943.70 (1) (gm) of the statutes is created to read:

943.70 **(1)** (gm) "Interruption in service" means inability to access a computer, computer program, computer system, or computer network, or an inability to complete a transaction involving a computer.

SECTION 3943. 943.70 (2) (a) (intro.) of the statutes is amended to read:

943.70 **(2)** (a) (intro.) Whoever ~~wilfully~~ willfully, knowingly and without authorization does any of the following may be penalized as provided in ~~par.~~ pars. (b) and (c):

SECTION 3944. 943.70 (2) (a) 3. of the statutes is amended to read:

943.70 **(2)** (a) 3. Accesses ~~data,~~ computer programs or supporting documentation.

SECTION 3945. 943.70 (2) (am) of the statutes is created to read:

943.70 **(2)** (am) Whoever intentionally causes an interruption in service by submitting a message, or multiple messages, to a computer, computer program, computer system, or computer network that exceeds the processing capacity of the computer, computer program, computer system, or computer network may be penalized as provided in pars. (b) and (c).

SECTION 3946. 943.70 (2) (b) (intro.) of the statutes is amended to read:

943.70 **(2)** (b) (intro.) Whoever violates ~~this subsection~~ par. (a) or (am) is guilty of:

SECTION 3947. 943.70 (2) (b) 1. of the statutes is amended to read:

943.70 **(2)** (b) 1. A Class A misdemeanor unless ~~subd.~~ any of subds. 2.~~, 3. or~~ to 4. applies.

SECTION 3948. 943.70 (2) (b) 3. of the statutes is amended to read:

943.70 **(2)** (b) 3. A Class ~~D~~ E felony if the offense results in damage ~~is greater~~ valued at more than $1,000 but not more than $2,500 ~~or if it causes an interruption or impairment of governmental operations or public communication, of transportation or of a supply of water, gas or other public service~~.

SECTION 3949. 943.70 (2) (b) 3g. of the statutes is created to read:

943.70 **(2)** (b) 3g. A Class C felony if the offense results in damage valued at more than $2,500.

SECTION 3950. 943.70 (2) (b) 3r. of the statutes is created to read:

943.70 **(2)** (b) 3r. A Class C felony if the offense causes an interruption or impairment of governmental operations or public communication, of transportation, or of a supply of water, gas, or other public service.

SECTION 3951. 943.70 (2) (c) of the statutes is created to read:

943.70 **(2)** (c) If a person disguises the identity or location of the computer at which he or she is working while committing an offense under par. (a) or (am) with the intent to make it less likely that he or she will be identified with the crime, the penalties under par. (b) may be increased as follows:

1. In the case of a misdemeanor, the maximum fine prescribed by law for the crime may be increased by not more than $1,000 and the maximum term of imprisonment prescribed by law for the crime may be increased so that the revised maximum term of imprisonment is 12 months.

2. In the case of a felony, the maximum fine prescribed by law for the crime may be increased by not more than $2,500 and the maximum term of imprisonment prescribed by law for the crime may be increased by not more than 2 years.

SECTION 3951n. 943.76 of the statutes is created to read:

943.76 Infecting animals with a contagious disease. (1) In this section, "livestock" means cattle, horses, swine, sheep, goats, farm−raised deer, as defined in s. 95.001 (1) (a), and other animals used or to be used in the production of food, fiber, or other commercial products.

(2) (a) Whoever intentionally introduces a contagious or infectious disease into livestock without the consent of the owner of the livestock is guilty of a Class C felony.

(b) Whoever intentionally introduces a contagious or infectious disease into wild deer without the consent of the department of natural resources is guilty of a Class C felony.

SECTION 3952. 944.205 (title) of the statutes is amended to read:

944.205 (title) **~~Photographs, motion pictures, videotapes or other visual representations~~ Recordings showing nudity.**

SECTION 3953. 944.205 (1) of the statutes is renumbered 944.205 (1) (intro.) and amended to read:

944.205 **(1)** (intro.) In this section~~, "nudity"~~:

(b) "Nudity" has the meaning given in s. 948.11 (1) (d).

SECTION 3954. 944.205 (1) (a) of the statutes is created to read:

944.205 **(1)** (a) "Exhibit" has the meaning given in s. 948.01 (1d).

SECTION 3955. 944.205 (1) (c) of the statutes is created to read:

944.205 **(1)** (c) "Recording" has the meaning given in 948.01 (3r).

SECTION 3956. 944.205 (2) (a) of the statutes is amended to read:

944.205 **(2)** (a) ~~Takes a photograph or makes a motion picture, videotape or other visual representation or reproduction that depicts~~ Records an image of nudity without the knowledge and consent of the person who is depicted nude while that person is nude in a place and circumstance in which he or she has a reasonable expectation of privacy, if the person recording the image knows or has reason to know that the person who is depicted nude does not know of and consent to the ~~taking or making of the photograph, motion picture, videotape or other visual representation or reproduction~~ recording.

SECTION 3957. 944.205 (2) (b) of the statutes is repealed and recreated to read:

944.205 **(2)** (b) Copies, possesses, exhibits, stores, or distributes a recording of an image if all of the following apply:

1. The recording was done in violation of par. (a) or was previously copied in violation of this paragraph.

2. The actor knows or has reason to know that the violation described under subd. 1. has occurred.

3. The person depicted nude in the recording did not consent to the copying, possession, exhibition, storage, or distribution of the recording under par. (b) (intro.).

4. The recording depicts the same nudity recorded in violation of par. (a).

SECTION 3958. 944.205 (3) of the statutes is amended to read:

944.205 **(3)** Notwithstanding sub. (2) (a) and (b), if the person depicted in a ~~photograph, motion picture, videotape or other visual representation or reproduction~~ recording of an image is a child and the ~~making~~ recording, copying, possession, exhibition, storage, or distribution of the ~~photograph, motion picture, videotape or other visual representation or reproduction~~ recording does not violate s. 948.05 or 948.12, a parent, guardian, or legal custodian of the child may do any of the following:

(a) ~~Make and~~ Record, copy, possess, exhibit, or store the ~~photograph, motion picture, videotape or other visual representation reproduction of the child~~ recording.

(b) Distribute a ~~photograph, motion picture, videotape or other visual representation or reproduction made or~~ recording that was recorded, copied, possessed, exhibited, or stored under par. (a) if the distribution is not for commercial purposes.

SECTION 3959. 944.205 (4) of the statutes is amended to read:

944.205 **(4)** This section does not apply to a person who receives a ~~photograph, motion picture, videotape or other visual representation or reproduction of~~ recording of an image depicting a child from a parent, guardian, or legal custodian of the child under sub. (3) (b), if the possession ~~and~~, copying, exhibition, storage, or distribution ~~are~~ is not for commercial purposes.

SECTION 3960. 944.21 (2) (am) of the statutes is created to read:

944.21 **(2)** (am) "Exhibit" has the meaning given in s. 948.01 (1d).

SECTION 3961. 944.21 (2) (c) (intro.) of the statutes is amended to read:

944.21 **(2)** (c) (intro.) "Obscene material" means a writing, picture, ~~sound recording or~~ film ~~which~~, or other recording that:

SECTION 3962. 944.21 (2) (dm) of the statutes is created to read:

944.21 **(2)** (dm) "Recording" has the meaning given in s. 948.01 (3r).

SECTION 3963. 944.21 (3) (a) of the statutes is amended to read:

944.21 **(3)** (a) Imports, prints, sells, has in his or her possession for sale, publishes, exhibits, plays, or ~~transfers~~ distributes any obscene material.

SECTION 3964. 944.21 (4) (a) and (b) of the statutes are amended to read:

944.21 **(4)** (a) ~~Transfers or~~ Distributes, exhibits, or plays any obscene material to a person under the age of 18 years.

(b) Has in his or her possession with intent to ~~transfer or~~ distribute, exhibit, or play to a person under the age of 18 years any obscene material.

SECTION 3965. 944.21 (9) of the statutes is amended to read:

944.21 **(9)** In determining whether material is obscene under sub. (2) (c) 1. and 3., a judge or jury shall examine individual pictures, recordings of images, or passages in the context of the work in which they appear.

SECTION 3966. 944.25 of the statutes is created to read:

944.25 Sending obscene or sexually explicit electronic messages. (1) In this section:

(a) "Electronic mail solicitation" means an electronic mail message, including any attached program or document, that is sent for the purpose of encouraging a person to purchase property, goods, or services.

(b) "Obscene material" has the meaning given in s. 944.21 (2) (c).

(c) "Sexually explicit conduct" has the meaning given in s. 948.01 (7).

(2) Whoever sends an unsolicited electronic mail solicitation to a person that contains obscene material or a depiction of sexually explicit conduct without including the words "ADULT ADVERTISEMENT" in the subject line of the electronic mail solicitation is guilty of a Class A misdemeanor.

SECTION 3966h. 945.05 (1) (intro.) of the statutes is amended to read:

945.05 **(1)** (intro.) Except as provided in subs. (1e) (b) 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 3966j. 945.05 (1e) of the statutes is renumbered 945.05 (1e) (b) (intro.) and amended to read:

945.05 **(1e)** (b) (intro.) 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~~ any of the following:

2. 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 3966m. 945.05 (1e) (a) of the statutes is created to read:

945.05 **(1e)** (a) In this subsection, "authorized gambling facility" means any of the following:

1. An Indian gaming facility, as defined in s. 569.01 (1j).

2. A gaming establishment located on lands acquired after October 17, 1998, by the U.S. secretary of the interior in trust for the benefit of an Indian tribe.

3. A facility at which gambling lawfully takes place.

SECTION 3966q. 945.05 (1e) (b) 1. of the statutes is created to read:

945.05 **(1e)** (b) 1. An authorized gambling facility.

SECTION 3966r. 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, 201.09 (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), (2d), 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~~ (c) and (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, 943.76, 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 3967. 948.01 (1d) of the statutes is created to read:

948.01 **(1d)** "Exhibit," with respect to a recording of an image that is not viewable in its recorded form, means to convert the recording of the image into a form in which the image may be viewed.

SECTION 3968. 948.01 (3r) of the statutes is created to read:

948.01 **(3r)** "Recording" includes the creation of a reproduction of an image or a sound or the storage of data representing an image or a sound.

SECTION 3969. 948.05 (1) (a) of the statutes is amended to read:

948.05 **(1)** (a) Employs, uses, persuades, induces, entices, or coerces any child to engage in sexually explicit conduct for the purpose of ~~photographing, filming, videotaping,~~ recording ~~the sounds of~~ or displaying in any way the conduct.

SECTION 3970. 948.05 (1) (b) of the statutes is amended to read:

948.05 **(1)** (b) ~~Photographs, films, videotapes, records the sounds of~~ Records or displays in any way a child engaged in sexually explicit conduct.

SECTION 3971. 948.05 (1m) of the statutes is amended to read:

948.05 **(1m)** Whoever produces, performs in, profits from, promotes, imports into the state, reproduces, advertises, sells, distributes, or possesses with intent to sell or distribute, any ~~undeveloped film, photographic negative, photograph, motion picture, videotape, sound~~ recording ~~or other reproduction~~ of a child engaging in sexually explicit conduct is guilty of a Class C felony if the person knows the character and content of the sexually explicit conduct involving the child and if the person knows or reasonably should know that the child engaging in the sexually explicit conduct has not attained the age of 18 years.

SECTION 3972. 948.07 (4) of the statutes is amended to read:

948.07 **(4)** ~~Taking a picture or making an audio recording of~~ Recording the child engaging in sexually explicit conduct.

SECTION 3973. 948.11 (1) (ar) 2. of the statutes is amended to read:

948.11 **(1)** (ar) 2. Any book, pamphlet, magazine, printed matter however reproduced or ~~sound~~ recording that contains any matter enumerated in subd. 1., or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexually explicit conduct, sadomasochistic abuse, physical torture or brutality and that, taken as a whole, is harmful to children.

SECTION 3974. 948.11 (1) (bm) of the statutes is repealed.

SECTION 3975. 948.11 (1) (c) of the statutes is repealed.

SECTION 3976. 948.11 (2) (a) of the statutes is renumbered 948.11 (2) (a) (intro.) and amended to read:

948.11 **(2)** (a) (intro.) Whoever, with knowledge of the ~~nature~~ character and content of the material, sells, rents, exhibits, ~~transfers~~ plays, distributes, or loans to a child any harmful material, with or without monetary consideration, is guilty of a Class E felony~~.~~ if any of the following applies:

SECTION 3977. 948.11 (2) (a) 1. and 2. of the statutes are created to read:

948.11 **(2)** (a) 1. The person knows or reasonably should know that the child has not attained the age of 18 years.

2. The person has face−to−face contact with the child before or during the sale, rental, exhibit, playing, distribution, or loan.

SECTION 3978. 948.11 (2) (am) of the statutes is renumbered 948.11 (2) (am) (intro.) and amended to read:

948.11 **(2)** (am) (intro.) Any person who has attained the age of 17 and who, with knowledge of the ~~nature~~ character and content of the description or narrative account, verbally communicates, by any means, a harmful description or narrative account to a child, with or without monetary consideration, is guilty of a Class E felony~~.~~ if any of the following applies:

SECTION 3979. 948.11 (2) (am) 1. and 2. of the statutes are created to read:

948.11 **(2)** (am) 1. The person knows or reasonably should know that the child has not attained the age of 18 years.

2. The person has face−to−face contact with the child before or during the communication.

SECTION 3980. 948.11 (2) (b) of the statutes is renumbered 948.11 (2) (b) (intro.) and amended to read:

948.11 **(2)** (b) (intro.) Whoever, with knowledge of the ~~nature~~ character and content of the material, possesses harmful material with the intent to sell, rent, exhibit, ~~transfer~~ play, distribute, or loan the material to a child is guilty of a Class A misdemeanor~~.~~ if any of the following applies:

SECTION 3981. 948.11 (2) (b) 1. and 2. of the statutes are created to read:

948.11 **(2)** (b) 1. The person knows or reasonably should know that the child has not attained the age of 18 years.

2. The person has face−to−face contact with the child.

SECTION 3982. 948.11 (2) (c) of the statutes is amended to read:

948.11 **(2)** (c) It is an affirmative defense to a prosecution for a violation of ~~this section~~ pars. (a) 2., (am) 2., and (b) 2. if the defendant had reasonable cause to believe that the child had attained the age of 18 years, and the child exhibited to the defendant a draft card, driver's license, birth certificate or other official or apparently official document purporting to establish that the child had attained the age of 18 years. A defendant who raises this affirmative defense has the burden of proving this defense by a preponderance of the evidence.

SECTION 3983. 948.12 of the statutes is renumbered 948.12 (1m), and 948.12 (1m) (intro.) and (b), as renumbered, are amended to read:

948.12 **(1m)** (intro.) Whoever possesses any undeveloped film, photographic negative, photograph, motion picture, videotape, or other ~~pictorial reproduction, or audio~~ recording of a child engaged in sexually explicit conduct under all of the following circumstances is guilty of a Class E felony:

(b) The person knows the character and content of the sexually explicit conduct ~~shown~~ in the material.

SECTION 3984. 948.12 (2m) of the statutes is created to read:

948.12 **(2m)** Whoever exhibits or plays a recording of a child engaged in sexually explicit conduct, if all of the following apply, is guilty of a Class E felony:

(a) The person knows that he or she has exhibited or played the recording.

(b) Before the person exhibited or played the recording, he or she knew the character and content of the sexually explicit conduct.

(c) Before the person exhibited or played the recording, he or she knew or reasonably should have known that the child engaged in sexually explicit conduct had not attained the age of 18 years.

SECTION 3984j. 950.04 (1v) (s) of the statutes is amended to read:

950.04 **(1v)** (s) To have any stolen or other personal property expeditiously returned by law enforcement agencies when no longer needed as evidence, subject to s. 968.205. If feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis, property subject to preservation under s. 968.205, and property the ownership of which is disputed, shall be returned to the person within 10 days of being taken.

SECTION 3984m. 950.04 (1v) (v) of the statutes is amended to read:

950.04 **(1v)** (v) To have the department of corrections make a reasonable attempt to notify the victim under s. 301.046 (4) regarding community residential confinements, under s. 301.048 (4m) regarding participation in the intensive sanctions program, under s. 301.38 regarding escapes from a Type 1 prison, under s. 301.46 (3) regarding persons registered under s. 301.45, under s. ~~302.115~~ 302.105 regarding release upon expiration of certain sentences, under s. 304.063 regarding extended supervision and parole releases, and under s. 938.51 regarding release or escape of a juvenile from correctional custody.

SECTION 3984p. 950.04 (1v) (yd) of the statutes is created to read:

950.04 **(1v)** (yd) To have the appropriate clerk of court make a reasonable attempt to send the victim a copy of a motion made under s. 974.07 (2) for postconviction deoxyribonucleic acid testing of certain evidence and notification of any hearing on that motion, as provided under s. 974.07 (4).

SECTION 3984t. 951.01 (4) of the statutes is amended to read:

951.01 **(4)** "Law enforcement officer" has the meaning assigned under s. 967.02 (5), but does not include a conservation warden appointed under s. 23.10 or a state forest ranger.

SECTION 3985. 961.14 (7) (p) of the statutes is created to read:

961.14 **(7)** (p) 4−methylthioamphetamine, commonly known as "4−MTA."

SECTION 3986. 961.41 (1) (b) of the statutes is amended to read:

961.41 **(1)** (b) Except as provided in pars. (cm) and (e) to ~~(h)~~ (hm), any other controlled substance included in schedule I, II or III, or a controlled substance analog of any other controlled substance included in schedule I or II, may be fined not more than $15,000 or imprisoned for not more than 7 years and 6 months or both.

SECTION 3987. 961.41 (1) (hm) of the statutes is created to read:

961.41 **(1)** (hm) Gamma−hydroxybutyric acid, gamma−butyrolactone, 3,4−methylenedioxymethamphetamine, 4−bromo−2,5−dimethoxy−beta−phenylethylamine, 4−methylthioamphetamine, ketamine, or a controlled substance analog of gamma−hydroxybutyric acid, gamma−butyrolactone, 3,4−methylenedioxymethamphetamine, 4−bromo−2,5−dimethoxy−beta−phenylethylamine, or 4−methylthioamphetamine is subject to the following penalties if the amount manufactured, distributed, or delivered is:

1. Three grams or less, the person shall be fined not less than $1,000 nor more than $200,000 and may be imprisoned for not more than 7 years and 6 months.

2. More than 3 grams but not more than 10 grams, the person shall be fined not less than $1,000 nor more than $250,000 and shall be imprisoned for not less than 6 months nor more than 7 years and 6 months.

3. More than 10 grams but not more than 50 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than one year nor more than 22 years and 6 months.

4. More than 50 grams but not more than 200 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than 3 years nor more than 22 years and 6 months.

5. More than 200 grams but not more than 400 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than 5 years nor more than 22 years and 6 months.

6. More than 400 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than 10 years nor more than 45 years.

SECTION 3988. 961.41 (1) (im) of the statutes is renumbered 961.41 (1) (im) (intro.) and amended to read: **Vetoed In Part**

961.41 **(1)** (im) (intro.) Flunitrazepam~~, may be fined not more than $15,000 or imprisoned for not more than 7 years and 6 months or both.~~ is subject to the following penalties if the amount manufactured, distributed, or delivered is:

SECTION 3989. 961.41 (1) (im) 1. to 6. of the statutes are created to read:

961.41 **(1)** (im) 1. Three grams or less, the person shall be fined not less than $1,000 nor more than $200,000 and may be imprisoned for not more than 7 years and 6 months.

2. More than 3 grams but not more than 10 grams, the person shall be fined not less than $1,000 nor more than $250,000 and shall be imprisoned for not less than 6 months nor more than 7 years and 6 months.

3. More than 10 grams but not more than 50 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than one year nor more than 22 years and 6 months.

4. More than 50 grams but not more than 200 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than 3 years nor more than 22 years and 6 months.

5. More than 200 grams but not more than 400 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than 5 years nor more than 22 years and 6 months.

6. More than 400 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than 10 years nor more than 45 years.

SECTION 3990. 961.41 (1m) (b) of the statutes is amended to read:

961.41 **(1m)** (b) Except as provided in pars. (cm) and (e) to ~~(h)~~ (hm), any other controlled substance included in schedule I, II or III, or a controlled substance analog of any other controlled substance included in schedule I or II, may be fined not more than $15,000 or imprisoned for not more than 7 years and 6 months or both.

SECTION 3991. 961.41 (1m) (hm) of the statutes is created to read:

961.41 **(1m)** (hm) Gamma−hydroxybutyric acid, gamma−butyrolactone, 3,4−methylenedioxymethamphetamine 4−bromo−2,5−dimethoxy−beta−phenylethylamine, 4−methylthioamphetamine, ketamine, or a controlled substance analog of gamma−hydroxybutyric acid, gamma−butyrolactone, 3,4−methylenedioxymethamphetamine 4−bromo−2,5−dimethoxy−beta−phenylethylamine, or 4−methylthioamphetamine is subject to the following penalties if the amount possessed, with intent to manufacture, distribute, or deliver is:

1. Three grams or less, the person shall be fined not less than $1,000 nor more than $200,000 and may be imprisoned for not more than 7 years and 6 months.

2. More than 3 grams but not more than 10 grams, the person shall be fined not less than $1,000 nor more than $250,000 and shall be imprisoned for not less than 6 months nor more than 7 years and 6 months.

3. More than 10 grams but not more than 50 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than one year nor more than 22 years and 6 months.

4. More than 50 grams but not more than 200 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than 3 years nor more than 22 years and 6 months.

5. More than 200 grams but not more than 400 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than 5 years nor more than 22 years and 6 months.

6. More than 400 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than 10 years nor more than 45 years.

SECTION 3992. 961.41 (1m) (im) of the statutes is renumbered 961.41 (1m) (im) (intro.) and amended to read:

961.41 **(1m)** (im) (intro.) Flunitrazepam~~, may be fined not more than $15,000 or imprisoned for not more than 7 years and 6 months or both.~~ is subject to the following penalties if the amount possessed, with intent to manufacture, distribute, or deliver, is:

SECTION 3993. 961.41 (1m) (im) 1. to 6. of the statutes are created to read:

961.41 **(1m)** (im) 1. Three grams or less, the person shall be fined not less than $1,000 nor more than $200,000 and may be imprisoned for not more than 7 years and 6 months.

2. More than 3 grams but not more than 10 grams, the person shall be fined not less than $1,000 nor more than $250,000 and shall be imprisoned for not less than 6 months nor more than 7 years and 6 months.

3. More than 10 grams but not more than 50 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than one year nor more than 22 years and 6 months.

4. More than 50 grams but not more than 200 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than 3 years nor more than 22 years and 6 months.

5. More than 200 grams but not more than 400 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than 5 years nor more than 22 years and 6 months.

6. More than 400 grams, the person shall be fined not less than $1,000 nor more than $500,000 and shall be imprisoned for not less than 10 years nor more than 45 years.

SECTION 3994. 961.41 (2) (b) of the statutes is amended to read:

961.41 **(2)** (b) ~~Any other~~ Except as provided in pars. (a) and (bm), any counterfeit substance included in schedule I, II or III, may be fined not more than $15,000 or imprisoned for not more than 7 years and 6 months or both.

SECTION 3995. 961.41 (2) (bm) of the statutes is created to read:

961.41 **(2)** (bm) A counterfeit substance that is a counterfeit of phencyclidine, methamphetamine, lysergic acid diethylamide, gamma−hydroxybutyric acid, gamma−butyrolactone, 3,4−methylenedioxymethamphetamine 4−bromo−2,5−dimethoxy−beta−phenylethylamine, 4−methylthioamphetamine, or ketamine is punishable by the applicable fine and imprisonment for manufacture, distribution, delivery, or possession with intent to manufacture, distribute, or deliver, of the genuine controlled substance under sub. (1) or (1m).

SECTION 3996. 961.41 (2) (cm) of the statutes is amended to read:

961.41 **(2)** (cm) A counterfeit substance which is flunitrazepam, ~~may be fined not more than $15,000 or imprisoned for not more than 7 years and 6 months or both~~ is punishable by the applicable fine and imprisonment for manufacture, distribution, delivery, or possession with intent to manufacture, distribute, or deliver, of the genuine controlled substance under sub. (1) or (1m).

SECTION 3998c. 968.20 (1) (intro.) of the statutes is amended to read:

968.20 **(1)** (intro.) Any person claiming the right to possession of property seized pursuant to a search warrant or seized without a search warrant may apply for its return to the circuit court for the county in which the property was seized or where the search warrant was returned. The court shall order such notice as it deems adequate to be given the district attorney and all persons who have or may have an interest in the property and shall hold a hearing to hear all claims to its true ownership. If the right to possession is proved to the court's satisfaction, it shall order the property, other than contraband or property covered under sub. (1m) or (1r) or s. 173.12 ~~or~~, 173.21 (4), or 968.205, returned if:

SECTION 3998e. 968.20 (2) of the statutes is amended to read:

968.20 **(2)** Property not required for evidence or use in further investigation, unless contraband or property covered under sub. (1m) or (1r) or s. 173.12 or 968.205, may be returned by the officer to the person from whom it was seized without the requirement of a hearing.

SECTION 3998g. 968.20 (4) of the statutes is amended to read:

968.20 **(4)** Any property seized, other than property covered under s. 968.205, ~~which~~ that poses a danger to life or other property in storage, transportation or use and ~~which~~ that is not required for evidence or further investigation shall be safely disposed of upon command of the person in whose custody they are committed. The city, village, town or county shall by ordinance or resolution establish disposal procedures. Procedures may include provisions authorizing an attempt to return to the rightful owner substances which have a commercial value in normal business usage and do not pose an immediate threat to life or property. If enacted, any such provision shall include a presumption that if the substance appears to be or is reported stolen an attempt will be made to return the substance to the rightful owner.

SECTION 3998i. 968.205 of the statutes is created to read:

968.205 Preservation of certain evidence. (1) In this section:

(a) "Custody" means actual custody of a person under a sentence of imprisonment, custody of a probationer, parolee, or person on extended supervision by the department of corrections, actual or constructive custody of a person pursuant to a dispositional order under ch. 938, supervision of a person, whether in institutional care or on conditional release, pursuant to a commitment order under s. 971.17 and supervision of a person under ch. 980, whether in detention before trial or while in institutional care or on supervised release pursuant to a commitment order.

(b) "Discharge date" means the date on which a person is released or discharged from custody that resulted from a criminal action, a delinquency proceeding under ch. 938, or a commitment proceeding under s. 971.17 or ch. 980 or, if the person is serving consecutive sentences of imprisonment, the date on which the person is released or discharged from custody under all of the sentences.

(2) Except as provided in sub. (3), if physical evidence that is in the possession of a law enforcement agency includes any biological material that was collected in connection with a criminal investigation that resulted in a criminal conviction, delinquency adjudication, or commitment under s. 971.17 or 980.06, the law enforcement agency shall preserve the physical evidence until every person in custody as a result of the conviction, adjudication, or commitment has reached his or her discharge date.

(3) Subject to sub. (5), a law enforcement agency may destroy biological material before the expiration of the time period specified in sub. (2) if all of the following apply:

(a) The law enforcement agency sends a notice of its intent to destroy the biological material to all persons who remain in custody as a result of the criminal conviction, delinquency adjudication, or commitment, and to either the attorney of record for each person in custody or the state public defender.

(b) No person who is notified under par. (a) does either of the following within 90 days after the date on which the person received the notice:

1. Files a motion for testing of the biological material under s. 974.07 (2).

2. Submits a written request to preserve the biological material to the law enforcement agency or district attorney.

(c) No other provision of federal or state law requires the law enforcement agency to preserve the biological material.

(4) A notice provided under sub. (3) (a) shall clearly inform the recipient that the biological material will be destroyed unless, within 90 days after the date on which the person receives the notice, either a motion for testing of the material is filed under s. 974.07 (2) or a written request to preserve the material is submitted to the law enforcement agency.

(5) If, after providing notice under sub. (3) (a) of its intent to destroy biological material, a law enforcement agency receives a written request to preserve the material, the law enforcement agency shall preserve the material until the discharge date of the person who made the request or on whose behalf the request was made, subject to a court order issued under s. 974.07 (7), (9) (a), or (10) (a) 5., unless the court orders destruction or transfer of the biological material under s. 974.07 (9) (b) or (10) (a) 5.

SECTION 3998n. 971.04 (3) of the statutes is amended to read:

971.04 **(3)** If the defendant is present at the beginning of the trial and thereafter, during the progress of the trial or before the verdict of the jury has been returned into court, voluntarily absents himself or herself from the presence of the court without leave of the court, the trial or return of verdict of the jury in the case shall not thereby be postponed or delayed, but the trial or submission of said case to the jury for verdict and the return of verdict thereon, if required, shall proceed in all respects as though the defendant were present in court at all times. A defendant need not be present at the pronouncement or entry of an order granting or denying relief under s. 974.02 ~~or~~, 974.06, or 974.07. If the defendant is not present, the time for appeal from any order under ss. 974.02 ~~and~~, 974.06, and 974.07 shall commence after a copy has been served upon the attorney representing the defendant, or upon the defendant if he or she appeared without counsel. Service of such an order shall be complete upon mailing. A defendant appearing without counsel shall supply the court with his or her current mailing address. If the defendant fails to supply the court with a current and accurate mailing address, failure to receive a copy of the order granting or denying relief shall not be a ground for tolling the time in which an appeal must be taken.

SECTION 3999. 971.14 (2) (d) of the statutes is amended to read:

971.14 **(2)** (d) If the court orders that the examination be conducted on an inpatient basis, ~~it shall arrange for the transportation of~~ the sheriff of the county in which the court is located shall transport any defendant not free on bail to the examining facility within a reasonable time after the examination is ordered and ~~for~~ shall transport the defendant ~~to be returned~~ to the jail within a reasonable time after ~~receiving~~ the sheriff and county department of community programs of the county in which the court is located receive notice from the examining facility that the examination has been completed.

SECTION 4002r. 971.23 (1) (e) of the statutes is amended to read:

971.23 **(1)** (e) Any relevant written or recorded statements of a witness named on a list under par. (d), including any videotaped oral statement of a child under s. 908.08, any reports or statements of experts made in connection with the case or, if an expert does not prepare a report or statement, a written summary of the expert's findings or the subject matter of his or her testimony, and the results of any physical or mental examination, scientific test, experiment or comparison that the district attorney intends to offer in evidence at trial. ~~This paragraph does not apply to reports subject to disclosure under s. 972.11 (5).~~

SECTION 4002t. 971.23 (2m) (am) of the statutes is amended to read:

971.23 **(2m)** (am) Any relevant written or recorded statements of a witness named on a list under par. (a), including any reports or statements of experts made in connection with the case or, if an expert does not prepare a report or statement, a written summary of the expert's findings or the subject matter of his or her testimony, and including the results of any physical or mental examination, scientific test, experiment or comparison that the defendant intends to offer in evidence at trial. ~~This paragraph does not apply to reports subject to disclosure under s. 972.11 (5).~~

SECTION 4002v. 971.23 (9) of the statutes is created to read:

971.23 **(9)** DEOXYRIBONUCLEIC ACID EVIDENCE. (a) In this subsection "deoxyribonucleic acid profile" has the meaning given in s. 939.74 (2d) (a).

(b) Notwithstanding sub. (1) (e) or (2m) (am), if either party intends to submit deoxyribonucleic acid profile evidence at a trial to prove or disprove the identity of a person, the party seeking to introduce the evidence shall notify the other party of the intent to introduce the evidence in writing by mail at least 45 days before the date set for trial; and shall provide the other party, within 15 days of request, the material identified under sub. (1) (e), or par. (2m) (am), whichever is appropriate, that relates to the evidence.

(c) The court shall exclude deoxyribonucleic acid profile evidence at trial, if the notice and production deadlines under par. (b) are not met, except the court may waive the 45 day notice requirement or may extend the 15 day production requirement upon stipulation of the parties, or for good cause, if the court finds that no party will be prejudiced by the waiver or extension. The court may in appropriate cases grant the opposing party a recess or continuance.

SECTION 4003. 971.23 (10) of the statutes is amended to read:

971.23 **(10)** PAYMENT OF PHOTOCOPY COSTS IN CASES INVOLVING INDIGENT DEFENDANTS. When the state public defender or a private attorney appointed under s. 977.08 requests photocopies of any item that is discoverable under this section, the state public defender shall pay any fee charged for the photocopies from the appropriation under s. 20.550 (1) ~~(a)~~ (f). If the person providing photocopies under this section charges the state public defender a fee for the photocopies, the fee may not exceed the actual, necessary and direct cost of photocopying.

SECTION 4003r. 972.11 (1) of the statutes is amended to read:

972.11 **(1)** Except as provided in subs. (2) to ~~(5)~~ (4), the rules of evidence and practice in civil actions shall be applicable in all criminal proceedings unless the context of a section or rule manifestly requires a different construction. No guardian ad litem need be appointed for a defendant in a criminal action. Chapters 885 to 895, except ss. 804.02 to 804.07 and 887.23 to 887.26, shall apply in all criminal proceedings.

SECTION 4003t. 972.11 (5) of the statutes is repealed.

SECTION 4014d. 973.013 (3m) of the statutes is amended to read:

973.013 **(3m)** If a person who has not attained the age of 16 years is sentenced to the Wisconsin state prisons, the department ~~of corrections~~ shall place the person at a secured juvenile correctional facility or a secured child caring institution, unless the department ~~of corrections~~ determines that placement in an institution under s. 302.01 is appropriate based on the person's prior record of adjustment in a correctional setting, if any; the person's present and potential vocational and educational needs, interests and abilities; the adequacy and suitability of available facilities; the services and procedures available for treatment of the person within the various institutions; the protection of the public; and any other considerations promulgated by the department ~~of corrections~~ by rule. The department may not place any person under the age of 18 years in the correctional institution authorized in s. 301.16 (1n). This subsection does not preclude the department ~~of corrections~~ from designating an adult correctional institution, other than the correctional institution authorized in s. 301.16 (1n), as a reception center for the person and subsequently transferring the person to a secured juvenile correctional facility or a secured child caring institution. Section 302.11 and ch. 304 apply to all persons placed in a secured juvenile correctional facility or a secured child caring institution under this subsection.

SECTION 4015. 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. 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~~ protection 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 truck driver education assessment imposed by s. 349.04, 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~~ protection assessment, any applicable domestic abuse assessment, any applicable driver improvement surcharge, any applicable truck driver education assessment, 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 4016. 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~~ protection assessment, any applicable domestic abuse assessment, any applicable uninsured employer assessment, any applicable driver improvement surcharge, any applicable truck driver education assessment, 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 natu-

ral 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 the truck driver education assessment if applicable 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~~ protection 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 4017. 973.055 (2) (b) of the statutes is amended to read:

973.055 **(2)** (b) If the assessment is imposed by a municipal court, after a determination by the court of the amount due, the court shall collect and transmit the amount to the treasurer of the county, city, town, or village, and that treasurer shall make payment to the state treasurer as provided in s. 66.0114 (1) ~~(b)~~ (bm).

SECTION 4018. 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~~ protection assessment, applicable domestic abuse assessment, applicable driver improvement surcharge, applicable truck driver education assessment, applicable enforcement assessment under s. 253.06 (4) (c), applicable weapons assessment, applicable uninsured employer assessment, applicable environmental assessment, applicable wild animal protection assessment, applicable natural resources assessment, and applicable natural resources restitution payments are not paid or community service work under s. 943.017 (3) is not completed as required by the sentence, the defendant may be committed to the county jail until the fine, costs, penalty assessment, jail assessment, crime victim and witness assistance surcharge, crime laboratories and drug law enforcement assessment, applicable deoxyribonucleic acid analysis surcharge, applicable drug abuse program improvement surcharge, applicable consumer ~~information~~ protection assessment, applicable domestic abuse assessment, applicable driver improvement surcharge, applicable truck driver education assessment, 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 4018f. 973.075 (1) (b) 1m. e. of the statutes is amended to read:

973.075 **(1)** (b) 1m. e. To cause more than ~~$1,000~~ $2,500 worth of criminal damage to cemetery property in violation of s. 943.01 (2) (d) or 943.012.

SECTION 4018h. 973.075 (2) (d) of the statutes is amended to read:

973.075 **(2)** (d) The officer has probable cause to believe that the property was derived from or realized through a crime or that the property is a vehicle which was used to transport any property or weapon used or to be used or received in the commission of any felony, which was used in the commission of a crime relating to a submerged cultural resource in violation of s. 44.47, or which was used to cause more than ~~$1,000~~ $2,500 worth of criminal damage to cemetery property in violation of s. 943.01 (2) (d) or 943.012.

SECTION 4026g. 973.09 (4) of the statutes is renumbered 973.09 (4) (a) and amended to read:

973.09 **(4)** (a) The court may also require as a condition of probation that the probationer be confined during such period of the term of probation as the court prescribes, but not to exceed one year. The court may grant the privilege of leaving the county jail, Huber facility, work camp, or tribal jail during the hours or periods of employment or other activity under s. 303.08 (1) (a) to (e) while confined under this subsection. The court may specify the necessary and reasonable hours or periods during which the probationer may leave the jail, Huber facility, work camp, or tribal jail or the court may delegate that authority to the sheriff. In those counties with-

out a Huber facility under s. 303.09, a work camp under s. 303.10, or an agreement under s. 302.445, the probationer shall be confined in the county jail. In those counties with a Huber facility under s. 303.09, the sheriff shall determine whether confinement under this subsection is to be in that facility or in the county jail. In those counties with a work camp under s. 303.10, the sheriff shall determine whether confinement is to be in the work camp or the county jail. The sheriff may transfer persons confined under this subsection between a Huber facility or a work camp and the county jail. In those counties with an agreement under s. 302.445, the sheriff shall determine whether ~~confinement~~ a person who is confined under this subsection but who is not subject to an order under par. (b) is to be confined in the tribal jail or the county jail, unless otherwise provided under the agreement. In those counties, the sheriff may transfer persons confined under this subsection between a tribal jail and a county jail, unless otherwise provided under the agreement.

(c) While subject to this subsection, the probationer is subject to s. 303.08 (1), (3) to (6), (8) to (12), and (14) or to s. 303.10, whichever is applicable, ~~and~~ to all the rules of the ~~county jail, Huber facility, work camp or tribal jail~~ facility to which the probationer is confined, and to the discipline of the department, if confined to a facility under par. (b), or the sheriff.

SECTION 4026r. 973.09 (4) (b) of the statutes is created to read:

973.09 **(4)** (b) With the consent of the department and when recommended in the presentence investigation, the court may order that a felony offender subject to this subsection be confined in a facility located in the city of Milwaukee under s. 301.13 or 301.16 (1q), for the purpose of allowing the offender to complete an alcohol and other drug abuse treatment program.

SECTION 4028b. 973.20 (1r) of the statutes is amended to read:

973.20 **(1r)** When imposing sentence or ordering probation for any crime, other than a crime involving conduct that constitutes domestic abuse under s. 813.12 (1) (a) or 968.075 (1) (a), for which the defendant was convicted, the court, in addition to any other penalty authorized by law, shall order the defendant to make full or partial restitution under this section to any victim of a crime considered at sentencing or, if the victim is deceased, to his or her estate, unless the court finds substantial reason not to do so and states the reason on the record. When imposing sentence or ordering probation for a crime involving conduct that constitutes domestic abuse under s. 813.12 (1) (a) or 968.075 (1) (a) for which the defendant was convicted or that was considered at sentencing, the court, in addition to any other penalty authorized by law, shall order the defendant to make full or partial restitution under this section to any victim of a crime or, if the victim is deceased, to his or her estate, unless the court finds that imposing full or partial restitution will create an undue hardship on the defendant or victim and describes the undue hardship on the record. Restitution ordered under this section is a condition of probation, extended supervision or parole served by the defendant for a crime for which the defendant was convicted. After the termination of probation, extended supervision or parole, or if the defendant is not placed on probation, extended supervision or parole, restitution ordered under this section is enforceable in the same manner as a judgment in a civil action by the victim named in the order to receive restitution or enforced under ch. 785.

SECTION 4028c. 974.02 (1) of the statutes is amended to read:

974.02 **(1)** A motion for postconviction relief other than under s. 974.06 or 974.07 (2) by the defendant in a criminal case shall be made in the time and manner provided in ss. 809.30 and 809.40. An appeal by the defendant in a criminal case from a judgment of conviction or from an order denying a postconviction motion or from both shall be taken in the time and manner provided in ss. 808.04 (3), 809.30 and 809.40. An appeal of an order or judgment on habeas corpus remanding to custody a prisoner committed for trial under s. 970.03 shall be taken under ss. 808.03 (2) and 809.50, with notice to the attorney general and the district attorney and opportunity for them to be heard.

SECTION 4028g. 974.05 (1) (b) of the statutes is amended to read:

974.05 **(1)** (b) Order granting postconviction relief under s. 974.02 ~~or~~, 974.06, or 974.07.

SECTION 4028j. 974.07 of the statutes is created to read:

974.07 Motion for postconviction deoxyribonucleic acid testing of certain evidence. (1) In this section:

(a) "Government agency" means any department, agency, or court of the federal government, of this state, or of a city, village, town, or county in this state.

(b) "Movant" means a person who makes a motion under sub. (2).

(2) At any time after being convicted of a crime, adjudicated delinquent, or found not guilty by reason of mental disease or defect, a person may make a motion in the court in which he or she was convicted, adjudicated delinquent, or found not guilty by reason of mental disease or defect for an order requiring forensic deoxyribonucleic acid testing of evidence to which all of the following apply:

(a) The evidence is relevant to the investigation or prosecution that resulted in the conviction, adjudication, or finding of not guilty by reason of mental disease or defect.

(b) The evidence is in the actual or constructive possession of a government agency.

(c) The evidence has not previously been subjected to forensic deoxyribonucleic acid testing or, if the evidence has previously been tested, it may now be subjected to another test using a scientific technique that was not available or was not utilized at the time of the previous testing and that provides a reasonable likelihood of more accurate and probative results.

(3) A movant or, if applicable, his or her attorney shall serve a copy of the motion made under sub. (2) on the district attorney's office that prosecuted the case that resulted in the conviction, adjudication, or finding of not guilty by reason of mental disease or defect. The court in which the motion is made shall also notify the appropriate district attorney's office that a motion has been made under sub. (2) and shall give the district attorney an opportunity to respond to the motion. Failure by a movant to serve a copy of the motion on the appropriate district attorney's office does not deprive the court of jurisdiction and is not grounds for dismissal of the motion.

(4) (a) The clerk of the circuit court in which a motion under sub. (2) is made shall send a copy of the motion and, if a hearing on the motion is scheduled, a notice of the hearing to the victim of the crime or delinquent act committed by the movant, if the clerk is able to determine an address for the victim. The clerk of the circuit court shall make a reasonable attempt to send the copy of the motion to the address of the victim within 7 days of the date on which the motion is filed and shall make a reasonable attempt to send a notice of hearing, if a hearing is scheduled, to the address of the victim, postmarked at least 10 days before the date of the hearing.

(b) Notwithstanding the limitation on the disclosure of mailing addresses from completed information cards submitted by victims under ss. 51.37 (10) (dx), 301.046 (4) (d), 301.048 (4m) (d), 301.38 (4), 302.105 (4), 304.06 (1) (f), 304.063 (4), 938.51 (2), 971.17 (6m) (d), and 980.11 (4), the department of corrections, the parole commission, and the department of health and family services shall, upon request, assist clerks of court in obtaining information regarding the mailing address of victims for the purpose of sending copies of motions and notices of hearings under par. (a).

(5) Upon receiving under sub. (3) a copy of a motion made under sub. (2) or notice from a court that a motion has been made, whichever occurs first, the district attorney shall take all actions necessary to ensure that all biological material that was collected in connection with the investigation or prosecution of the case and that remains in the actual or constructive custody of a government agency is preserved pending completion of the proceedings under this section.

(6) (a) Upon demand the district attorney shall disclose to the movant or his or her attorney whether biological material has been tested and shall make available to the movant or his or her attorney the following material:

1. Findings based on testing of biological materials.

2. Physical evidence that is in the actual or constructive possession of a government agency and that contains biological material or on which there is biological material.

(b) Upon demand the movant or his or her attorney shall disclose to the district attorney whether biological material has been tested and shall make available to the district attorney the following material:

1. Findings based on testing of biological materials.

2. The movant's biological specimen.

(c) Upon motion of the district attorney or the movant, the court may impose reasonable conditions on availability of material requested under pars. (a) 2. and (b) 2. in order to protect the integrity of the evidence.

(d) This subsection does not apply unless the information being disclosed or the material being made available is relevant to the movant's claim at issue in the motion made under sub. (2).

(7) (a) A court in which a motion under sub. (2) is filed shall order forensic deoxyribonucleic acid testing if all of the following apply:

1. The movant claims that he or she is innocent of the offense at issue in the motion under sub. (2).

2. It is reasonably probable that the movant would not have been prosecuted, convicted, found not guilty by reason of mental disease or defect, or adjudicated delinquent for the offense at issue in the motion under sub. (2), if exculpatory deoxyribonucleic acid testing results had been available before the prosecution, conviction, finding of not guilty, or adjudication for the offense.

3. The evidence to be tested meets the conditions under sub. (2) (a) to (c).

4. The chain of custody of the evidence to be tested establishes that the evidence has not been tampered with, replaced, or altered in any material respect or, if the chain of custody does not establish the integrity of the evidence, the testing itself can establish the integrity of the evidence.

(b) A court in which a motion under sub. (2) is filed may order forensic deoxyribonucleic acid testing if all of the following apply:

1. It is reasonably probable that the outcome of the proceedings that resulted in the conviction, the finding of not guilty by reason of mental disease or defect, or the delinquency adjudication for the offense at issue in the motion under sub. (2), or the terms of the sentence, the commitment under s. 971.17, or the disposition under ch. 938, would have been more favorable to the movant if the results of deoxyribonucleic acid testing had been available before he or she was prosecuted, convicted, found not guilty by reason of mental disease or defect, or adjudicated delinquent for the offense.

2. The evidence to be tested meets the conditions under sub. (2) (a) to (c).

3. The chain of custody of the evidence to be tested establishes that the evidence has not been tampered with, replaced, or altered in any material respect or, if the chain of custody does not establish the integrity of the evidence, the testing itself can establish the integrity of the evidence.

(8) The court may impose reasonable conditions on any testing ordered under this section in order to protect the integrity of the evidence and the testing process. If appropriate and if stipulated to by the movant and the district attorney, the court may order the state crime laboratories to perform the testing as provided under s. 165.77 (2m).

(9) If a court in which a motion under sub. (2) is filed does not order forensic deoxyribonucleic acid testing, or if the results of forensic deoxyribonucleic acid testing ordered under this section are not supportive of the movant's claim, the court shall determine the disposition of the evidence specified in the motion subject to the following:

(a) If a person other than the movant is in custody, as defined in s. 968.205 (1) (a), the evidence is relevant to the criminal, delinquency, or commitment proceeding that resulted in the person being in custody, the person has not been denied deoxyribonucleic acid testing or postconviction relief under this section, and the person has not waived his or her right to preserve the evidence under s. 165.81 (3), 757.54 (2), 968.205, or 978.08, the court shall order the evidence preserved until all persons entitled to have the evidence preserved are released from custody, and the court shall designate who shall preserve the evidence. The court may not issue an order under this paragraph requiring that an agency transfer evidence to a crime laboratory specified under s. 165.75 for the purpose of preservation of the evidence by the crime laboratory, unless the crime laboratory consents to the transfer.

Vetoed In Part

(b) If the conditions in par. (a) are not present, the court shall determine the disposition of the evidence, and, if the evidence is to be preserved, by whom and for how long. The court shall issue appropriate orders concerning the disposition of the evidence based on its determinations. The court may not issue an order under this paragraph requiring that an agency transfer evidence to a crime laboratory specified under s. 165.75 for the purpose of preservation of the evidence by the crime laboratory, unless the crime laboratory consents to the transfer.

(10) (a) If the results of forensic deoxyribonucleic acid testing ordered under this section support the movant's claim, the court shall schedule a hearing to determine the appropriate relief to be granted to the movant. After the hearing, and based on the results of the testing and any evidence or other matter presented at the hearing, the court shall enter any order that serves the interests of justice, including any of the following:

1. An order setting aside or vacating the movant's judgment of conviction, judgment of not guilty by reason of mental disease or defect, or adjudication of delinquency.

2. An order granting the movant a new trial or fact−finding hearing.

3. An order granting the movant a new sentencing hearing, commitment hearing, or dispositional hearing.

4. An order discharging the movant from custody, as defined in s. 968.205 (1) (a), if the movant is in custody.

5. An order specifying the disposition of any evidence that remains after the completion of the testing, subject to sub. (9) (a) and (b).

(b) A court may order a new trial under par. (a) without making the findings specified in s. 805.15 (3) (a) and (b).

(11) A court considering a motion made under sub. (2) by a movant who is not represented by counsel shall, if the movant claims or appears to be indigent, refer the movant to the state public defender for determination of indigency and appointment of counsel under s. 977.05 (4) (j).

(12) (a) The court may order a movant to pay the costs of any testing ordered by the court under this section if the court determines that the movant is not indigent. If the court determines that the movant is indigent, the court shall order the costs of the testing to be paid for from the appropriation account under s. 20.410 (1) (be).

(b) A movant is indigent for purposes of par. (a) if any of the following apply:

1. The movant was referred to the state public defender under sub. (11) for a determination of indigency and was found to be indigent.

Vetoed In Part

2. The movant was referred to the state public defender under sub. (11) for a determination of indigency but was found not to be indigent, and the court determines that the movant does not possess the financial resources to pay the costs of testing.

3. The movant was not referred to the state public defender under sub. (11) for a determination of indigency and the court determines that the movant does not possess the financial resources to pay the costs of testing.

(13) An appeal may be taken from an order entered under this section as from a final judgment.

Vetoed In Part

SECTION 4030. 977.05 (6) (c) of the statutes is repealed.

SECTION 4031. 977.05 (6) (cm) of the statutes is repealed.

SECTION 4031c. 977.07 (1) (b) of the statutes is amended to read:

977.07 **(1)** (b) For referrals not made under ss. 809.30 ~~and~~, 974.06, and 974.07, a representative of the state public defender is responsible for making indigency determinations unless the county became responsible under s. 977.07 (1) (b) 2. or 3., 1983 stats., for these determinations. Subject to the provisions of par. (bn), those coun-

ties may continue to be responsible for making indigency determinations. Any such county may change the agencies or persons who are designated to make indigency determinations only upon the approval of the state public defender.

SECTION 4031e. 977.07 (1) (c) of the statutes is amended to read:

977.07 **(1)** (c) For all referrals made under ss. 809.30 ~~and~~, 974.06 (3) (b) and 974.07 (11), except a referral of a child who is entitled to be represented by counsel under s. 48.23 or 938.23, a representative of the state public defender shall determine indigency~~, and~~. For referrals made under ss. 809.30 and 974.06 (3) (b), except a referral of a child who is entitled to be represented by counsel under s. 48.23 or 938.23, the representative of the state public defender may, unless a request for redetermination has been filed under s. 809.30 (2) (d) or the defendant's request for representation states that his or her financial circumstances have materially improved, rely upon a determination of indigency made for purposes of trial representation under this section.

SECTION 4031j. 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.~~ ss. 978.043 and 978.044, 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.

Vetoed In Part

SECTION 4031p. 978.044 of the statutes is created to read:

978.044 Assistants to perform restorative justice services. (1) DEFINITIONS. In this section:

(a) "Crime" has the meaning given in s. 950.02 (1m).

(b) "Offender" means an individual who is, or could be, charged with committing a crime or who is, or could be, the subject of a petition under ch. 938 alleging that he or she has committed a crime.

(c) "Victim" has the meaning given in s. 950.02 (4).

(2) DUTIES. The district attorneys of Milwaukee county and the county selected under sub. (4) shall each assign one assistant district attorney in his or her prosecutorial unit to be a restorative justice coordinator. An assistant district attorney assigned under this subsection to be a restorative justice coordinator shall do all the following:

(a) Establish restorative justice programs that provide support to the victim, help reintegrate the victim into community life, and provide a forum where an offender may meet with the victim or engage in other activities to do all of the following:

1. Discuss the impact of the offender's crime on the victim or on the community.

2. Explore potential restorative responses by the offender.

3. Provide methods for reintegrating the offender into community life.

(b) Provide assistance to the district attorney in other counties relating to the establishment of restorative justice programs, as described in par. (a).

(c) Maintain a record of all of the following:

1. The amount of time spent implementing the requirements of pars. (a) and (b).

2. The number of victims and offenders served by programs established under par. (a).

3. The types of offenses addressed by programs established under par. (a).

4. The rate of recidivism among offenders served by programs established under par. (a) compared to the rate of recidivism by offenders not served by such programs.

(3) REPORT TO DEPARTMENT OF ADMINISTRATION. Annually, on a date specified by the department of administration, the district attorneys of Milwaukee county and the county selected under sub. (4) shall each submit to the department of administration a report summarizing the records under sub. (2) (c) covering the preceding 12−month period. The department of administration shall maintain the information submitted under this subsection by the district attorney.

(4) SELECTION OF 2ND COUNTY. The attorney general, in consultation with the department of corrections, shall select a county other than Milwaukee county in which restorative justice services are to be provided under sub. (2).

(5) EXPIRATION. This section does not apply after June 30, 2005.

SECTION 4031r. 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.~~ ss. 978.043 and 978.044, 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 employees.

SECTION 4031s. 978.08 of the statutes is created to read:

978.08 Preservation of certain evidence. (1) In this section:

(a) "Custody" has the meaning given in s. 968.205 (1) (a).

(b) "Discharge date" has the meaning given in s. 968.205 (1) (b).

(2) Except as provided in sub. (3), if physical evidence that is in the possession of a district attorney includes any biological material that was collected in connection with a criminal investigation that resulted in a criminal conviction, delinquency adjudication, or commitment under s. 971.17 or 980.06, the district attorney shall preserve the physical evidence until every person in custody as a result of the conviction, adjudication, or commitment has reached his or her discharge date.

Vetoed In Part

(3) Subject to sub. (5), a district attorney may destroy biological material before the expiration of the time period specified in sub. (2) if all of the following apply:

(a) The district attorney sends a notice of its intent to destroy the biological material to all persons who remain in custody as a result of the criminal conviction, delinquency adjudication, or commitment and to either the attorney of record for each person in custody or the state public defender.

(b) No person who is notified under par. (a) does either of the following within 90 days after the date on which the person received the notice:

1. Files a motion for testing of the biological material under s. 974.07 (2).

2. Submits a written request to preserve the biological material to the district attorney.

(c) No other provision of federal or state law requires the district attorney to preserve the biological material.

(4) A notice provided under sub. (3) (a) shall clearly inform the recipient that the biological material will be destroyed unless, within 90 days after the date on which the person receives the notice, either a motion for testing of the material is filed under s. 974.07 (2) or a written request to preserve the material is submitted to the district attorney.

(5) If, after providing notice under sub. (3) (a) of its intent to destroy biological material, a district attorney receives a written request to preserve the material, the district attorney shall preserve the material until the discharge date of the person who made the request or on whose behalf the request was made, subject to a court order issued under s. 974.07 (7), (9) (a), or (10) (a) 5., unless the court orders destruction or transfer of the biological material under s. 974.07 (9) (b) or (10) (a) 5.

SECTION 4032m. 978.13 (1) (d) of the statutes is amended 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 $64,000 in the 2000−01 fiscal year~~ the amount appropriated under s. 20.475 (1) (f).

SECTION 4033g. 979.01 (1m) of the statutes is amended to read:

979.01 **(1m)** The coroner or medical examiner receiving notification under sub. (1) shall immediately notify the attorney general and district attorney.

SECTION 4033k. 979.015 of the statutes is amended to read:

979.015 Subpoena for documents. Upon the request of the coroner, medical examiner, attorney general, or district attorney, a court shall issue a subpoena requiring the production of documents necessary for the determination of a decedent's cause of death. The documents may include the decedent's patient health care records and treatment records, as defined in ss. 51.30 and 146.81 (4). The documents shall be returnable to the officer named in the subpoena.

SECTION 4033n. 979.02 of the statutes is amended to read:

979.02 Autopsies. The coroner, medical examiner, attorney general, or district attorney may order ~~the conducting of~~ an autopsy upon the body of a dead person any place within the state in cases where an inquest might be had as provided in s. 979.04 notwithstanding the fact that no such inquest is ordered or conducted. The autopsy shall be conducted by a licensed physician who has specialized training in pathology. The attorney general or district attorney may move the circuit court for the county in which the body is buried for an order disinterring the body for purposes of autopsy. The order shall be granted by the circuit court upon a reasonable showing that any of the criteria specified in s. 979.04 exists. This section does not prevent additional autopsies or examinations of the body if there are unanswered pathological questions concerning the death and the causes of death.

SECTION 4034. 979.025 of the statutes is created to read:

979.025 Autopsy of correctional inmate. (1) INMATE CONFINED TO AN INSTITUTION IN THIS STATE. If an individual dies while he or she is in the legal custody of the department and confined to a correctional facility located in this state, the coroner or medical examiner of the county where the death occurred shall perform an autopsy on the deceased individual. If the coroner or medical examiner who performs the autopsy determines that the individual's death may have been the result of any of the situations that would permit the district attorney to order an inquest under s. 979.04 (1), the coroner or medical examiner shall follow the procedures under s. 979.04 (2).

(**2**) INMATE CONFINED IN AN INSTITUTION IN ANOTHER STATE. If an individual dies while he or she is in the legal custody of the department and confined to a correctional facility in another state under a contract under s. 301.07, 301.21, or 302.25, the department shall have an autopsy performed by an appropriate authority in the other state or by the coroner or medical examiner of the county in which the circuit court is located that sentenced the individual to the custody of the department. If the coroner or medical examiner who performs the autopsy in this state determines that the individual's death may have been the result of any of the situations that would permit the district attorney to order an inquest under s. 979.04 (1), the coroner or medical examiner shall forward the results of the autopsy to the appropriate authority in the other state.

Vetoed In Part

(**3**) COSTS OF AN AUTOPSY. The costs of an autopsy performed under sub. (1) or (2) shall be paid by the department.

SECTION 4034b. 979.04 (1) of the statutes is amended to read:

979.04 **(1)** If the attorney general or district attorney has notice of the death of any person and there is reason to believe from the circumstances surrounding the death that felony murder, first−degree or 2nd−degree intentional homicide, first−degree or 2nd−degree reckless homicide, homicide by negligent handling of a dangerous weapon, explosives, or fire, homicide by negligent operation of a vehicle, homicide resulting from negligent control of a vicious animal, or homicide by intoxicated user of a vehicle or firearm may have been committed, or that death may have been due to suicide or unexplained or suspicious circumstances, the attorney general or district attorney may order that an inquest be conducted for the purpose of inquiring how the person died. The attorney general or district attorney shall appear in any such inquest representing the state in presenting all evidence ~~which~~ that may be relevant or material to the inquiry of the inquest. The inquest may be held in any county in this state in which venue would lie for the trial of any offense charged as the result of or involving the death. An inquest may only be ordered by the attorney general or district attorney under this subsection or by the circuit judge under sub. (2).

SECTION 4034c. 979.04 (2) of the statutes is amended to read:

979.04 **(2)** If the coroner or medical examiner has knowledge of the death of any person in the manner described under sub. (1), he or she shall immediately notify the attorney general and district attorney. The notification shall include information concerning the circumstances surrounding the death. The coroner or medical examiner may request the attorney general and district attorney to order an inquest under sub. (1). If the attorney general and district attorney ~~refuses~~ refuse to order the inquest, a coroner or medical examiner may petition the circuit court to order an inquest. The court may issue the order if it finds that the attorney general or district attorney has abused his or her discretion in not ordering an inquest.

SECTION 4034d. 979.04 (3) of the statutes is amended to read:

979.04 **(3)** Subsequent to receipt of notice of the death, the attorney general or district attorney may request the coroner or medical examiner to conduct a preliminary investigation and report back to the attorney general or district attorney. The attorney general or district attorney may determine the scope of the preliminary investigation. This subsection does not limit or prevent any other investigation into the death by any law enforcement agency with jurisdiction over the investigation.

SECTION 4034f. 979.05 (2) of the statutes is amended to read:

979.05 **(2)** The inquest shall be conducted before a jury unless the attorney general, district attorney, coroner, or medical examiner requests that the inquest be conducted before only the judge or court commissioner ~~only~~. If the inquest is to be conducted before a jury, a sufficient number of names of prospective jurors shall be selected from the prospective juror list for the county in which the inquest is to be held by the clerk of circuit court in the manner provided in s. 756.06. The judge or court commissioner conducting the inquest shall summon the prospective jurors to appear before the judge or court commissioner at the time fixed in the summons. The summons may be served by mail, or by personal service if the judge, court commissioner, attorney general, or district attorney determines personal service to be appropriate. The summons shall be in the form used to summon petit jurors in the circuit courts of the county. Any person who fails to appear when summoned as an inquest juror is subject to a forfeiture of not more than $40. The inquest jury shall consist of 6 jurors. If 6 jurors do not remain from the number originally summoned after establishment of qualifications, the judge or court commissioner conducting the inquest may require the clerk of the circuit court to select sufficient additional jurors' names. Those persons shall be summoned forthwith by the sheriff of the county.

Vetoed In Part

SECTION 4034g. 979.05 (3) of the statutes is amended to read:

979.05 **(3)** The judge or court commissioner shall examine on oath or affirmation each person who is called as a juror to discover whether the juror is related by blood, marriage, or adoption to the decedent, any member of the decedent's family, the attorney general, district attorney, any other attorney appearing in the case, or any members of the office of the attorney general, district attorney, or of the office of any other attorney appearing in the case~~,~~; has expressed or formed any opinion regarding the matters ~~being inquired into in~~ of the inquest; or is aware of or has any bias or prejudice concerning the matters

~~being inquired into in~~ of the inquest. If any prospective juror is found to be not indifferent or is found to have formed an opinion ~~which~~ that cannot be laid aside, that juror shall be excused. The judge or court commissioner may select one or more alternate jurors if the inquest is likely to be protracted. This subsection does not limit the right of the attorney general or district attorney to supplement the judge's or court commissioner's examination of any prospective jurors as to qualifications.

Vetoed In Part

SECTION 4034h. 979.05 (5) of the statutes is amended to read:

979.05 **(5)** Prior to the submission of evidence to the jury, the judge or court commissioner may instruct the jury on its duties and on the substantive law regarding the issues ~~which may be inquired into~~ before the jury. The attorney general or district attorney may, at any time during the course of the inquest, make statements to the jury relating to procedural or evidentiary matters that he or she and the judge or court commissioner deem appropriate. Section 972.12 applies to the conduct of the inquest jury.

SECTION 4034j. 979.05 (6) of the statutes is amended to read:

979.05 **(6)** The judge or court commissioner conducting the inquest may order that proceedings be secret if the attorney general or district attorney so requests or concurs.

SECTION 4034m. 979.06 (1) of the statutes is amended to read:

979.06 **(1)** The judge or court commissioner may issue subpoenas for witnesses at the request of the coroner or medical examiner and shall issue subpoenas for witnesses requested by the attorney general or district attorney. Subpoenas are returnable at the time and place stated therein. Persons who are served with a subpoena may be compelled to attend proceedings in the manner provided in s. 885.12.

SECTION 4034n. 979.06 (2) of the statutes is amended to read:

979.06 **(2)** The judge or court commissioner conducting the inquest and the attorney general or district attorney may require by subpoena the attendance of one or more expert witnesses, including physicians, surgeons, and pathologists, for the purposes of conducting an examination of the body and all relevant and material scientific and medical tests connected with the examination and testifying as to the results of the examination and tests. The expert witnesses so subpoenaed shall receive reasonable fees determined by the attorney general or district attorney and the judge or court commissioner conducting the inquest.

SECTION 4034p. 979.07 (1) (a) of the statutes is amended to read:

979.07 **(1)** (a) If a person refuses to testify or to produce books, papers, or documents when required to do so before an inquest for the reason that the testimony or evidence required of the person may tend to incriminate him or her or subject him or her to a forfeiture or penalty, the person may be compelled to testify or produce the evidence by order of the circuit court of the county in which the inquest is convened on motion of the attorney general or district attorney. A person who testifies or produces evidence in obedience to the command of the court in that case is not subject to any forfeiture or penalty for or on account of testifying or producing evidence, except the person is subject to prosecution and punishment for perjury or false swearing committed in so testifying.

Vetoed In Part

SECTION 4034r. 979.08 (1) of the statutes is amended to read:

979.08 **(1)** When the evidence is concluded and the testimony closed, the judge or court commissioner shall instruct the jury on its duties and on the substantive law regarding the issues ~~inquired into~~ before the jury. The attorney general or district attorney shall prepare a written set of appropriate requested instructions and shall submit them to the judge or court commissioner who, together with the attorney general or district attorney, shall compile the final set of instructions ~~which~~ that shall be given. The instructions shall include those criminal offenses for which the judge or court commissioner believes a reasonable jury might return a verdict based upon a finding of probable cause.

SECTION 4034t. 979.08 (5) of the statutes is amended to read:

979.08 **(5)** The verdict delivered by the inquest jury is advisory and does not preclude or require the issuance of any criminal charges by the attorney general or district attorney.

SECTION 4034u. 979.08 (6) of the statutes is amended to read:

979.08 **(6)** Any verdict so rendered, after being validated and signed by the judge or court commissioner, together with the record of the inquest, shall be delivered to the attorney general or district attorney for consideration. After considering the verdict and record, the attorney general or district attorney may deliver the entire inquest record or any part thereof to the coroner or medical examiner for safekeeping.

SECTION 4034v. 979.09 of the statutes is amended to read:

979.09 Burial of body. If any judge or court commissioner conducts an inquest as to the death of a stranger or of a person whose identity is unknown or whose body is unclaimed, or if the attorney general or district attorney determines that no inquest into the death of such a person is necessary and the circuit judge has not ordered an inquest under s. 979.04 (2), the coroner or medical examiner shall cause the body to be decently buried or cremated and shall certify to all the charges incurred in taking any inquest by him or her and to the

expenses of burial or cremation of the dead body. ~~The~~ If the district attorney or circuit court ordered the inquest, charges and expenses shall be audited by the county board of the proper county and paid out of the county treasury. If the attorney general ordered the inquest, charges and expenses, except as provided under s. 979.11, shall be audited and paid by the department of justice.

SECTION 4034w. 979.10 (2) of the statutes is amended to read:

979.10 **(2)** If a corpse is to be cremated, the coroner or medical examiner shall make a careful personal inquiry into the cause and manner of death, and conduct an autopsy or order the conducting of an autopsy, if in his or her or the attorney general's or district attorney's opinion it is necessary to determine the cause and manner of death. If the coroner or medical examiner determines that no further examination or judicial inquiry is necessary he or she shall certify that fact. Upon written request by the attorney general or district attorney the coroner or medical examiner shall obtain the concurrence of the attorney general or district attorney before issuing the certification. If the coroner or medical examiner determines that further examination or judicial inquiry is necessary, he or she shall notify the attorney general and district attorney under s. 979.04 (2).

SECTION 4034y. 979.11 of the statutes is amended to read:

979.11 Compensation of officers. The sole compensation of the coroner and deputy coroners for attendance at an inquest and for any preliminary investigation under this chapter at the direction of the attorney general or district attorney shall be a reasonable sum set by the county board for each day actually and necessarily required for the purpose, and a sum set by the county board for each mile actually and necessarily traveled in performing the duty. Any coroner or deputy coroner may be paid an annual salary and allowance for traveling expenses to be established by the county board under s. 59.22 which shall be in lieu of all fees, per diem and compensation for services rendered.

SECTION 4034yd. 980.065 (1r) of the statutes is created to read:

980.065 **(1r)** Notwithstanding sub. (1m), the department may place a female person committed under s. 980.06 at Mendota Mental Health Institute, Winnebago Mental Health Institute, or a privately operated residential facility under contract with the department of health and family services.

SECTION 4034ye. 980.067 of the statutes is created to read:

980.067 Activities off grounds. The superintendent of the facility at which a person is placed under s. 980.065 may allow the person to leave the grounds of the facility under escort. The department of health and family services shall promulgate rules for the administration of this section.

SECTION 4034yg. 980.08 (5) of the statutes is amended to read:

Vetoed In Part

980.08 **(5)** If the court finds that the person is appropriate for supervised release, the court shall notify the department. The department shall make its best effort to arrange for placement of the person in a residential facility or dwelling that is in the person's county of residence, as determined by the department under s. 980.105. The department and the county department under s. 51.42 in the county of residence of the person~~, as determined under s. 980.105,~~ shall prepare a plan that identifies the treatment and services, if any, that the person will receive in the community. The plan shall address the person's need, if any, for supervision, counseling, medication, community support services, residential services, vocational services, and alcohol or other drug abuse treatment. In developing a plan for where the person may reside while on supervised release, the department shall consider the proximity of any potential placement to the residence of other persons on supervised release and to the residence of persons who are in the custody of the department of corrections and regarding whom a sex offender notification bulletin has been issued to law enforcement agencies under s. 301.46 (2m) (a) or (am). If the person is a serious child sex offender, the plan shall address the person's need for pharmacological treatment using an antiandrogen or the chemical equivalent of an antiandrogen. The department may contract with a county department, under s. 51.42 (3) (aw) 1. d., with another public agency or with a private agency to provide the treatment and services identified in the plan. The plan shall specify who will be responsible for providing the treatment and services identified in the plan. The plan shall be presented to the court for its approval within 60 days after the court finding that the person is appropriate for supervised release, unless the department, county department and person to be released request additional time to develop the plan. If the county department of the person's county of residence declines to prepare a plan, the department may arrange for another county to prepare the plan if that county agrees to prepare the plan and if the person will be living in that county. If the department is unable to arrange for another county to prepare a plan, the court shall designate a county department to prepare the plan, order the county department to prepare the plan and place the person on supervised release in that county, except that the court may not so designate the county department in any county where there is a facility in which persons committed to institutional care under this chapter are placed unless that county is also the person's county of residence.

SECTION 4034ys. 980.101 of the statutes is created to read:

980.101 Reversal, vacation or setting aside of judgment relating to a sexually violent offense; effect. **(1)** In this section, "judgment relating to a sexually violent offense" means a judgment of conviction for a sexually violent offense, an adjudication of delinquency on the basis of a sexually violent offense, or a judgment of not guilty of a sexually violent offense by reason of mental disease or defect.

(2) If, at any time after a person is committed under s. 980.06, a judgment relating to a sexually violent offense committed by the person is reversed, set aside, or vacated and that sexually violent offense was a basis for the allegation made in the petition under s. 980.02 (2) (a), the person may bring a motion for postcommitment relief in the court that committed the person. The court shall proceed as follows on the motion for postcommitment relief:

(a) If the sexually violent offense was the sole basis for the allegation under s. 980.02 (2) (a) and there are no other judgments relating to a sexually violent offense committed by the person, the court shall reverse, set aside, or vacate the judgment under s. 980.05 (5) that the person is a sexually violent person, vacate the commitment order, and discharge the person from the custody or supervision of the department.

(b) If the sexually violent offense was the sole basis for the allegation under s. 980.02 (2) (a) but there are other judgments relating to a sexually violent offense committed by the person that have not been reversed, set aside, or vacated, or if the sexually violent offense was not the sole basis for the allegation under s. 980.02 (2) (a), the court shall determine whether to grant the person a new trial under s. 980.05 because the reversal, setting aside, or vacating of the judgment for the sexually violent offense would probably change the result of the trial.

(3) An appeal may be taken from an an order entered under sub. (2) as from a final judgment.

SECTION 4034yt. 980.105 of the statutes is amended to read:

980.105 Determination of county of residence. The ~~court~~ department shall determine a person's county of residence for the purposes of this chapter by doing all of the following:

(1) The ~~court~~ department shall consider residence as the voluntary concurrence of physical presence with intent to remain in a place of fixed habitation and shall consider physical presence as prima facie evidence of intent to remain.

(2) The ~~court~~ department shall apply the criteria for consideration of residence and physical presence under sub. (1) to the facts that existed on the date that the person committed the sexually violent offense that resulted in the sentence, placement or commitment that was in effect when the petition was filed under s. 980.02.

SECTION 4034yu. 990.01 (39) of the statutes is created to read:

990.01 **(39)** SOUTHERN STATE FOREST. "Southern state forest" means a state forest that is located within the region specified in s. 25.28 (3) (am).

SECTION 4034z. 992.14 of the statutes is created to read:

992.14 Revenue limit agreement. Notwithstanding s. 121.91, if a school district held a referendum before February 5, 2001, to exceed its revenue limit under s. 121.91 (2m) (e), and the resolution adopted by the school board and referred to in the question submitted to the electors specified a mill rate to be used to calculate the revenue limit increase, the amount by which the school district's revenue limit is increased as a result of the referendum for each year specified in the referendum is the dollar amount agreed to by the department of public instruction and the school board of that school district.

SECTION 4034zb. 1995 Wisconsin Act 292, section 5 is repealed.

SECTION 4034zc. 1995 Wisconsin Act 292, section 12 is repealed.

SECTION 4034zd. 1995 Wisconsin Act 292, section 14 is repealed.

SECTION 4034ze. 1995 Wisconsin Act 292, section 16 is repealed.

SECTION 4034zf. 1995 Wisconsin Act 292, section 20 is repealed.

SECTION 4034zg. 1995 Wisconsin Act 292, section 22 is repealed.

SECTION 4034zh. 1995 Wisconsin Act 292, section 24 is repealed.

SECTION 4034zi. 1995 Wisconsin Act 292, section 28 is repealed.

SECTION 4034zj. 1995 Wisconsin Act 292, section 30 is repealed.

SECTION 4034zk. 1995 Wisconsin Act 292, section 30h is repealed.

SECTION 4034zL. 1995 Wisconsin Act 292, section 32 is repealed.

SECTION 4034zm. 1995 Wisconsin Act 292, section 37 (1) is repealed.

SECTION 4035. 1997 Wisconsin Act 4, section 4 (1) (a), as last affected by 1999 Wisconsin Act 9, section 3261, 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, ~~2001~~ 2003, operate the 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. **Vetoed In Part**

SECTION 4036. 1997 Wisconsin Act 27, section 1622d is repealed.

SECTION 4037. 1997 Wisconsin Act 27, section 1623d is repealed.

SECTION 4038. 1997 Wisconsin Act 27, section 1624d is repealed.

SECTION 4039b. 1997 Wisconsin Act 27, section 9101 (11m) is amended to read:

[1997 Wisconsin Act 27] Section 9101 (11m) REPORT BY LAND INFORMATION BOARD AND WISCONSIN LAND COUNCIL. No later than September 1, ~~2002~~ 2006, the land information board and Wisconsin land council shall report to the legislature in the manner provided under section 13.172 (2) of the statutes and to the governor concerning the issue of continuation of their functions, including the feasibility of combination of their functions.

SECTION 4039p. 1997 Wisconsin Act 27, section 9123 (6) is repealed.

SECTION 4039q. 1997 Wisconsin Act 27, section 9123 (6m) is repealed.

SECTION 4039r. 1997 Wisconsin Act 27, section 9123 (10g) is repealed.

SECTION 4040. 1997 Wisconsin Act 27, section 9423 (10f) is repealed.

SECTION 4041b. 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) and (5), 16.967, 20.505 (1) (ie), (ig), (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~~ 2007 .

SECTION 4041d. 1997 Wisconsin Act 35, section 141 is repealed. **Vetoed In Part**

SECTION 4041e. 1997 Wisconsin Act 35, section 144 is repealed.

SECTION 4041f. 1997 Wisconsin Act 35, section 147 is repealed.

SECTION 4041g. 1997 Wisconsin Act 35, section 605 (1) is repealed.

SECTION 4041k. 1997 Wisconsin Act 154, section 3 (2) is amended to read:

[1997 Wisconsin Act 154] Section 3 (2) JOINT COMMITTEE ON FINANCE REVIEW. The department of health and family services shall submit the report under subsection (1) to the joint committee on finance of the legislature for its review under section 13.10 of the statutes. ~~The department of health and family services may not submit the rules under section 146.56 (2) of the statutes, as created by this act, to the legislative council staff for review under section 227.15 of the statutes until the joint committee on finance approves the report under subsection (1).~~

SECTION 4041m. 1997 Wisconsin Act 237, section 82er is repealed. **Vetoed In Part**

SECTION 4041n. 1997 Wisconsin Act 237, section 9452 is repealed.

SECTION 4042. 1997 Wisconsin Act 252, section 51 is repealed.

SECTION 4043. 1997 Wisconsin Act 252, section 53 is repealed.

SECTION 4044. 1997 Wisconsin Act 252, section 201 (1) is repealed.

SECTION 4045. 1999 Wisconsin Act 9, section 11ac is repealed.

SECTION 4046. 1999 Wisconsin Act 9, section 593ac is repealed.

SECTION 4046g. 1999 Wisconsin Act 9, section 1278t is repealed.

SECTION 4046j. 1999 Wisconsin Act 9, section 9123 (3) (a) is amended to read:

[1999 Wisconsin Act 9] Section 9123 (3) (a) From the ~~appropriations under section 20.435 (6) (a) of the statutes, as affected by this act, and section 20.435 (6) (n)~~ appropriation account under section 20.435 (7) (md) of the statutes, the department of health and family services shall expend up to $398,000 in state fiscal year 2001−02 and up to $38,000 in state fiscal year 2002−03 to contract with counties or federally recognized American Indian tribes or bands to provide up to 4 demonstration projects ~~in state fiscal year 2000−01~~, except that the department is not precluded from also awarding funds for this purpose under section 46.54 of the statutes, as affected by this act. 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. **Vetoed In Part** **Vetoed In Part**

SECTION 4046m. 1999 Wisconsin Act 9, section 9136 (10) is repealed.

SECTION 4046s. 1999 Wisconsin Act 9, section 9158 (8w) (e) is repealed.

SECTION 4046t. 1999 Wisconsin Act 9, section 9150 (3bm) is amended to read:

[1999 Wisconsin Act 9] Section 9150 (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 after the effective date of this subsection 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~~ 2002.

Vetoed In Part

SECTION 4047. 1999 Wisconsin Act 9, section 9201 (2m) is repealed.

SECTION 4048. 1999 Wisconsin Act 9, section 9201 (2n) is repealed.

SECTION 4049. 1999 Wisconsin Act 9, section 9201 (2p) is repealed.

SECTION 4050. 1999 Wisconsin Act 9, section 9211 (title) and (2g) are repealed.

SECTION 4051. 1999 Wisconsin Act 9, section 9230 (title) and (1) are repealed.

SECTION 4052. 1999 Wisconsin Act 9, section 9230 (2m) is repealed.

SECTION 4053. 1999 Wisconsin Act 9, section 9230 (3m) is repealed.

SECTION 4054. 1999 Wisconsin Act 9, section 9238 (title) and (1h) are repealed.

SECTION 4055. 1999 Wisconsin Act 9, section 9239 (title) and (1h) are repealed.

SECTION 4056. 1999 Wisconsin Act 9, section 9239 (2h) is repealed.

SECTION 4057. 1999 Wisconsin Act 9, section 9357 (3) is amended to read:

[1999 Wisconsin Act 9] Section 9357 (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~~ applies to annual receiving and disbursing fees that are ordered on the effective date of this subsection.

SECTION 4059b. 1999 Wisconsin Act 9, section 9401 (2zt) is amended to read:

[1999 Wisconsin Act 9] Section 9401 (2zt) WISCONSIN LAND COUNCIL. The treatment of section 20.505 (1) (ka) (by SECTION 519) of the statutes takes effect on September 1, ~~2003~~ 2007.

SECTION 4059g. 1999 Wisconsin Act 9, section 9401 (2zu) is amended to read:

[1999 Wisconsin Act 9] Section 9401 (2zu) SOIL SURVEYS AND MAPPING. The repeal of sections 16.967 (11) and 20.505 (1) (ik) ~~and~~ of the statutes, 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 September1, ~~2003~~ 2007.

SECTION 4060. 1999 Wisconsin Act 9, section 9421 (1x) is amended to read:

[1999 Wisconsin Act] Section 9421 (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~~ takes effect on January 6, 2003.

SECTION 4060c. 1999 Wisconsin Act 9, section 9423 (1) is amended to read:

[1999 Wisconsin Act 9] Section 9423 (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~~ 2003, or on the day after publication of the ~~2001−03~~ 2003−05 biennial budget act, whichever is later.

SECTION 4060d. 1999 Wisconsin Act 9, section 9423 (14g) is repealed.

SECTION 4060fm. 1999 Wisconsin Act 42, sections 18 and 27 are repealed.

SECTION 4060gg. 1999 Wisconsin Act 109, section 17 is repealed.

SECTION 4060gj. 1999 Wisconsin Act 109, section 26 is repealed.

SECTION 4060gk. 1999 Wisconsin Act 109, section 38 is repealed.

SECTION 4060gm. 1999 Wisconsin Act 109, section 56j is repealed.

SECTION 4060hd. 1999 Wisconsin Act 109, section 70 is repealed.

SECTION 4060hg. 1999 Wisconsin Act 109, section 72 is repealed.

SECTION 4060hj. 1999 Wisconsin Act 109, section 73 is repealed.

SECTION 4060hk. 1999 Wisconsin Act 109, section 84 is repealed.

SECTION 4060hm. 1999 Wisconsin Act 109, section 85 is repealed.

SECTION 4060hp. 1999 Wisconsin Act 109, section 86 is repealed.

SECTION 4060hr. 1999 Wisconsin Act 109, section 87 is repealed.

Vetoed In Part

SECTION 4060ht. 1999 Wisconsin Act 109, section 88 (2) is amended to read:

[1999 Wisconsin Act 109] Section 88 (2) The department of transportation and the department of health and family services shall study jointly and evaluate the effectiveness of using ignition interlock devices and vehicle immobilization as methods of reducing the prevalence of drunk driving and the recidivism of drunk−driving offenders. The departments shall consult with the counties, the law enforcement agencies, the courts, and the providers of services to alcohol abusers regarding this study and evaluation. No later than ~~the first day of the 24th month beginning after the effective date of section 343.301 of the statutes, as created in this act~~ January 1,

2004, the department shall submit a report to the legislature in the manner provided under section 13.172 (2) of the statutes that contains the conclusions of the departments' study and evaluation and any recommendations concerning implementation of the conclusions.

SECTION 4060hw. 1999 Wisconsin Act 109, section 90 (3) is amended to read:

[1999 Wisconsin Act 109] Section 90 (3) IGNITION INTERLOCK AND IMMOBILIZATION. The treatment of sections 342.12 (4) (a), (b) and (c) 1. (intro.), ~~343.10 (5) (a) 3., 343.301, 343.305 (10m),~~ 346.65 (6) (a) ~~1. (by SECTION 56j),~~ 2m. and 3. and (b), (d), (k) and (m), and 347.413 ~~(1) and~~ (2), ~~347.417 (1) and (2), 940.09 (1d) (a) and 940.25 (1d) (a) of the statutes and the renumbering of sections 940.09 (1d) and 940.25 (1d)~~ of the statutes first ~~apply~~ applies to violations committed or refusals occurring on the effective date of this subsection, but does not preclude the counting of other convictions, suspensions or revocations as prior convictions, suspensions or revocations for purposes of administrative action by the department of transportation or sentencing by a court.

Vetoed In Part

Vetoed In Part

Vetoed In Part

SECTION 4060hy. 1999 Wisconsin Act 109, section 91 (2) is amended to read:

[1999 Wisconsin Act 109] Section 91 (2) The treatment of sections 342.12 (4) (a), (b) and (c) 1. (intro.), ~~343.10 (5) (a) 3., 343.301, 343.305 (10m),~~ 346.65 (6) (a) ~~1. (by SECTION 56j),~~ 2m. and 3. ~~and,~~ (b), (k) and (m), and 347.413 ~~(1) and~~ (2), ~~347.417 (1) and (2), 940.09 (1d) (a) and 940.25 (1d) (a) of the statutes, the renumbering of sections 940.05 (1d) and 940.25 (1d)~~ of the statutes and SECTION 90 (3) of this act take effect on January 1, 2002.

Vetoed In Part

Vetoed In Part

SECTION 9101. Nonstatutory provisions; administration.

(1) TANK PLAN REVIEW AND INSPECTION FEES. The secretary of administration shall calculate the amount of fees collected for plan review and inspection of tanks for the storage, handling, or use of flammable or combustible liquids and for any certification or registration required under section 101.09 (3) (c) of the statutes beginning on July 1, 2000, and ending on the effective date of this subsection, less the costs encumbered under the appropriation under section 20.143 (3) (j) of the statutes during that period for 2 program specialists for the program under section 101.143 of the statutes.

(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) and (p) of the statutes, the department shall expend $84,000 in fiscal year 2001−02 and $91,000 in fiscal year 2002−03 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) and (p) of the statutes, the department shall expend $277,900 in fiscal year 2001−02 and $291,400 in fiscal year 2002−03 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.

(7) CONSOLIDATION OF APPROPRIATIONS.

(av) On the effective date of this paragraph, the secretary of administration shall apportion and transfer the unencumbered moneys and accounts receivable from the appropriation account under section 20.505 (1) (kd), 1999 stats., to the appropriation accounts under sections 20.505 (1) (kb) and 20.530 (1) (kL) of the statutes, as affected by this act, and shall apportion and transfer the liabilities, including any liabilities incurred under section 20.903 (2) (b) of the statutes, as affected by this act, from the appropriation under section 20.505 (1) (kd) of the statutes to the appropriations under sections 20.505 (1) (kb) and 20.530 (1) (kL) of the statutes, as affected by this act, in the manner determined by the secretary.

(bv) On the effective date of this paragraph, the secretary of administration shall apportion and transfer the unencumbered moneys and accounts receivable that are attributable to state telecommunications services from the appropriation account under section 20.505 (1) (kL) of the statutes, as affected by this act, to the appropriation account under section 20.530 (1) (ke) of the statutes, as affected by this act.

(10) WISCONSIN ADVANCED TELECOMMUNICATIONS FOUNDATION FUNDS.

(a) *Determination by secretary of administration.* On the effective date of this paragraph, the secretary of administration shall determine whether the Wisconsin Advanced Telecommunications Foundation has granted to the state, before the effective date of this paragraph, some or all of the unencumbered balances of the endowment fund established under section 14.28 (2) (g), 1999 stats., and the fast start fund established under section 14.28 (6) (a), 1999 stats. If the secretary determines that such a grant has been made, the amount of the grant, except for any amount in excess of $4,479,700, is credited to the appropriation under section 20.865 (4) (gm) of the statutes, as created by this act, and any amount of the grant in excess of $4,479,700 is credited to the appropriation under section 20.275 (1) (jm) of the statutes, as created by this act. If the secretary determines that the amount of the grant is less than $4,479,700, the secretary shall notify the cochairpersons of the joint committee on finance. If the secretary determines that the amount of the grant is $4,479,700 or more, each of the following applies:

1. 'Wisconsin Informational Network for School Success.' An amount equal to $579,000 is transferred from the appropriation account under section 20.865 (4)

(gm) of the statutes, as created by this act, to the appropriation account under section 20.255 (1) (ke) of the statutes, for the purpose of upgrading the Wisconsin Informational Network for School Success.

2. 'State school finance information system.' An amount equal to $77,800 is transferred from the appropriation account under section 20.865 (4) (gm) of the statutes, as created by this act, to the appropriation account under section 20.255 (1) (ke) of the statutes, for the purpose of upgrading the state school finance information system.

3. 'Wisconsin Center for the Blind and Visually Impaired.' An amount equal to $526,000 is transferred from the appropriation account under section 20.865 (4) (gm) of the statutes, as created by this act, to the appropriation account under section 20.255 (1) (ke) of the statutes, for the purpose of upgrading and replacing assistive technology devices and related software programs at the Janesville facility of the Wisconsin Center for the Blind and Visually Impaired and the regional satellite facilities of the center and for completing a network upgrade at the Janesville facility.

4. 'Wisconsin Regional Library for the Blind and Physically Handicapped.' An amount equal to $161,600 is transferred from the appropriation account under section 20.865 (4) (gm) of the statutes, as created by this act, to the appropriation account under section 20.255 (1) (ke) of the statutes, for the purpose of replacing the automated system at the Wisconsin Regional Library for the Blind and Physically Handicapped.

5. 'Technology for educational achievement in Wisconsin board.' An amount equal to $136,200 is transferred from the appropriation account under section 20.865 (4) (gm) of the statutes, as created by this act, to the appropriation account under section 20.275 (1) (k) of the statutes, as created by this act, for the purpose of carrying out the duties of the technology for educational achievement in Wisconsin board under section 44.71 (2) (i) of the statutes.

7. 'Wisconsin advanced telecommunications foundation grants.' An amount equal to $499,100 is transferred from the appropriation account under section 20.865 (4) (gm) of the statutes, as created by this act, to the appropriation account under section 20.275 (1) (k) of the statutes, as created by this act, for the purpose of closing out any existing grants made by the Wisconsin advanced telecommunications foundation.

11. 'Department of commerce grants for technology research.' An amount equal to $1,500,000 is transferred from the appropriation account under section 20.865 (4) (gm) of the statutes, as created by this act, to the appropriation account under section 20.143 (1) (kt) of the statutes, as created by this act, for the purpose of allowing the department of commerce to make grants, no later than June 30, 2003, to the University of Wisconsin−Milwaukee, the University of Wisconsin−Parkside, Marquette University, the Milwaukee School of Engineering, and the Medical College of Wisconsin for research related to emerging technologies that will promote industrial and economic development in southeastern Wisconsin. The department of commerce may not make a grant under this subdivision unless the department and the recipient enter into an agreement that specifies reporting and auditing requirements for the grant.

14. 'University of Wisconsin−Madison Medical School.' An amount equal to $500,000 is transferred from the appropriation account under section 20.865 (4) (gm) of the statutes, as created by this act, to the appropriation account under section 20.285 (1) (k) of the statutes for the purpose of purchasing a digital mammography machine for the University of Wisconsin−Madison Medical School.

(b) *Wisconsin geographical education program.* If the secretary of administration determines under paragraph (a) (intro.) that the Wisconsin Advanced Telecommunications Foundation has made a grant in an amount that is $13,465,100 or more and determines that the National Geographic Society Education Foundation has provided the matching funds described in section 115.28 (42) (a) of the statutes, as created by this act, on the effective date of this paragraph or on the date that the secretary makes the determination under this paragraph, whichever is later, an amount equal to $500,000 is transferred from the appropriation account under section 20.865 (4) (gm) of the statutes, as created by this act, to the appropriation account under section 20.255 (1) (ke) of the statutes, for the purpose of making a grant to the National Geographic Society Education Foundation for the geographical education program established under section 115.28 (42) of the statutes, as created by this act.

(11) POSITION AUTHORIZATION. The authorized FTE positions for the department of administration are increased by 1.0 PR position for the performance of duties primarily related to printing services in the division of information technology services.

(12) TRANSFER OF CAPACITY BUILDING GRANT PROGRAM.

(a) *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 capacity building grant program, as determined by the secretary of administration, is transferred to the technical college system board.

(b) *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 capacity building grant program, as determined by the secretary of administration, remain in effect and are transferred to the technical college system board. The technical college system board shall carry out any obligations under such a contract until the contract is modified

or rescinded by the technical college system board to the extent allowed under the contract.

(c) *Rules.* All rules promulgated by the department of administration that are primarily related to the capacity building grant program, as determined by the secretary of administration, and that are in effect on the effective date of this paragraph remain in effect until their specified expiration date or until amended or repealed by the technical college system board.

(d) *Pending matters.* Any matter pending with the department of administration on the effective date of this paragraph that is primarily related to the capacity building grant program, as determined by the secretary of administration, is transferred to the technical college system board 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 technical college system board.

(13) MISDEMEANOR OFFENDER DIVERSION PROGRAM. The secretary of administration may allocate up to $1,218,100 in fiscal year 2002−03 from the appropriation accounts under section 20.505 (6) (kt) of the statutes and under section 20.505 (6) (m) of the statutes, as affected by this act, for distribution to the public defender board, the director of state courts, and the Wisconsin District Attorneys Association to fund activities to divert misdemeanor offenders from imprisonment. The money allocated under this subsection may not be expended unless the secretary of administration approves a proposal for a misdemeanor diversion program submitted to the secretary by the public defender board; the secretary submits the proposal to the joint committee on finance; and the cochairpersons of the joint committee on finance do not notify the secretary within 14 working days after the date of his or her submittal that the committee has scheduled a meeting for the purpose of reviewing the proposal, or if, within 14 working days after the date of the secretary's submittal, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposal, and the committee meets and approves a proposal for the expenditure of money allocated under this subsection.

(14) ELECTRONIC PROCUREMENT AND COMMERCE ACTIVITIES. The department of administration shall report to the governor and the cochairpersons of the joint committee on finance concerning the status of the electronic procurement and commerce activities of the department. The department shall include in the report an assessment of the costs and benefits of those activities for the 2002−03 fiscal year and an assessment of the effectiveness of state executive branch agencies in increasing the volume of those activities.

(15) TRANSFER OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS FUNCTIONS.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of administration that are primarily related to its information technology or telecommunications functions, except educational technology functions, as determined by the secretary of administration, shall become assets and liabilities of the department of electronic government, as created by this act.

(b) *Positions and employees.*

1. On the effective date of this subdivision, all full−time equivalent positions in the department of administration having duties that are primarily related to its information technology or telecommunications functions, except educational technology functions, as determined by the secretary of administration, are transferred to the department of electronic government, as created by this act.

2. All incumbent employees holding positions specified in subdivision 1. are transferred on the effective date of this subdivision to the department of electronic government, as created by this act.

3. Employees transferred under subdivision 2. 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 electronic government, as created by this act, that they enjoyed in the department of administration immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(c) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of administration that is primarily related to its information technology or telecommunications functions, except educational technology functions, as determined by the secretary of administration, is transferred to the department of electronic government, as created by this act.

(d) *Contracts.* All contracts entered into by the department of administration in effect on the effective date of this paragraph that are primarily related to its information technology or telecommunications functions, except educational technology functions, as determined by the secretary of administration, are transferred to the department of electronic government, as created by this act. The department of electronic government shall carry out any contractual obligations under such a contract until the contract is modified or rescinded by the department of electronic government to the extent allowed under the contract.

(e) *Rules and orders.* All rules promulgated by the department of administration that are primarily related to its information technology or telecommunications functions, except educational technology functions, and that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until amended or repealed by the department of electronic government, as created by this act. All orders issued by

the department of administration that are primarily related to its information technology or telecommunications functions, except educational technology functions, and that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the department of electronic government, as created by this act.

Vetoed In Part

(f) *Pending matters.* Any matter pending with the department of administration that is primarily related to its information technology or telecommunications functions, except educational technology functions, on the effective date of this paragraph is transferred to the department of electronic government, as created by this act, 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 electronic government, as created by this act.

Vetoed In Part

(19b) INITIAL RELEASE OF LAND INFORMATION. The department of administration shall make initial information received from state agencies under section 16.967 (6) of the statutes, as affected by this act, available in the format provided under that subsection no later than May 31, 2002.

Vetoed In Part

(19r) PURCHASING CARD REBATES.

(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 the amount of rebates that were received by the state from purchasing card issuers for purchases made by state agencies with purchasing cards and that were credited, before the effective date of this paragraph, to the appropriation account under section 20.505 (1) (ka) of the statutes. In making this determination, the secretary shall also identify the appropriation accounts from which the purchases were made and on which the rebates were based.

Vetoed In Part

(c) During fiscal year 2001−02, from the appropriation account under section 20.505 (1) (ka) of the statutes, the secretary shall lapse that part of the amount determined under paragraph (b) to the general fund that is based on purchases made from appropriations from the general fund and shall transfer that part of the amount determined under paragraph (b) to the appropriate segregated fund that is based on purchases made from appropriations from that segregated fund.

(20j) SALE OF CERTAIN STATE−OWNED AIRCRAFT. The department of administration shall sell 2 aircraft selected by the department that are owned by the state on the effective date of this subsection. The department of administration shall deposit the proceeds of the sales in the general fund as general purpose revenue−earned.

(20x) LEASE OF ELECTRONIC VOTING EQUIPMENT. The department of administration shall enter into a master lease under section 16.76 (4) of the statutes on behalf of the elections board to obtain sufficient electronic voting system equipment suitable for use with an electronic voting system in municipalities that employed a punch card electronic voting system at the 2001 spring election and that are required under this act to eliminate that system in future elections.

(20z) REVISION OF ENUMERATED PROJECTS IN AUTHORIZED STATE BUILDING PROGRAM. At the 2nd quarterly meeting of the joint committee on finance under section 13.10 of the statutes in the 2001−02 fiscal year, the department of administration shall provide to the committee the recommendations of the building commission to revise the 2001−03 authorized state building program under SECTION 9107 (1) of this act to reflect the amounts of the bonding authorizations provided under this act. The committee shall introduce appropriate legislation required to implement any revisions approved by the committee.

Vetoed In Part

(21g) STUDY ON THE STATE PAYMENT OF TUITION. The department of administration shall study the development and implementation of a tuition grant program that would pay the cost of 2 years of postsecondary education. The department shall ensure that representatives of all of the following agencies are included on the study team: the higher educational aids board, the department of public instruction, the board of regents of the University of Wisconsin System, the state technical college system board, and the department of workforce development. By July 1, 2002, the department of administration shall submit the results of the study to the governor and to the legislature in the manner provided under section 13.172 (2) of the statutes.

Vetoed In Part

(21j) COMMUNITY JUSTICE CENTER GRANTS.

(a) From the appropriation accounts under section 20.505 (6) (kp) of the statutes and section 20.505 (6) (p) of the statutes, as affected by this act, the office of justice assistance shall allocate $150,000 in fiscal year 2001−02 and $150,000 in fiscal year 2002−03 in grants to consortiums consisting of local government agencies and community−based organizations for planning community justice center programs. The office of justice assistance shall establish eligibility criteria for grants under this subsection, including specification of the types of agencies and organizations that may receive grants. The maximum amount that the office may award any single consortium under this subsection is a onetime grant of $50,000. The office of justice assistance shall establish guidelines for administering the grant program under this subsection, including guidelines for evaluating and selecting grant recipients. The office shall give priority for receipt of funds under this subsection to consortiums that serve localities in which the incidence of crime is high relative to other localities in the state and to localities for which the ratio of persons placed at the

Vetoed In Part

county jail to the capacity of the jail is high relative to other localities in the state.

(b) From the appropriation accounts under section 20.505 (6) (kp) of the statutes and section 20.505 (6) (p) of the statutes, as affected by this act, the office of justice assistance shall allocate $50,000 of the amount available for grants for planning community justice center programs under paragraph (a) to the community justice center in Milwaukee in fiscal year 2001−02. **Vetoed In Part**

(21jm) STUDY ON POSTSECONDARY EDUCATION COMMISSION. The department of administration shall study the feasibility of creating a postsecondary education commission to provide a comprehensive and coordinated framework for all postsecondary education and training. The department 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 January 1, 2003. **Vetoed In Part** **Vetoed In Part**

(21k) GRANTS FOR COOPERATIVE COUNTY−TRIBAL LAW ENFORCEMENT.

(a) From the appropriation account under section 20.505 (6) (kr) of the statutes, as created by this act, the department of administration shall allocate the following amounts to the following counties in each of fiscal years 2001−02 and 2002−03 to support law enforcement agreements with the following Indian bands:

1. To Vilas County, $210,550 to support a law enforcement agreement with the Lac du Flambeau band of Lake Superior Chippewa.

2. To Oneida County, $50,000 to support a law enforcement agreement with the Lac du Flambeau band of Lake Superior Chippewa.

(b) Each county that receives money under paragraph (a) shall report to the office of justice assistance on how that money is expended.

(22k) LAPSES FROM CERTAIN APPROPRIATIONS FROM WHICH MEMBERSHIP DUES IN STATE AND NATIONAL ORGANIZATIONS ARE PAID.

(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 2000−01 fiscal year that was funded from each revenue source except federal revenue.

(c) The secretary shall, during the 2001−02 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 20% of the total amount expended by that state agency for membership dues for any state or national organization from that appropriation in the 2000−01 fiscal year, if any. The secretary shall, during the 2002−03 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. **Vetoed In Part** **Vetoed In Part**

(d) Each sum certain appropriation to each state agency for the 2001−02 fiscal year and the 2002−03 fiscal year from program revenue or segregated revenue derived from specific program receipts is decreased by an amount equivalent to 20% of the total amount expended by that agency for membership dues for any state or national organization from that appropriation in the 2000−01 fiscal year, as determined by the secretary. **Vetoed In Part**

(22w) CRIME PREVENTION RESOURCE CENTER. From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6) (kp) and (p) of the statutes, the department shall allocate $55,000 in fiscal year 2001−02 and $35,000 in fiscal year 2002−03 to provide funding for a crime prevention resource center established under section 38.37 of the statutes, as created by this act. **Vetoed In Part**

(23q) APPROPRIATION ACCOUNT LAPSES AND FUND TRANSFERS RESULTING FROM WISCONSIN RETIREMENT SYSTEM CONTRIBUTIONS SAVINGS.

(a) In this subsection:

1. "Program revenues" has the meaning given in section 20.001 (2) (b) of the statutes.

2. "Program revenues−service" has the meaning given in section 20.001 (2) (c) of the statutes.

3. "Secretary" means the secretary of administration.

4. "Segregated fund revenues" has the meaning given in section 20.001 (2) (d) of the statutes.

5. "Segregated fund revenues−service" has the meaning given in section 20.001 (2) (da) of the statutes.

6. "State agency" has the meaning given in section 20.001 (1) of the statutes, but does not include the state investment board and the departments of employee trust funds and transportation. **Vetoed In Part**

(b) The secretary shall determine for each state agency the amount credited by the department of employee trust funds to the state agency's appropriations from program revenues, program revenues−service, segregated fund revenues, and segregated fund revenues−service during the 2000−01 and 2001−02 fiscal years to implement 1999 Wisconsin Act 11, section 27 (1) (b) 1., for the payment of contributions under the Wisconsin retirement system. In making this calculation, the secretary shall determine the amounts credited by the department of employee trust funds for the payment of contributions under the Wisconsin retirement system for the 2000−01 fiscal year and for the 2001−02 fiscal year. **Vetoed In Part** **Vetoed In Part**

(c) During the 2001−02 fiscal year, the secretary shall lapse from each state agency's appropriations from program revenues and program revenues−service to the general fund the amounts calculated by the secretary under paragraph (b) for those appropriations.

(d) During the 2001−02 fiscal year, the secretary shall lapse from each state agency's appropriations from segregated fund revenues and segregated fund revenues−service to the appropriate segregated fund the amount calculated by the secretary under paragraph (b) for those appropriations that was credited by the department of employee trust funds for the 2001−02 fiscal year. After making this lapse, the secretary shall transfer from the appropriate segregated funds to the general fund an amount equal to the amounts credited by the department of employee trust funds to each state agency's appropriations from segregated fund revenues and segregated fund revenues−service for the 2000−01 fiscal year and for the 2001−02 fiscal year, as determined by the secretary under paragraph (b).

(23r) APPROPRIATION ACCOUNT LAPSES AND FUND TRANSFERS.

(a) In this subsection:

1. "Secretary" means the secretary of administration.

2. "State agency" means any office, department, or independent agency in the executive branch of government, other than the investment board, the department of employee trust funds, and the board of regents of the University of Wisconsin System.

Vetoed In Part

(b) 1. During the 2001−02 and 2002−03 fiscal years, the secretary shall recommend lapses or transfers to the general fund, whichever is appropriate, from state operations appropriations made to state agencies from program revenue or segregated revenue that in total equal $18,800,000 in each year.

Vetoed In Part

2. In making the recommendations under subdivision 1., the secretary shall not include any of the following:

a. An appropriation that is funded from federal revenues.

b. An appropriation for principal repayment and interest payments on public debt, as defined in section 18.01 (4) of the statutes, or operating notes, as defined in section 18.71 (4) of the statutes.

c. An appropriation for lease rental payments.

d. An appropriation to the department of transportation for the purpose of undertaking construction projects.

Vetoed In Part

e. An appropriation for the operation of any state institution established for the care or custody of individuals.

f. An appropriation for the operation of the state traffic patrol.

Vetoed In Part

g. An appropriation funded from gifts, grants, or bequests.

h. An appropriation containing moneys whose lapse or transfer under subdivision 1. would violate a condition imposed by the federal government on the expenditure of the moneys.

Vetoed In Part

i. An appropriation containing moneys whose lapse or transfer under subdivision 1. would violate the state constitution.

(c) After making the recommendations under paragraph (b), the secretary shall notify the joint committee on finance in writing of the recommendations. If the cochairpersons of the committee do not notify the secretary within 14 working days after the date of the secretary's notification that the committee has scheduled a meeting to review the determinations, the secretary may make the lapses and transfers under paragraph (d). If, within 14 working days after the date of the secretary's notification, the chairpersons of the committee notify the secretary that the committee has scheduled a meeting to review the recommendations, the secretary may make the lapses and transfers under paragraph (d) only upon approval of the committee.

(d) During the 2001−02 and 2002−03 fiscal years, the secretary shall lapse or transfer to the general fund, whichever is appropriate, from state operations appropriations made to state agencies from program revenue or segregated revenue an amount that is equivalent to the amounts recommended by the secretary under paragraph (b), as approved by the joint committee on finance under paragraph (c).

(25j) TRANSFER TO CASH BUILDING PROJECTS FUND; REQUIRED GENERAL FUND STATUTORY BALANCE FOR FISCAL YEAR 2002−03.

(a) Notwithstanding section 16.518 (4) of the statutes, as created by this act, for the 2002−03 fiscal year, if the amount of moneys projected to be deposited in the general fund during the fiscal year that are designated as "Taxes" in the summary in section 20.005 (1) of the statutes, as affected by this act, is less than the amount of such moneys actually deposited in the general fund during the fiscal year, the secretary of administration shall calculate the difference between the amount calculated under section 16.518 (2) of the statutes, as created by this act, for that fiscal year, and the amount transferred to the budget stabilization fund under section 16.518 (3) of the statutes, as created by this act, for that fiscal year.

(b) If the amount calculated under paragraph (a) is at least $115,000,000, the secretary shall calculate the difference between the amount that exceeds $115,000,000 and the amount that is necessary to maintain a required general fund balance under section 20.003 (4) of the statutes of 1.2% for fiscal year 2002−03, less the amount designated as "Less Required Statutory Balance" in the summary in section 20.005 (1) of the statutes, as affected by this act, for that fiscal year .

(c) The secretary shall transfer from the general fund to the cash building projects fund the amount that

exceeds the sum of $115,000,000 and the amount calculated under paragraph (b).

Vetoed In Part

(26n) VACANT POSITIONS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT.

(a) In this subsection:

Vetoed In Part

1. "Secretary" means the secretary of administration.

2. "State agency" means any office, department, or independent agency in the executive branch of government, other than the board of regents of the University of Wisconsin System.

Vetoed In Part

(b) 1. No later than 30 days after the effective date of this paragraph, the secretary shall determine for each state agency the number of FTE positions that as of July 1, 2001, have been vacant since October 1, 2000, other than any position authorized to perform duties in a state institution or facility that has not been completed or has not begun operations as of July 1, 2001. The secretary shall also determine the annual salary and fringe benefits costs for such positions and shall identify the appropriations from which these costs are paid during the 2001−03 fiscal biennium.

2. The secretary shall notify each state agency affected by his or her determinations under subdivision 1. Any state agency so notified may request that the secretary reallocate the lapse, or any part thereof, to a different appropriation for state operations. Any state agency so notified may also request that the secretary not include any of the state agency's vacant FTE positions in subdivision 1. if the agency reallocates the lapse, or any part thereof, to a different appropriation for state operations or reallocates the lapse to a different category of expenditure in the appropriation identified by the secretary in subdivision 1. If the secretary agrees to any state agency's request, the secretary shall modify his or her determinations under subdivision 1.

(c) 1. During the 2001−02 fiscal year, the secretary shall 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, federal revenue, or segregated revenue derived from specific program receipts, 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, an amount equivalent to the amount expended by that state agency for annual salary and fringe benefit costs for the vacant positions identified by the secretary under paragraph (b) from that appropriation in the 2000−01 fiscal year. During the 2002−03 fiscal year, the secretary shall 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.

2. Each sum certain appropriation to each state agency for the 2001−02 fiscal year and the 2002−03 fiscal year from program revenue, federal revenue, or segregated revenue derived from specific program receipts is decreased by an amount equal to the amount expended by that state agency for the payment of annual salary and fringe benefit costs for the vacant positions identified by the secretary under paragraph (b) from that appropriation in the 2000−01 and 2002−03 fiscal years.

(d) The authorized FTE positions for each state agency are decreased by the number of FTE positions identified by the secretary under paragraph (b) from the appropriate funding source.

Vetoed In Part

(e) The secretary shall notify the joint committee on finance of all actions taken under paragraphs (c) and (d).

Vetoed In Part

SECTION 9104. Nonstatutory provisions; agriculture, trade and consumer protection.

(1) AGRICULTURAL PRODUCER SECURITY COUNCIL. Notwithstanding the length of terms specified for the members of the agricultural producer security council under section 15.137 (1) (a) of the statutes, as created by this act, the initial members shall be appointed for terms expiring on July 1, 2005.

Vetoed In Part

(1v) QUALIFIED PRODUCER AGENT RULES. Using the procedure under section 227.24 of the statutes, the department of agriculture, trade and consumer protection may promulgate the rule required under section 126.51 of the statutes, as created by this act, for the period before the effective date of the permanent rule, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

Vetoed In Part

(2) AGRICULTURAL PRODUCER SECURITY TRANSITION.

(a) *Vegetable contractors.* Notwithstanding SECTION 9404 (1) of this act, chapter 126 of the statutes, as created by this act, does not apply with respect to vegetable contractors until February 1, 2002, except as follows:

Vetoed In Part

1. All registration fees and surcharges paid under section 100.03 (3), 1999 stats., after December 31, 2001, shall be deposited in the agricultural producer security fund.

Vetoed In Part

2. A vegetable contractor applying for a license for the license year that begins on February 1, 2002, shall submit an application that complies with section 126.56 of the statutes, as created by this act.

Vetoed In Part

(b) *Milk contractors.* Notwithstanding SECTION 9404 (1) of this act, chapter 126 of the statutes, as created by this act, does not apply with respect to milk contractors until May 1, 2002, except as follows:

Vetoed In Part

1. All milk producer security fees paid under section 100.06 (9), 1999 stats., after December 31, 2001, shall be deposited in the agricultural producer security fund.

Vetoed In Part

2. A milk contractor applying for a license for the license year that begins on May 1, 2002, shall submit an

Vetoed In Part

application that complies with section 126.41 of the statutes, as created by this act.

(c) *Grain dealers and warehouse keepers.* Notwithstanding SECTION 9404 (1) of this act, chapter 126 of the statutes, as created by this act, does not apply with respect to grain dealers and grain warehouse keepers until September 1, 2002, except as follows:

1. All license fees and surcharges paid under chapter 127, 1999 stats., after December 31, 2001, shall be deposited in the agricultural producer security fund.

2. A grain dealer applying for a license for the license year that begins on September 1, 2002, shall submit an application that complies with section 126.11 of the statutes, as created by this act.

3. A grain warehouse keeper applying for a license for the license year that begins on September 1, 2002, shall submit an application that complies with section 126.26 of the statutes, as created by this act.

(2k) ARSENIC IN WOOD. No later than the 4th quarterly meeting of the joint committee on finance under section 13.10 of the statutes in 2001, the department of agriculture, trade and consumer protection and the department of commerce jointly shall submit to the committee a comprehensive plan recommending how to keep wood that is treated with arsenic, inorganic arsenic, or an arsenic copper combination, such as chromated copper arsenate wood preservative fungicide, from being used in picnic tables, park benches, and children's playground equipment at elementary and secondary schools and municipal parks, if there is a less harmful substitute wood preservative that may be used.

(3k) ADVISORY COMMITTEE. The department of agriculture, trade and consumer protection shall appoint a committee under section 227.13 of the statutes to advise the department concerning rules required to be promulgated under section 173.40 of the statutes, as created by this act. The department shall ensure that the members of the committee represent a variety of interests related to animals.

(4f) SOIL AND WATER MANAGEMENT POSITIONS. The authorized FTE positions for the department of agriculture, trade and consumer protection are increased by 11.0 SEG positions, funded by the appropriation under section 20.115 (7) (qd) of the statutes, to reflect the transfer of funding for nonpoint source water pollution control to the environmental fund.

(4q) TELEPHONE SOLICITATION REGULATION. The authorized FTE positions for the department of agriculture, trade and consumer protection are increased by 5.5 PR positions, to be funded from the appropriation under section 20.115 (8) (jm) of the statutes, as created by this act, for the purpose of regulating telephone solicitations under section 100.52 of the statutes, as created by this act.

(4z) AGRICULTURAL PRODUCER SECURITY POSITIONS.

(a) The authorized FTE positions for the department of agriculture, trade and consumer protection are increased on January 1, 2002, by 12.12 SEG positions, to be funded from the appropriation under section 20.115 (1) (q) of the statutes, as created by this act, for agricultural producer security.

(b) The authorized FTE positions for the department of agriculture, trade and consumer protection are increased on January 1, 2002, by 0.5 PR position, to be funded from the appropriation under section 20.115 (1) (h) of the statutes, for agricultural producer security.

Vetoed In Part

SECTION 9105. Nonstatutory provisions; arts board.

(1h) INITIAL TERMS OF WISCONSIN ARTISTIC ENDOWMENT FOUNDATION MEMBERS. Notwithstanding section 247.03 (2) (a) of the statutes, as created by this act, 2 of the initial members of the board of directors of the Wisconsin Artistic Endowment Foundation shall be appointed for 2−year terms; 2 of the initial members shall be appointed for 4−year terms; and 2 of the initial members shall be appointed for 6−year terms.

SECTION 9106. Nonstatutory provisions; boundary area commission, Minnesota−Wisconsin.

(1k) MINNESOTA–WISCONSIN BOUNDARY AREA COMMISSION AND COMPACT WITHDRAWAL. The state of Wisconsin withdraws from the Minnesota−Wisconsin boundary area commission and from the compact creating the commission under chapter 274, laws of 1965. The governor of Wisconsin shall inform the governor of Minnesota of this withdrawal no later than 10 days after the effective date of this subsection.

SECTION 9107. Nonstatutory provisions; building commission.

(1) 2001−03 AUTHORIZED STATE BUILDING PROGRAM. For the fiscal years beginning on July 1, 2001, and ending on June 30, 2003, the authorized state building program is as follows:

(a) DEPARTMENT OF ADMINISTRATION

1. *Projects financed by program revenue supported borrowing:*		
Systems furniture — Waukesha	$	3,700,100
Storage and laboratory facility — La Crosse		1,225,000
2. *Agency totals:*		
Program revenue supported borrowing		4,925,100
Total — all sources of funds	$	4,925,100

(b) DEPARTMENT OF CORRECTIONS

1. *Projects financed by general fund supported borrowing:*

Women's Correctional Center — Milwaukee	$	5,100,000
Correctional facility purchase — Stanley		74,915,600
(Total project all funding sources $79,917,000)		
Combined health service units		10,000,000

2. *Projects financed by federal funds:*

Correctional facility purchase — Stanley		5,001,400
(Total project all funding sources $79,917,000)		

3. *Agency totals:*

General fund supported borrowing		90,015,600
Federal funds		5,001,400
Total — all sources of funds	$	95,017,000

(c) EDUCATIONAL COMMUNICATIONS BOARD

1. *Projects financed by general fund supported borrowing and federal funds:*

Digital television conversion	$	14,200,000

2. *Agency totals:*

General fund supported borrowing and federal funds		14,200,000
Total — all sources of funds	$	14,200,000

(d) DEPARTMENT OF HEALTH AND FAMILY SERVICES

1. *Projects financed by general fund supported borrowing:*

Administration building — Wisconsin Resource Center	$	1,590,000
Transitional halfway house		1,295,500

2. *Agency totals:*

General fund supported borrowing		2,885,500
Total — all sources of funds	$	2,885,500

(e) STATE HISTORICAL SOCIETY

1. *Projects financed by program revenue supported borrowing and gifts, grants and other receipts:*

Wisconsin History Center — Madison	$	131,500,000

2. *Agency totals:*

Program revenue supported borrowing and gifts, grants and other receipts		131,500,000
Total — all sources of funds	$	131,500,000

(f) DEPARTMENT OF JUSTICE

1. *Projects financed by general fund supported borrowing:*

Crime laboratory relocation and expansion — Madison	$	12,000,000

2. *Agency totals:*

General fund supported borrowing		12,000,000
Total — all sources of funds	$	12,000,000

(g) KICKAPOO VALLEY RESERVE BOARD

1. *Projects financed by existing general fund supported borrowing authority — stewardship funds:*

Kickapoo Valley Reserve Visitor Center and administration building	$	2,370,000

2. *Agency totals:*

Existing general fund supported borrowing authority — stewardship funds		2,370,000
Total — all sources of funds	$	2,370,000

(h) DEPARTMENT OF MILITARY AFFAIRS

1. *Projects financed by general fund supported borrowing:*

U.S. Property and Fiscal Office — Camp Douglas	$ 1,360,200	
(Total project all funding sources $15,054,200)		
Organizational maintenance shop 6 addition/alteration — Kenosha	299,800	
(Total project all funding sources $1,209,100)		
Armory addition/alteration — West Bend	487,000	
(Total project all funding sources $2,683,000)		
2. *Projects financed by existing general fund supported borrowing authority:*		
Armory addition/alteration — West Bend	517,700	
(Total project all funding sources $2,683,000)		
3. *Projects financed by federal funds:*		
U.S. Property and Fiscal Office — Camp Douglas	13,694,000	
(Total project all funding sources $15,054,200)		
Organizational maintenance shop 6 addition/alteration — Kenosha	909,300	
(Total project all funding sources $1,209,100)		
Armory addition/alteration — West Bend	1,678,300	
(Total project all funding sources $2,683,000)		
4. *Agency totals:*		
General fund supported borrowing	2,147,000	
Existing general fund supported borrowing authority	517,700	
Federal funds	16,281,600	
Total — all sources of funds	$ 18,946,300	
(i) DEPARTMENT OF NATURAL RESOURCES		
1. *Projects financed by existing general fund supported borrowing authority — stewardship funds:*		
Milwaukee Lakeshore State Park − Phase II development	$ 3,000,000	
Rib Mountain State Park chalet reconstruction	1,000,000	
2. *Projects financed by existing general fund supported borrowing authority — stewardship property development and local assistance funds:*		
Mead Wildlife Area headquarters	176,200	
(Total project all funding sources $685,900)		
Grant Park beach redevelopment — Milwaukee County	648,100	**Vetoed In Part**
3. *Projects financed by segregated fund supported borrowing:*		
Northeast regional headquarters — Green Bay	4,601,800	
(Total project all funding sources $5,316,800)		
General executive facility 2 systems furniture	2,317,200	
Mead Wildlife Area headquarters	434,700	
(Total project all funding sources $685,900)		
Lake Poygan breakwall	1,459,600	
(Total project all funding sources $5,838,300)		
4. *Projects financed by segregated fund supported revenue borrowing:*		
Northeast regional headquarters — Green Bay	265,000	
(Total project all funding sources $5,316,800)		
5. *Projects financed by federal funds:*		
Northeast regional headquarters — Green Bay	350,000	
(Total project all funding sources $5,316,800)		
Lake Poygan breakwall	4,378,700	
(Total project all funding sources $5,838,300)		
6. *Projects financed by gifts, grants and other receipts:*		
Northeast regional headquarters — Green Bay	100,000	
(Total project all funding sources $5,316,800)		

Mead Wildlife Area headquarters		75,000
(Total project all funding sources $685,900)		
7. *Agency totals:*		
Existing general fund supported borrowing authority — stewardship funds		4,000,000
Existing general fund supported borrowing authority — stewardship property development and local assistance funds		824,300
Segregated fund supported borrowing		8,813,300
Segregated fund supported revenue borrowing		265,000
Federal funds		4,728,700
Gifts, grants and other receipts		175,000
Total — all sources of funds	$	18,806,300
(j) STATE FAIR PARK BOARD		
1. *Projects financed by general fund supported borrowing:*		
Primary electrical system replacement	$	700,000
Agricultural buildings		9,000,000
2. *Projects financed by program revenue supported borrowing:*		
Exposition hall		34,000,000
Grandstand replacement		6,000,000
3. *Projects financed by existing general fund supported borrowing authority — stewardship funds:*		
Master plan 2000 implementation		2,000,000
4. *Projects financed by gifts, grants and other receipts:*		
Wisconsin Heritage Hall and youth area		50,000,000
5. *Agency totals:*		
General fund supported borrowing		9,700,000
Program revenue supported borrowing		40,000,000
Existing general fund supported borrowing authority — stewardship funds		2,000,000
Gifts, grants and other receipts		50,000,000
Total — all sources of funds	$	101,700,000
(k) DEPARTMENT OF TRANSPORTATION		
1. *Projects financed by segregated fund supported revenue borrowing:*		
District 3 headquarters renovation — Green Bay	$	3,194,500
Division of state patrol tower projects − Phase II		5,110,400
Division of motor vehicles service center — Waukesha		1,465,600
2. *Agency totals:*		
Segregated fund supported revenue borrowing		9,770,500
Total — all sources of funds	$	9,770,500
(L) DEPARTMENT OF VETERANS AFFAIRS		
1. *Projects financed by existing general fund supported borrowing authority:*		
Wisconsin Veterans Home at King — Advanced food production facility	$	525,000
(Total project all funding sources $3,910,500)		
2. *Projects financed by program revenue supported borrowing:*		
Southern Wisconsin Veterans Retirement Center − Phase I		11,500,000
(Total project all funding sources $24,388,600)		
Wisconsin Veterans Home at King		
— Olson and Stordock halls member space enhancement		1,469,400
— Advanced food production facility		110,500

(Total project all funding sources $3,910,500)	
Gero−behavioral unit — Tomah	500,000
3. *Projects financed by existing program revenue supported borrowing authority:*	
Southern Wisconsin Veterans Retirement Center − Phase I	8,088,600
(Total project all funding sources $24,388,600)	
Wisconsin Veterans Home at King — Advanced food production facility	805,000
(Total project all funding sources $3,910,500)	
4. *Projects financed by federal funds:*	
Southern Wisconsin Veterans Retirement Center − Phase I	4,800,000
(Total project all funding sources $24,388,600)	
Southern Wisconsin Veterans Memorial Cemetery — Maintenance building/road expansion	1,474,000
Wisconsin Veterans Home at King — Advanced food production facility	2,470,000
(Total project all funding sources $3,910,500)	
Homeless veterans assistance facility — Dane County	500,000
5. *Agency totals:*	
Existing general fund supported borrowing authority	525,000
Program revenue supported borrowing	13,579,900
Existing program revenue supported borrowing authority	8,893,600
Federal funds	9,244,000
Total — All sources of funds	$ 32,242,500
(m) UNIVERSITY OF WISCONSIN SYSTEM	
1. *Projects financed by general fund supported borrowing*:	
Wisconsin agricultural stewardship initiative facility — Platteville and Madison	$ 3,234,000
(Total project all funding sources $7,504,700)	
Meat/muscle science laboratory — Madison	20,000,000
Veterinary diagnostic laboratory — Madison	20,000,000
(Total project all funding sources $23,600,000)	
Chamberlin Hall renovation — Madison	20,795,000
Laboratory science building remodeling — Green Bay	17,915,000
Fine Arts Center addition and remodeling — Stevens Point	25,120,000
(Total project all funding sources $26,120,000)	
Upham Hall science building addition/renovation — Whitewater	10,100,000
Klotsche Center physical education addition — Milwaukee	16,290,000
(Total project all funding sources $42,117,000)	
Gates physical education building addition and remodeling — Superior	13,350,000
(Total project all funding sources $15,700,000)	
Computer science classrooms administration — Platteville	6,956,000
Aquatic Science and Technology Education Center − Phase I — System	450,000
(Total project all funding sources $3,292,000)	
Camp Randall Stadium renovation — Madison	10,000,000
(Total project all funding sources $99,800,000)	
Classroom renovation/instructional technology — System	10,000,000
Lapham Hall north wing remodeling — Milwaukee	9,858,000
Mechanical engineering building renovation and addition — Madison	23,000,000

(Total project all funding sources $33,000,000)

Utility distribution systems upgrade — Madison 5,000,000

2. *Projects financed by existing general fund supported borrowing authority — stewardship funds:*

Wisconsin agricultural stewardship initiative facility — Platteville and Madison 1,000,000

(Total project all funding sources $7,504,700)

3. *Projects financed by program revenue supported borrowing:*

Veterinary diagnostic laboratory — Madison 3,600,000

(Total project all funding sources $23,600,000)

Fine Arts Center addition and remodeling — Stevens Point 1,000,000

(Total project all funding sources $26,120,000)

Klotsche Center physical education addition — Milwaukee 25,327,000

(Total project all funding sources $42,117,000)

Gates physical education building addition and remodeling — Superior 2,350,000

(Total project all funding sources $15,700,000)

Camp Randall Stadium renovation — Madison 72,800,000

(Total project all funding sources $99,800,000)

Davies Center addition and remodeling — Eau Claire 8,510,400

University Ridge Golf Course − Phase III — Madison 10,134,000

(Total project all funding sources $15,560,000)

Animal facilities — Madison 1,200,000

Student Union — River Falls 20,451,800

North campus master plan implementation − Phase I — Stout 10,000,000

Wisconsin agricultural stewardship initiative facility — Platteville and Madison − Phase I 1,605,700

(Total project all funding sources $7,504,700)

4. *Projects financed by gifts, grants and other receipts:*

Klotsche Center physical education addition — Milwaukee 500,000

(Total project all funding sources $42,117,000)

Aquatic Science and Technology Education Center − Phase I — System 2,842,000

(Total project all funding sources $3,292,000)

Camp Randall Stadium renovation — Madison 17,000,000

(Total project all funding sources $99,800,000)

Mechanical engineering building renovation and addition — Madison 10,000,000

(Total project all funding sources $33,000,000)

University Ridge Golf Course − Phase III — Madison 5,426,000

(Total project all funding sources $15,560,000)

Weeks Hall addition — Madison 5,000,000

Athletic administration building annex — Whitewater 1,432,800

Wisconsin agricultural stewardship initiative facility — Platteville and Madison 900,000

(Total project all funding sources $7,504,700)

5. *Projects financed by moneys appropriated to the agency from any revenue source:*

Wisconsin agricultural stewardship initiative facility — Platteville and Madison 765,000

(Total project all funding sources $7,504,700)

6. *Agency totals:*

General fund supported borrowing	212,068,000
Existing general fund supported borrowing authority — stewardship funds	1,000,000
Program revenue supported borrowing	156,978,900
Gifts, grants and other receipts	43,100,800
Moneys appropriated to the agency from any revenue source	765,000
Total — all sources of funds	$ 413,912,700

(n) BIOSTAR INITIATIVE

1. *Projects financed by general fund supported borrowing — Biostar:*

Biotechnology building addition — University of Wisconsin−Madison	$ 18,000,000
(Total project all funding sources $27,000,000)	
Other Biostar projects (microbial sciences, biochemistry and interdisciplinary biology buildings — University of Wisconsin−Madison)	140,500,000
(Total project all funding sources $290,000,000)	

2. *Projects financed by gifts, grants and other receipts:*

Biotechnology building addition — University of Wisconsin−Madison	9,000,000
(Total project all funding sources $27,000,000)	
Other Biostar projects (microbial sciences, biochemistry and interdisciplinary biology buildings — University of Wisconsin−Madison)	149,500,000
(Total project all funding sources $290,000,000)	

3. *Agency totals:*

General fund supported borrowing — Biostar	158,500,000
Gifts, grants and other receipts	158,500,000
Total — all sources of funds	$ 317,000,000

(o) MEDICAL COLLEGE OF WISCONSIN

1. *Projects financed by general fund supported borrowing:*

Biomedical research and technology incubator	$ 25,000,000
(Total project all funding sources $88,000,000)	

2. *Projects financed by gifts, grants and other receipts:*

Biomedical research and technology incubator	63,000,000
(Total project all funding sources $88,000,000)	

3. *Agency totals:*

General fund supported borrowing	25,000,000
Gifts, grants and other receipts	63,000,000
Total — all sources of funds	$ 88,000,000

(ob) HR ACADEMY, INC.

1. *Projects financed by general fund supported borrowing:*

Youth and family center	$ 1,500,000

2. *Projects financed by gifts, grants and other receipts:*

Youth and family center	3,500,000

3. *Agency totals:*

General fund supported borrowing	1,500,000
Gifts, grants and other receipts	$ 3,500,000
Total — All sources of funds	$ 5,000,000

(p) OTHER PROJECTS

1. *Projects financed by general fund supported borrowing:*

Discovery Place museum — Racine	$ 1,000,000
(Total project all funding sources $3,000,000)	

Vetoed In Part

2. *Projects financed by segregated funds:*

Discovery Place museum — Racine	2,000,000	
(Total project all funding sources $3,000,000)		
3. *Totals:*		
General fund supported borrowing	1,000,000	
Segregated funds	2,000,000	**Vetoed In Part**
Total — all sources of funds	$ 3,000,000	

(q) ALL AGENCY PROJECT FUNDING

1. *Projects financed by general fund supported borrowing:*	
Facility maintenance and repair	$ 111,313,000
(Total project all funding sources $177,807,000)	
Utilities repair and renovation	38,694,900
(Total project all funding sources $53,322,900)	
Health, safety and environmental protection	21,619,200
(Total project all funding sources $32,640,200)	
Preventive maintenance	5,509,500
(Total project all funding sources $7,309,500)	
Capital equipment acquisition	3,695,000
(Total project all funding sources $8,518,000)	
2. *Projects financed by existing general fund supported borrowing authority — stewardship property development and local assistance funds:*	
Facility maintenance and repair	2,612,000
(Total project all funding sources $177,807,000)	
Utilities repair and renovation	1,273,000
(Total project all funding sources $53,322,900)	
Health, safety and environmental protection	600,000
(Total project all funding sources $32,640,200)	
3. *Projects financed by program revenue supported borrowing:*	
Facility maintenance and repair	55,892,000
(Total project all funding sources $177,807,000)	
Utilities repair and renovation	7,629,000
(Total project all funding sources $53,322,900)	
Health, safety and environmental protection	10,421,000
(Total project all funding sources $32,640,200)	
Land and property acquisition	5,000,000
4. *Projects financed by segregated fund supported borrowing:*	
Facility maintenance and repair	1,967,000
(Total project all funding sources $177,807,000)	
Utilities repair and renovation	139,000
(Total project all funding sources $53,322,900)	
5. *Projects financed by segregated fund supported revenue borrowing:*	
Facility maintenance and repair	3,410,000
(Total project all funding sources $177,807,000)	
6. *Projects financed by segregated funds:*	
Facility maintenance and repair	27,000
(Total project all funding sources $177,807,000)	
7. *Projects financed by program revenue:*	
Facility maintenance and repair	113,000
(Total project all funding sources $177,807,000)	
Utilities repair and renovation	4,072,000
(Total project all funding sources $53,322,900)	

Preventive maintenance	1,800,000
(Total project all funding sources $7,309,500)	
8. *Projects financed by gifts, grants and other receipts:*	
Utilities repair and renovation	150,000
(Total program all funding sources $53,322,900)	
9. *Projects financed by moneys appropriated to state agencies from any revenue source:*	
Facility maintenance and repair	269,000
(Total project all funding sources $177,807,000)	
Capital equipment acquisition	4,722,000
(Total project all funding sources $8,518,000)	
10. *Projects financed by federal funds:*	
Facility maintenance and repair	2,204,000
(Total project all funding sources $177,807,000)	
Utilities repair and renovation	1,365,000
(Total project all funding sources $53,322,900)	
Capital equipment acquisition	101,000
(Total project all funding sources $8,518,000)	
11. *All agency totals:*	
General fund supported borrowing	$ 180,831,600
Existing general fund supported borrowing authority — stewardship property development and local assistance funds	4,485,000
Program revenue supported borrowing	78,942,000
Segregated fund supported borrowing	2,106,000
Segregated fund supported revenue borrowing	3,410,000
Segregated funds	27,000
Program revenue	5,985,000
Gifts, grants and other receipts	150,000
Moneys appropriated to state agencies from any revenue source	4,991,000
Federal funds	3,670,000
Total — All sources of funds	$ 284,597,600

(r) SUMMARY

Total general fund supported borrowing	$ 537,147,700
Total general fund supported borrowing — Biostar	158,500,000
Total general fund supported borrowing and federal funds	14,200,000
Total existing general fund supported borrowing authority	1,042,700
Total existing general fund supported borrowing authority — stewardship funds	9,370,000
Total existing general fund supported borrowing authority — stewardship property development and local assistance funds	5,309,300
Total program revenue supported borrowing	425,925,900
Total existing program revenue supported borrowing authority	8,893,600
Total segregated fund supported borrowing	10,919,300
Total segregated fund supported revenue borrowing	13,445,500
Total segregated funds	2,027,000
Total program revenue	5,985,000
Total gifts, grants and other receipts	318,425,800
Total moneys appropriated to state agencies from any revenue source	5,756,000
Total federal funds	38,925,700
Total — all sources of funds	$1,555,873,000

(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 state building program is continued in the 2001−03 fiscal biennium.

(3) LOANS. During the 2001−03 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).

(3f) 1999−2001 STATE BUILDING PROGRAM CHANGES.

(a) In 1999 Wisconsin Act 9, section 9107 (1) (i) 3., under projects financed by program revenue supported borrowing, the amount authorized for the project identified as "System — Aquaculture demonstration facility — Ashland area" is increased from $3,000,000 to $3,350,000 and the appropriate totals are increased accordingly.

(3q) UNIVERSITY OF WISCONSIN SYSTEM FACILITIES REPAIR AND RENOVATION. Notwithstanding section 18.04 (1) and (2) of the statutes, the building commission shall not authorize public debt to be contracted for the purpose for which moneys are allocated under section 20.866 (2) (z) 4m. of the statutes, as created by this act, prior to July 1, 2003.

Vetoed In Part

(4) PROJECT CONTINGENCY FUNDING RESERVE. During the 2001−03 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.

(4v) MECHANICAL ENGINEERING BUILDING RENOVATION AND ADDITION; UNIVERSITY OF WISCONSIN–MADISON. Notwithstanding section 18.04 (1) and (2) of the statutes, the building commission shall not authorize public debt to be contracted for the purpose of financing the mechanical engineering building renovation and addition at the University of Wisconsin−Madison, as enumerated in subsection (1) (m), prior to July 1, 2003.

(5) DIGITAL TELEVISION CONVERSION.

(a) Of the public debt authorized to be contracted under section 20.866 (2) (zd) of the statutes, $14,200,000 is allocated to finance construction of the digital television conversion project enumerated under subsection (1) (c). Notwithstanding section 18.04 (1) and (2) of the statutes, the building commission shall not authorize public debt to be contracted for the purpose for which moneys are allocated under this subsection in an amount exceeding $8,000,000 prior to July 1, 2003, and shall not authorize any of that amount of debt to be contracted unless the secretary of administration notifies the commission that the secretary has approved the report submitted by the president of the University of Wisconsin System and the chairperson of the educational communications board under SECTION 9159 (2x) of this act.

(b) Notwithstanding section 18.04 (1) and (2) of the statutes, the building commission may authorize public debt to be contracted for the purpose for which moneys are allocated under this subsection in an amount exceeding $8,000,000 only after June 30, 2003, and only if the president of the University of Wisconsin System and the educational communications board submit the report required under SECTION 9159 (2y) of this act before the authorization is made.

(6q) HR ACADEMY, INC., YOUTH AND FAMILY CENTER. Notwithstanding section 13.48 (35) of the statutes, as created by this act, the building commission shall not make a grant to HR Academy, Inc., for the youth and family center project enumerated in subsection (1) (ob) under section 13.48 (35) 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.

(7x) WISCONSIN HISTORY CENTER. Notwithstanding section 18.04 (1) and (2) of the statutes, the building commission shall not authorize public debt to be contracted for the purpose of funding construction of all or any portion of the Wisconsin history center, as enumerated under subsection (1) (e), until the building commission determines that the historical society has secured funding commitments from gifts, grants, or other receipts to finance construction of the center in an amount at least equal to the amount of public debt proposed to be contracted to fund construction of the center, excluding that portion of the center to be utilized solely as a parking facility. Upon making the determination required under this subsection, the building commission shall notify the cochairpersons of the joint committee on finance of the commission's determination that gifts, grants, and other receipts have been secured in a specified amount and shall provide to the cochairpersons supporting documentation. If the cochairpersons of the committee do not notify the building commission that the committee has scheduled a meeting for the purpose of reviewing the determination within 14 working days after the date of the notification, the building commission may authorize public debt to be contracted in the amount specified in its determination. Notwithstanding section 18.04 (1) and (2) of the statutes, if within 14 working days after the date of the notification the cochairpersons of the committee notify the building commission that the committee has scheduled a meeting for the purpose of reviewing the determination, the building commission shall not authorize public debt to be

Vetoed In Part

contracted in the amount specified in its determination unless the committee approves that action.

(8g) VETERINARY DIAGNOSTIC LABORATORY. Notwithstanding section 18.04 (1) and (2) of the statutes, the building commission shall not authorize public debt to be contracted for the purpose of financing construction of the veterinary diagnostic laboratory at the University of Wisconsin−Madison, as enumerated under subsection (1) (m), prior to July 1, 2003.

Vetoed In Part

(9g) MEAT/MUSCLE SCIENCE LABORATORY.

(a) Notwithstanding section 18.04 (1) and (2) of the statutes, the building commission shall not authorize public debt to be contracted for the purpose of financing construction of the meat/muscle science laboratory at the University of Wisconsin−Madison, as enumerated under subsection (1) (m), prior to July 1, 2003.

(b) No later than July 1, 2002, the building commission shall require the board of regents of the University of Wisconsin system to obtain gifts, grants, and other receipts in an amount specified by the commission for the purpose of financing a portion of the cost of construction of the meat/muscle science laboratory at the University of Wisconsin−Madison, as enumerated under subsection (1) (m). Notwithstanding section 18.04 (1) and (2) of the statutes, the building commission shall not authorize public debt to be contracted for the purpose of financing construction of the laboratory until the portion of the funding to be derived from gifts, grants, and other receipts has been received by the state. Notwithstanding section 20.924 (1) (em) of the statutes, the building commission shall substitute the gifts, grants and other receipts for a corresponding amount of the borrowing authorized under section 20.866 (2) (s) of the statutes, as affected by this act, to finance construction of the laboratory.

(11) MEDICAL COLLEGE OF WISCONSIN, INC.; BIOMEDICAL RESEARCH AND TECHNOLOGY INCUBATOR.

Vetoed In Part

(a) Notwithstanding section 13.48 (31) of the statutes, as created by this act, the building commission shall not make any grant to the Medical College of Wisconsin, Inc., for the biomedical research and technology incubator project enumerated in subsection (1) (o) under section 13.48 (31) of the statutes, as created by this act, unless the department of administration has reviewed and approved the plans for the project. Notwithstanding section 16.85 (1) of the statutes, as affected by this act, and section 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, as affected by this act, does not apply to the project.

(b) Notwithstanding section 18.04 (1) and (2) of the statutes, the building commission shall not authorize public debt to be contracted for the purpose for which moneys are allocated under section 20.866 (2) (zbh) of the statutes, as created by this act, prior to July 1, 2003.

Vetoed In Part

(12mk) 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 employee 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, 2002.

(12w) UTILITY SERVICE COST ALLOCATION STUDY. Notwithstanding section 16.705 (1) of the statutes, the building commission shall direct the department of administration to contract with a private person to perform a study of the extent of utility services provided to state programs funded with program revenue and to determine whether the charges made to the programs utilizing this service are fairly compensating the state for the cost of the service provided to the programs. The report of the study shall include any recommendations for changes in allocation of charges for utility service. The department of administration shall report the results of the study, together with any recommendations included in the study report, to the cochairpersons of the joint committee on finance no later than July 1, 2002.

(13r) DISCOVERY PLACE MUSEUM.

(a) Notwithstanding section 13.48 (32r) of the statutes, as created by this act, the building commission shall not make any grant to Racine County for the Discovery Place museum project enumerated in subsection (1) (p) under section 13.48 (32r) 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.

SECTION 9110. Nonstatutory provisions; commerce.

(1) GRANT FOR LINCOLN PARK CENTER. From the appropriation under section 20.143 (1) (kj) of the statutes, as affected by this act, the department of commerce may make a grant of up to $1,000,000 to the M7 Development Corporation for constructing a multipurpose center at Lincoln Park in the city of Milwaukee. If the department of commerce makes a grant under this subsection, the department shall enter into an agreement with the M7 Development Corporation that provides for, among other things, reporting and auditing requirements.

(2k) GRANTS TO CHIPPEWA VALLEY TECHNICAL COLLEGE. From the appropriation under section 20.143 (1) (kj) of the statutes, as affected by this act, the department of commerce may make grants of up to $250,000 in fiscal year 2001−02 and up to $250,000 in fiscal year 2002−03 to the Chippewa Valley Technical College for a health care education center. If the department of commerce makes a grant under this subsection, the department of commerce shall enter into an agreement with the Chippewa Valley Technical College that specifies the uses for

the grant proceeds and reporting and auditing requirements.

(2x) RULES FOR PETROLEUM STORAGE REMEDIAL ACTION PROGRAM ARBITRATION. The department of commerce shall submit in proposed form the rules required under section 101.143 (6s) of the statutes, as affected by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than May 1, 2002.

(2y) MEDIATION FOR PETROLEUM STORAGE REMEDIAL ACTION PROGRAM APPEALS. No later than March 1, 2002, the department of commerce shall submit to the joint committee on finance recommendations for a process for mediating disputes over the department's decisions related to the program under section 101.143 of the statutes.

(3z) TRANSITIONAL WATER AND SEWER ASSESSMENTS.

(a) In this subsection:

1. "Manufactured home" has the meaning given in section 101.91 (2) of the statutes.

2. "Manufactured home park" has the meaning given in section 101.91 (5m) of the statutes, as affected by this act.

3. "Manufactured home park operator" has the meaning given in section 101.91 (8) of the statutes, as affected by this act.

Vetoed In Part

(b) No later than 90 days after the effective date of this paragraph, the department of commerce shall assess against each manufactured home park operator the amount obtained by dividing the number of manufactured homes in this state in manufactured home parks that are owned or managed by an individual manufactured home park operator by the number of manufactured homes in all manufactured home parks in this state and multiplying the result by $46,100. A manufactured home park operator shall pay the assessment within 30 days after the department of commerce mails the bill to the manufactured home park operator. The bill constitutes notice of the assessment and demand for payment.

(c) Disputes over failure to pay an assessment under paragraph (b) shall be governed by section 196.85 (3) to (8), 1999 stats., except that any reference to the public service commission shall refer instead to the department of commerce and any reference to a bill under section 196.85 (2g), 1999 stats., shall refer instead to a bill under paragraph (b).

(4q) DWELLING CODE COUNCIL. Notwithstanding the length of terms specified for members of the dwelling code council appointed under section 15.157 (3) of the statutes, as affected by this act, the member appointed under that section as a representative of remodeling contractors shall be initially appointed for a term expiring on July 1, 2004.

(7g) GRANTS TO UNITED COMMUNITY CENTER.

(a) In this subsection:

1. "Department" means the department of commerce.

2. "Secretary" means the secretary of commerce.

Vetoed In Part

(b) The department shall make 2 grants of $160,000 each in fiscal year 2001−02 to the United Community Center in the city of Milwaukee, one from the appropriation under section 20.143 (1) (ie) of the statutes, as affected by this act, and one from the appropriation under section 20.143 (1) (im) of the statutes, as affected by this act, if all of the following apply:

1. The United Community Center submits a plan to the department detailing the proposed use of the grants and the secretary approves the plan.

2. The United Community Center enters into a written agreement with the department that specifies the conditions for the use of the proceeds of the grants, including reporting and auditing requirements.

3. The United Community Center agrees in writing to submit to the department the report required under paragraph (c) by the time required under paragraph (c).

(c) If the United Community Center receives the grants under this subsection, it shall submit to the department, within 6 months after spending the full amount of each grant, a report detailing how the grant proceeds were used.

(8x) GRANT TO GATEWAY TECHNICAL COLLEGE.

(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) The department shall make a grant of $25,000 in fiscal year 2001−02 from the appropriation under section 20.143 (1) (fg) of the statutes, as affected by this act, to Gateway Technical College for costs related to a consortium for a manufacturing training center if all of the following apply:

1. The consortium and manufacturing training center are located in the Racine−Kenosha area.

2. Gateway Technical College submits a plan to the department detailing the proposed use of the grant and the secretary approves the plan.

3. Gateway Technical College enters into a written agreement with the department that specifies the conditions for the use of the grant proceeds, including reporting and auditing requirements.

4. Gateway Technical College agrees in writing to submit to the department the report required under paragraph (c) by the time required under paragraph (c).

(c) If Gateway Technical College 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.

Vetoed In Part

(8y) GRANT 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 fiscal year 2001−02 to CAP Services, Inc., for providing technical assistance and management services to small businesses. Within 6 months after spending the full amount of the 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 in fiscal year 2001−02 for providing technical assistance and management services to small businesses may be counted toward satisfying the requirement under this subsection.

(8z) REPORT ON OFFICE OF ECONOMIC STRATEGY. By July 1, 2002, the department of commerce shall submit a report to the appropriate standing committees of the legislature in the manner provided under section 13.172 (3) of the statutes on a plan to create an office of economic strategy for coordinating all state government efforts and activities related to economic development.

(9c) GRANT FOR DEMOLITION AND CLEANUP OF BROWNFIELDS SITE.

(a) In this subsection:

1. "Department" means the department of commerce.

2. "Secretary" means the secretary of commerce.

(b) Subject to paragraph (c), from the appropriation under section 20.143 (1) (qm) of the statutes, as affected by this act, the department shall make a grant of $1,000,000 to the city of Kenosha for the demolition and rehabilitation of the former American Brass factory site in the city of Kenosha if all of the following apply:

1. The city of Kenosha submits a plan to the department detailing the proposed use of the grant and the secretary approves the plan.

2. The city of Kenosha complies with the requirements under section 560.13 (2) (a) 1m. of the statutes, as created by this act, and with the requirements under section 560.13 (2) (a) 1. and 3. of the statutes.

3. The city of Kenosha enters into a written agreement with the department that specifies the conditions for the use of the grant proceeds, including reporting and auditing requirements.

Vetoed In Part

4. The city of Kenosha agrees in writing to submit to the department, within 6 months after spending the entire amount of the grant, a report detailing how the grant proceeds were used.

(c) The department may not pay grant proceeds under this subsection after June 30, 2003.

(9d) GRANT FOR ACQUISITION AND CLEANUP OF ABANDONED RAIL CORRIDOR.

(a) In this subsection:

1. "Department" means the department of commerce.

2. "Secretary" means the secretary of commerce.

(b) Subject to paragraph (c), 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 the city of Beloit for the acquisition, cleanup, and redevelopment of a brownfields site in the Fourth and Fifth Street rail corridor and adjacent industrial property in the city of Beloit if all of the following apply:

1. The city of Beloit submits a plan to the department detailing the proposed use of the grant and the secretary approves the plan.

2. The city of Beloit complies with the requirements under section 560.13 (2) (a) 1m. of the statutes, as created by this act, and with the requirements under section 560.13 (2) (a) 1. and 3. of the statutes.

3. The city of Beloit enters into a written agreement with the department that specifies the conditions for the use of the grant proceeds, including reporting and auditing requirements. **Vetoed In Part**

4. The city of Beloit agrees in writing to submit to the department, within 6 months after spending the entire amount of the grant, a report detailing how the grant proceeds were used.

(c) The department may not pay grant proceeds under this subsection after June 30, 2003.

(9e) GRANT FOR APPLE RIVER PROJECT. From the appropriation under section 20.143 (1) (qm) of the statutes, as affected by this act, the department of commerce shall provide a grant under the program under section 560.13 of the statutes, as affected by this act, of $386,600 to the city of Amery for the Apple River project. The proceeds may be used to purchase land with existing structures for the purpose of demolishing such structures and environmental cleanup and to match federal and other state funding for environmental cleanup to the extent that public moneys may be used for matching such funding. The department of commerce shall enter into an agreement with the city of Amery that specifies the uses for the grant proceeds and reporting and auditing requirements.

(9mq) DIVISION OF INTERNATIONAL AND EXPORT DEVELOPMENT. The authorized FTE positions for the department of commerce are increased by 1.0 PR position, to be funded from the appropriation under section 20.143 (1) (g) of the statutes, for the division of international and export development.

(9q) FEDERAL APPROVAL OF CRANE OPERATOR PROGRAM. No later than the first day of the 3rd month beginning after the effective date of this subsection, the department of commerce shall submit to the federal secretary of labor the plans required under section 101.22 (4) of the statutes, as created by this act, if required to do so under 29 USC 667 (b).

(9qq) SUBMISSION OF PROPOSED CRANE OPERATOR RULES. No later than the first day of the 9th month beginning after the effective date of this subsection, the department of commerce shall submit in proposed form **Vetoed In Part**

the rules governing certified crane operator programs under section 101.22 (3) of the statutes, as created by this act, and the fees permitted under section 101.19 (1) (ig) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes.

(9qr) SHORT−TERM CRANE OPERATOR CERTIFICATES PENDING PRACTICAL EXAMINATION. Notwithstanding section 101.22 (3) (b) 5. of the statutes and except as otherwise provided in this subsection, the department of commerce may authorize a crane operator certification program only if a crane operator certificate issued by the program before the first day of the 12th month beginning after the effective date of this subsection has a term that expires on the first day of the 12th month beginning after the effective date of this subsection. This subsection does not apply to a crane operator certificate issued to an individual who satisfactorily completes a practical examination regarding safe crane operation that is approved by the department of commerce.

(10d) COMMUNITY DEVELOPMENT BLOCK GRANT FOR FIRE PROTECTION NEEDS.

(a) In this subsection, "department" means the department of commerce.

(b) Subject to paragraph (c), the department shall make a grant of $260,000 from the appropriation under section 20.143 (1) (n) of the statutes to the Westby fire department for costs related to purchasing a new fire engine and constructing a new fire station in the city of Westby. If the department makes the grant under this paragraph, it shall pay the grant proceeds no later than June 30, 2003, and shall enter into an agreement with the Westby fire department that specifies the uses for the grant proceeds and reporting and auditing requirements.

(c) The department shall make the grant under paragraph (b) only if the federal emergency management administration does not make a fire grant to the city of Westby or the Westby fire department for the purposes specified in paragraph (b).

(10eg) BUSINESS PLANNING GRANT. From the appropriation under section 20.143 (1) (c) of the statutes, as affected by this act, the department of commerce shall make a grant of $25,000 to Clearwater Lake Distilling Company, LLC., for business planning expenses related to a project that utilizes potatoes and potato waste for vodka distillation. The department of commerce shall enter into an agreement with Clearwater Lake Distilling Company, LLC., that specifies the uses for the grant proceeds and reporting and auditing requirements. The department of commerce may not pay grant proceeds under this subsection after June 30, 2003.

Vetoed In Part

(10fk) GRANT TO FLORENCE COUNTY KEYES PEAK RECREATION CENTER. From the appropriation under section 20.143 (1) (kj) of the statutes, as affected by this act, the department of commerce shall provide a grant of $50,000 in the 2001−03 biennium to the Florence County Keyes Peak Recreation Center for a construction project. The department of commerce shall enter into an agreement with the grant recipient that specifies the uses for the grant proceeds and reporting and auditing requirements.

(10p) GRANT FOR GREAT LAKES FORESTRY MUSEUM. 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 $450,000 in fiscal biennium 2001−03 to the Great Lakes Forestry Museum in Rice Lake to develop a facility for educating the public about the history of forestry and logging in the state. The department of commerce shall enter into an agreement with the Great Lakes Forestry Museum that specifies the uses for the grant proceeds and reporting and auditing requirements.

(11pk) GRANTS TO POTOSI BREWERY FOUNDATION.

(a) In this subsection:

1. "Department" means the department of commerce.

2. "Secretary" means the secretary of commerce.

Vetoed In Part

(b) In the 2001−03 fiscal biennium, the department shall make a grant of $30,000 and a grant of $120,000 from the appropriation under section 20.143 (1) (kj) of the statutes, as affected by this act, to Potosi Brewery Foundation for the purposes specified in paragraph (c) if all of the following apply:

1. Potosi Brewery Foundation submits a plan to the department detailing the proposed use of the grant, the plan is in compliance with the uses specified in paragraph (c), and the secretary approves the plan.

2. Potosi Brewery Foundation provides matching funds of $120,000 for the project.

3. Potosi Brewery Foundation enters into a written agreement with the department that specifies the conditions for the use of the grant proceeds, including reporting and auditing requirements.

4. Potosi Brewery Foundation agrees in writing to submit to the department the report required under paragraph (d) by the time required under paragraph (d).

Vetoed In Part

(c) The grant of $30,000 under this subsection shall be used for development of a historic structure report and the grant of $120,000 under this subsection shall be used for development of a marketing plan, restoration and salvage of the brewery structure, and restoration project fundraising.

(d) If Potosi Brewery Foundation 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.

(11zx) GRANTS TO PORT PLAZA RENOVATION PROJECT. 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 $250,000 in each fiscal year of the 2001−03 fiscal biennium to the Port Plaza Renovation Project in the city of Green Bay. The depart-

ment of commerce shall enter into an agreement with the Port Plaza Renovation Project that specifies the uses for the grant proceeds and reporting and auditing requirements.

SECTION 9111. Nonstatutory provisions; corrections.

(1) YOUTH DIVERSION PROGRAM.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of corrections primarily related to the youth diversion from gang activities program under section 301.265, 1999 stats., as determined by the secretary of administration, shall become the assets and liabilities of the department of administration.

(b) *Positions and employees.*

1. The authorized FTE positions for the department of corrections, funded from the appropriation under section 20.410 (3) (a) of the statutes, are decreased by 1.5 GPR positions on the effective date of this subdivision for the youth diversion from gang activities program under section 301.265, 1999 stats.

2. The authorized FTE positions for the department of administration, funded from the appropriation under section 20.505 (6) (a) of the statutes, are increased by 1.5 GPR positions on the effective date of this subdivision for the youth diversion from gang activities program under section 16.964 (8) of the statutes, as affected by this act.

3. The authorized FTE positions for the department of corrections, funded from the appropriation under section 20.410 (3) (hr) of the statutes, are decreased by 0.5 PR position on the effective date of this subdivision for the youth diversion from gang activities program under section 301.265, 1999 stats.

4. The authorized FTE positions for the department of administration, funded from the appropriation under section 20.505 (6) (k) of the statutes, as affected by this act, are increased by 0.5 PR position on the effective date of this subdivision for the youth diversion from gang activities program under section 16.964 (8) of the statutes, as affected by this act.

5. On the effective date of this subdivision, all incumbent employees holding the positions specified in subdivisions 1. and 3. are transferred to the department of administration.

(c) *Employee status.* Employees transferred under paragraph (b) 5. have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration that they enjoyed in the department of corrections immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee 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 corrections that is primarily related to the youth diversion from gang activities program under section 301.265, 1999 stats., as determined by the secretary of administration, is transferred to the department of administration.

(e) *Pending matters.* Any matter pending with the department of corrections on the effective date of this paragraph that is primarily related to the youth diversion from gang activities program under section 301.265, 1999 stats., as determined by the secretary of administration, is transferred to the department of administration. All materials submitted to or actions taken by the department of corrections with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

(f) *Contracts.* All contracts entered into by the department of corrections in effect on the effective date of this paragraph that are primarily related to the youth diversion from gang activities program under section 301.265, 1999 stats., as determined by the secretary of administration, remain in effect and are transferred to the department of administration. The department of administration shall carry out any obligations under those contracts unless modified or rescinded by the department of administration to the extent allowed under the contract.

(g) *Rules and orders.* All rules promulgated by the department of corrections in effect on the effective date of this paragraph that are primarily related to the youth diversion from gang activities program under section 301.265, 1999 stats., remain in effect until their specified expiration date or until amended or repealed by the department of administration. All orders issued by the department of corrections in effect on the effective date of this paragraph that are primarily related to the youth diversion from gang activities program under section 301.265, 1999 stats., remain in effect until their specified expiration date or until modified or rescinded by the department of administration.

(2) REPORT ON EDUCATIONAL TECHNOLOGY SAVINGS. The department of corrections shall submit a report to the department of administration by June 30, 2002, that specifies any funding the department of corrections saved because secured correctional facilities received grants or subsidies from the technology for educational achievement in Wisconsin board.

(2L) COMPUTER RECYCLING POSITION. The authorized positions for the department of corrections are increased by 1.0 PR−S position funded from the appropriation under section 20.410 (1) (kc) of the statutes for computer recycling activities.

Vetoed In Part

(3c) PROFESSIONAL MEDICAL SERVICES CONTRACTS REPORT. The department of corrections shall, by January 4, 2002, submit a report to the joint committee on finance concerning the department's implementation of the legislative audit bureau's recommendation that the department identify and review all its professional medical services contracts, including those for medical,

laboratory, dental, and optical services, to determine if costs can be controlled by seeking better rates with alternate vendors or by consolidating contracts.

(3cb) CORRECTIONS STAFF EDUCATION AND TRAINING REPORT. The department of corrections shall, by January 4, 2002, submit a report to the joint committee on finance concerning the department's implementation of a plan to provide at least 12 hours of continuing education and staff development to health care staff in the department and to provide correctional officers with increased training in the delivery of prescription drugs, as defined in section 450.01 (20) of the statutes.

(3cc) HEALTH CARE DELIVERY STANDARDS REPORT. The department of corrections shall, by September 1, 2001, or by the first day of the 2nd month after the effective date of this subsection, whichever is later, submit a report to the joint legislative audit committee and the joint committee on finance concerning the department's progress toward meeting the standards the department has selected as the basis for health care delivery to inmates.

(3cd) HEALTH SERVICES CONTRACTS REIMBURSEMENT REPORT. The department of corrections shall, by January 4, 2002, submit a report to the joint committee on finance concerning the department's collection of moneys from reimbursements available under departmental contracts with health care services providers.

(3d) FEASIBILITY OF CONSTRUCTING PROBATION AND PAROLE HOLD FACILITY. In developing the list of proposed projects that it will submit to the building commission for the 2003−05 state fiscal biennium under section 13.48 (4) of the statutes, the department of corrections shall study the feasibility of constructing a probation and parole hold facility in north central Wisconsin.

(3g) COMMUNITY REINTEGRATION FACILITY STUDY. The department of corrections shall prepare a feasibility study of the creation of a transitional placement facility for parolees and shall submit that study to the joint committee on finance. The study shall include a proposal for funding the facility. The department shall consider all of the following requirements for the facility when conducting the study:

(a) The facility shall house at least 150 parolees.

(b) The facility shall be located in a region of the state that is closest to the inmate population that the facility will serve.

(c) The facility shall be located in a nonresidential area.

Vetoed In Part

Vetoed In Part

(d) Operators of the facility are considered nonprofit entities by the internal revenue service.

(e) Operators of the facility have control over an identified and properly zoned site.

(f) At least 180 days lapse between the awarding of the winning bid and the opening of the facility to allow the contractor sufficient time to acquire and remodel the facility and secure necessary local approvals.

(g) The facility shall provide alcohol and other drug abuse treatment, education, job preparation, and other elements of treatment designed to prepare parolees for their return to the community. The treatment program shall provide a continuum of care, moving from the most restrictive level of care to the least restrictive level of care.

(i) The facility shall provide a comprehensive curriculum emphasizing assessment, education, substance abuse treatment, and relapse prevention.

(j) The assessment phase shall provide comprehensive assessments of individuals in order to decide appropriate courses of treatment and rehabilitation needs.

(k) Areas assessed shall include academic and vocational factors as well as risks of substance abuse and recidivism.

(L) Treatments shall be designed with the objective of successful reintegration into the community for each parolee.

(m) The treatment phase of the program shall focus on successful reintegration of the offender into the community and shall include all of the following:

1. The treatments are carried out by trained, certified, and clinically supervised staff.

2. The treatment progress is managed and monitored by a team of licensed professionals, including educators, certified alcohol and drug counselors, vocational specialists, and medical professionals.

(n) Residential treatment is provided 7 days a week and includes substance abuse treatment, offender rehabilitation, life−skills training, education, group therapy, family program, experiential workshops, anger management, and conflict resolution.

Vetoed In Part

(p) The facility shall plan to contract for a 3rd−party evaluation of the program to measure the facility's effectiveness and rate of recidivism.

(5gk) STANLEY PRISON LEASE AND REPORT. The department of administration shall renegotiate the lease of the correctional facility located at Stanley, Wisconsin, between the department and Stanley Correctional Properties, L.L.C. The department shall prepare a report specifying the amount of the lease payment and the source of funding to pay for that lease payment and shall submit the lease and the report to the joint committee on finance for the committee's review and approval.

(6c) JUVENILE JUSTICE SYSTEM STUDY.

Vetoed In Part

(a) There is created a committee to study the costs of the state assuming from the counties responsibility for the operation of the juvenile justice system. The committee shall consist of the secretary of administration or the secretary's designee, the secretary of corrections or the secretary's designee, the secretary of health and family services or the secretary's designee, a representative of the Wisconsin Counties Association,

and a representative of Milwaukee County, with the governor to appoint the chairperson of the committee.

(b) Beginning on January 1, 2002, each county shall adopt a uniform system of accounts prescribed by the committee for the recording of all revenues and expenditures relating to the operation of the juvenile justice system in the county. By March 15, 2003, each county shall report those revenues and expenditures for 2002 to the committee.

Vetoed In Part

(c) By May 1, 2003, the committee shall report its findings, conclusions, and recommendations to the legislature in the manner provided in section 13.172 (2) of the statutes and to the governor. The report shall include proposed legislation for all of the following:

1. The assumption by the state of all or part of the operating costs of the juvenile justice system, beginning on January 1, 2004.

2. The elimination of youth aids payments to counties under section 301.26 of the statutes, as affected by this act, and a reduction in the amount of shared revenue payments and mandate relief payments to counties under sections 79.03, 79.058, 79.06, and 79.08 of the statutes and under section 79.04 of the statutes, as affected by this act, as a result of the state's assumption of the costs of operating the juvenile justice system.

(6d) PLACEMENT OF PERSONS UNDER 18 YEARS OF AGE IN MAXIMUM SECURITY PRISON LOCATED NEAR BOSCOBEL. If on the effective date of this subsection any person under 18 years of age is incarcerated in the correctional institution authorized under section 301.16 (1n) of the statutes, the department of corrections shall transfer that person out of that correctional institution within 30 days after the effective date of this subsection.

Vetoed In Part

(6e) REPORT REGARDING GENDER−SPECIFIC TREATMENT PROGRAM. The department of corrections and the department of health and family services shall jointly prepare a report that includes a program plan regarding the gender−specific treatment program required under section 301.03 (25) of the statutes, as created by this act, and shall submit the report to the legislature under section 13.172 (2) of the statutes by July 1, 2002.

(7d) REPORT REGARDING SERVICES FOR ALCOHOL AND OTHER DRUG ABUSE BASED ON GENDER. The department of corrections shall submit a report to the joint committee on finance no later than 6 months after the effective date of this subsection comparing the evaluation and treatment services for alcohol and other drug abuse that it provides to women to those that it provides to men.

Vetoed In Part

(9q) CARRYING COSTS FOR THE CORRECTIONAL FACILITY AT STANLEY. Of the amount appropriated under section 20.410 (1) (a) of the statutes, the department of corrections shall pay the owners of the correctional facility at Stanley $650,000 per month for carrying costs for the period beginning on July 1, 2001, and ending on the earlier of October 31, 2001, or the date on which the building commission purchases the correctional facility. If the building commission purchases the correctional facility before October 31, 2001, the carrying costs for the month in which the purchase takes place shall be prorated.

SECTION 9113. Nonstatutory provisions; district attorneys.

(1q) DISTRICT ATTORNEY POSITION REALLOCATIONS. Notwithstanding sections 978.03 and 978.04 of the statutes, effective January 1, 2002, the department of administration shall reduce Rock County's allocation of FTE PR assistant district attorney positions funded from the appropriation account under section 20.475 (1) (g) of the statutes, as created by this act, by 0.25 position and shall increase Ashland County's allocation of FTE PR assistant district attorney positions funded from the appropriation account under section 20.475 (1) (g) of the statutes, as created by this act, by 0.25 position.

(2m) ASSISTANT DISTRICT ATTORNEYS FOR RESTORATIVE JUSTICE SERVICES. The authorized FTE positions for district attorneys are increased by 2.0 PR project positions for the period beginning on July 1, 2001, and ending on June 30, 2005, to be funded from the appropriation under section 20.475 (1) (k) of the statutes, for the purpose of providing one assistant district attorney for Milwaukee County and one assistant district attorney for the county selected under section 978.044 (4) of the statutes, as created by this act, to perform restorative justice services under section 978.044 of the statutes, as created by this act.

SECTION 9115. Nonstatutory provisions; elections board.

(1x) SUBLEASE OF ELECTRONIC VOTING EQUIPMENT. The elections board shall make the payments required under the master lease for electronic voting system equipment entered into under SECTION 9101 (20x) of this act and shall sublease the equipment to any county in which municipalities using that equipment are wholly or partly contained at nominal cost to the county. The elections board shall make the payments required under this subsection from the appropriation under section 20.510 (1) (c) of the statutes, as created by this act.

Vetoed In Part

SECTION 9116. Nonstatutory provisions; employee trust funds.

(1mk) FUNDING FOR BENEFITS PAYMENT SYSTEM REDESIGN. For the 2001−03 fiscal biennium, the department of employee trust funds may submit a request to the joint committee on finance under section 13.101 (3) of the statutes to supplement the appropriation accounts under section 20.515 (1) (t) and (w) of the statutes for funding the department's benefits payment system redesign. If the cochairpersons of the committee do not notify the department of employee trust funds 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 accounts shall be supplemented from the appropriation account under section

20.865 (4) (u) of the statutes 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 department that the committee intends to schedule a meeting to review the request, the appropriation accounts shall be supplemented from the appropriation account under section 20.865 (4) (u) of the statutes only as approved by the committee.

SECTION 9120. Nonstatutory provisions; financial institutions.

Vetoed In Part

(1d) EMERGENCY RULES; RENTAL–PURCHASE COMPANIES. Using the procedure under section 227.24 of the statutes, the division of banking may promulgate rules authorized under section 218.63 (3) of the statutes, as created by this act, prescribing the fees under sections 218.618 (2), 218.622 (4), and 218.626 (1) of the statutes, as created by this act, for the period before the date on which permanent rules take effect, 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 division of banking is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

(2) FEES CHARGED BY THE DEPARTMENT OF FINANCIAL INSTITUTIONS. Notwithstanding sections 178.48 (2) and (3), 179.16 (5), 179.88, 180.0122 (1) (z), (2), and (4), 181.0122 (1) (zm), (2), and (4), 182.01 (4), 183.0114 (1) (t) and (u), and 185.83 (1) (d), (f), (fm), and (h) of the statutes, as affected by this act, the department of financial institutions shall continue to charge and collect the fees established under sections 178.48 (2) and (3), 179.16 (5), 179.88, 180.0122 (1) (z), (2), and (4), 181.0122 (1) (zm), (2), and (4), 182.01 (4), 183.0114 (1) (t) and (u), and 185.83 (1) (f), (fm), and (h), 1999 stats., until the department has promulgated rules under section 182.01 (4) of the statutes, as affected by this act. This subsection shall not apply after December 31, 2002.

SECTION 9121. Nonstatutory provisions; governor.

(1) ASSISTANCE FROM DEPARTMENT OF WORKFORCE DEVELOPMENT. The repeal of 1999 Wisconsin Act 9, sections 11ac and 593ac, by this act applies notwithstanding section 990.03 (3) of the statutes.

Vetoed In Part

SECTION 9123. Nonstatutory provisions; health and family services.

(4) ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES BOARD.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of health and family services that are primarily related to the functions of the adolescent pregnancy prevention and pregnancy services board, as determined by the secretary of administration, shall become the assets and liabilities of the department of administration.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of health and family services that is primarily related to the functions of the adolescent pregnancy prevention and pregnancy services board, as determined by the secretary of administration, is transferred to the department of administration.

(4h) PLAN FOR DISTRIBUTION OF FOOD PANTRY GRANTS. Notwithstanding section 46.766 of the statutes, as created by this act, no later than 90 days after the effective date of this subsection, the department of health and family services shall submit to the joint committee on finance a plan for distributing the grants to food pantries under section 46.766 of the statutes, as created by this act. If the cochairpersons of the committee do not notify the department of health and family services within 14 working days after the date on which the department submitted the plan that the committee intends to schedule a meeting to review the plan, the department shall implement the plan. If, within 14 working days after the date on which the department submitted the plan, the cochairpersons of the committee notify the department that the committee intends to schedule a meeting to review the plan, the department may implement the plan only as approved by the committee.

Vetoed In Part

(5) KINSHIP CARE BACKGROUND REVIEWS. The repeal of 1997 Wisconsin Act 27, sections 1622d, 1623d, 1624d, and 9423 (10f) and 1997 Wisconsin Act 252, sections 51, 53, and 201 (1), by this act applies notwithstanding section 990.03 (3) of the statutes.

(6) MEDICAL ASSISTANCE ELIGIBILITY POSITION INCREASES.

(a) On the effective date of this paragraph, the authorized FTE positions for the department of health and family services are increased by 5.18 GPR positions, to be funded from the appropriation under section 20.435 (4) (a) of the statutes, as affected by the acts of 2001.

(b) On the effective date of this paragraph, the authorized FTE positions for the department of health and family services are increased by 1.82 FED positions, to be funded from the appropriation under section 20.435 (4) (n) of the statutes, as affected by the acts of 2001.

(8d) REPORT ON MEDICAL ASSISTANCE PSYCHOSOCIAL SERVICES. By the first day of the 6th month after the effective date of this subsection, the department of health and family services shall submit a report to the joint committee on finance on the status of the implementation, under section 49.45 (30e) of the statutes, of the medical assistance benefit on psychosocial services, including case management services, provided by the staff of a community–based psychosocial service program.

Vetoed In Part

(8e) TRANSFER FOR OUTPATIENT HOSPITAL REIMBURSEMENT UNDER BADGER CARE. In each of state fiscal years 2001−02 and 2002−03, the department of health and family services may transfer moneys from the appropriation account under section 20.435 (4) (w) of the statutes, as created by this act, to the appropriation account under section 20.435 (4) (x) of the statutes, as created by this act, to attempt to ensure that sufficient reimbursement for outpatient hospital services is available under section 49.665 of the statutes, as affected by this act, at the rate of reimbursement under section 49.45 of the statutes.

(8kk) STUDY OF VITAL RECORDS ON−LINE ELECTRONIC FILING SYSTEM.

(a) By January 1, 2002, the secretary of health and family services shall appoint a committee to develop recommended guidelines for an on−line electronic filing system for vital records in Wisconsin that incorporates privacy, flexibility, and productivity; to study methods employed by other states to protect against identity theft in on−line electronic filing systems; to recommend increases, if necessary, in vital records fees for implementation of an on−line electronic filing system; and to recommend allocation of revenues resulting from the fee increases. The members of the committee shall include all of the following:

1. The state registrar of vital statistics.

2. Three local registrars, including one from a county with a population that does not exceed 22,000; one from a county with a population that exceeds 22,000 but does not exceed 300,000; and one from a county with a population that exceeds 300,000.

3. Three representatives of the department of health and family services.

4. One genealogist.

Vetoed In Part

(b) By July 1, 2002, the committee appointed under paragraph (a) shall develop an outline of its proposals.

(c) By January 1, 2003, the committee appointed under paragraph (a) shall report its findings and recommendations, including a proposed schedule of fees chargeable for vital records that supports implementation of an on−line electronic filing system and security measures to protect against identity theft, to the legislature in the manner provided under section 13.172 (2) of the statutes and to the governor.

(8r) USE OF NURSING HOME PENALTY ASSESSMENTS AND INTEREST. The department of health and family services shall request approval from the health care financing administration of the federal department of health and human services to use nursing home penalty assessments and interest imposed under section 49.498 of the statutes for coordination of volunteer ombudsmen directed by the board on aging and long−term care.

(8z) USE OF INCOME AUGMENTATION RECEIPTS FOR MILWAUKEE CHILD WELFARE SERVICES. If after supporting the costs specified in section 46.46 of the statutes, as affected by this act, and lapsing the amounts specified in SECTION 9223 (4z) (b) and (5zk) of this act there remain any moneys in the appropriation account under section 20.435 (8) (mb) of the of the statutes, as affected by this act, those remaining moneys are allocated for costs associated with transferring cases of children in out−of−home care who are under the supervision of a county department under section 46.215 of the statutes, as affected by this act, to the supervision of a licensed child welfare agency in the event that any contracts between the county department and the department of health and family services under section 48.48 (17) (a) 11. of the statutes to provide services for those children are not renewed. The department of health and family services may not expend or encumber any moneys allocated under this subsection unless the department submits a plan for the proposed use of those moneys to the secretary of administration. The department of health and family services may propose expending or encumbering no more than $2,933,700 under this subsection. If the secretary of administration approves the plan, he or she shall submit the plan to the joint committee on finance. If the cochairpersons of the committee do not notify the secretary of administration within 14 working days after the date of the secretary's submittal of the plan that the committee has scheduled a meeting for the purpose of reviewing the plan, the department of health and family services may implement the plan as proposed by the department of health and family services and approved by the secretary of administration. If, within 14 working days after the date of the secretary's submittal, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the plan, the department of health and family services may implement the plan only upon the approval of the committee.

(9bk) INCOME AUGMENTATION ACTIVITIES. The authorized FTE positions for the department of health and family services are increased by 1.0 FED position on October 1, 2001, to be funded from the appropriation under section 20.435 (8) (mb) of the statutes, for the purpose of performing income augmentation activities under section 46.46 of the statutes.

(9h) STUDY ON ELECTRONIC BENEFITS TRANSFER SYSTEMS UNDER THE SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN.

(a) The department of health and family services shall study all of the following:

1. Information system requirements for administering an electronic benefit transfer system under the supplemental food program for women, infants, and children.

2. Compatibility of an electronic benefit transfer system under the supplemental food program for women, infants, and children with existing electronic benefit transfer systems.

3. 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.

4. 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, 2003, 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.

(9w) RULES ON DRUG COPAYMENTS AND COINSURANCE UNDER THE HEALTH INSURANCE RISK-SHARING PLAN. The department of health and family services may use the procedure under section 227.24 of the statutes to promulgate rules authorized under section 149.14 (5) (e) of the statutes, as affected by this act, and section 149.146 (2) (am) 5. of the statutes, as created by this act. 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 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

(9wo) REPORT ON POTENTIAL BADGER CARE HEALTH CARE PROGRAMS SAVINGS. The department of health and family services shall study the potential for long−term savings under the badger care health care program under section 49.665 of the statutes, as affected by this act. No later than January 1, 2002, the department of health and family services shall report the results of the study, together with its findings and recommendations, to the joint committee on finance.

(9x) PREEXISTING CONDITION EXCLUSIONS UNDER THE HEALTH INSURANCE RISK-SHARING PLAN. An eligible individual, as defined in section 149.14 (6) (b) 1., 1999 stats., who has coverage under the health insurance risk−sharing plan on the effective date of this subsection may not be subject to any preexisting condition exclusion under section 149.14 (6) (a) of the statutes, regardless of how long the individual has been covered under the plan. An eligible individual, as defined in section 149.14 (6) (b) 1., 1999 stats., who has coverage under the health insurance risk−sharing plan on the effective date of this subsection and who elects new coverage under section 149.146 (1) (b) of the statutes, as affected by this act, may not be subject to any preexisting condition exclusion if he or she was an eligible individual, as defined in section 149.14 (6) (b) 1., 1999 stats., when he or she first obtained coverage under the plan and he or she has remained continuously covered under the plan up to the time of electing new coverage.

Vetoed In Part

(12r) STATEWIDE TRAUMA CARE SYSTEM; POSITIONS. The authorized FTE positions for the department of health and family services are increased by 2.0 PR project positions, to be funded from the appropriation account under section 20.435 (1) (kx) of the statutes, for the purposes of the statewide trauma care system under section 146.56 of the statutes, as affected by this act, for the period beginning on July 1, 2001, and ending on June 30, 2003.

(12s) STATEWIDE TRAUMA CARE SYSTEM; REGIONAL ADVISORY TRAUMA COUNCILS. From the appropriation account under section 20.435 (1) (kx) of the statutes, the department of health and family services shall expend $25,000 in state fiscal year 2001−02 and $50,000 in state fiscal year 2002−03 for expenses of the regional advisory trauma councils under section 146.56 (1) of the statutes, as affected by this act, and shall distribute $290,000 in state fiscal year 2002−03 as grants to regional advisory trauma councils for performance of activities under the statewide trauma system.

(12zk) MILWAUKEE CHILD WELFARE ADMINISTRATION; RULES. The department of health and family services shall submit in proposed form the rules required under section 48.48 (17) (e) of the statutes, as created by this act, to the legislature under section 227.19 of the statutes no later than the first day of the 9th month beginning after the effective date of this subsection.

(13b) DURABLE MEDICAL EQUIPMENT; CUSTOMIZED WHEELCHAIR. From the appropriations under section 20.435 (4) (b) and (o) of the statutes, as affected by this act, notwithstanding the denial of a request for prior authorization for durable medical equipment for a customized wheelchair, the department of health and family services shall purchase a customized wheelchair for a resident of the Vernon Manor nursing home in Vernon County who has cerebral palsy and for whom a physician has determined that a customized wheelchair is necessary.

Vetoed In Part

(13d) PLAN FOR REGIONAL LABOR COST VARIATIONS FOR NURSING HOME REIMBURSEMENT. For purposes of determining medical assistance reimbursement for allowable direct care costs for facilities with respect to adjustments for regional labor cost variations under section 49.45 (6m) (ar) 1. a. of the statutes, the department of health and family services, together with representative of the nursing home industry and organized labor, shall develop a comprehensive plan that specifies varying regions of the state of Wisconsin with respect to labor costs for nursing home staff. The department of health and family services shall submit the plan, by September 1, 2001, or by the first day of the 2nd month beginning after the effective date of this subsection, whichever is later, to the joint committee on finance for review. If the cochairpersons of the joint committee on finance do not notify the secretary of health and family services within 14 working days after the date on which the plan is submitted that the committee intends to schedule a meeting to review the plan, the department of health and family services shall implement the plan in adjusting standards for medical assistance reimbursement of allowable direct

care costs for facilities under section 49.45 (6m) (ar) 1. a. of the statutes. If, within 14 working days after the date on which the plan is submitted, the cochairpersons of the committee notify the secretary of health and family services that the committee intends to schedule a meeting to review the plan, the department of health and family services may implement the plan only upon approval by the committee.

(13dd) INCREASE IN HOSPITAL AND HEALTH MAINTENANCE ORGANIZATION RATES OF REIMBURSEMENT. No later than 90 days after the effective date of this subsection, the department of health and family services shall submit to the joint committee on finance a plan for distributing the moneys appropriated in the 2001−03 fiscal biennium under section 20.435 (4) (o) and (w) of the statutes, as affected by this act, for increasing the maximum rate of reimbursement paid to hospitals and health maintenance organizations for outpatient services provided under the medical assistance program under subchapter IV of chapter 49 of the statutes. The plan may not increase the maximum rate of reimbursement paid to hospitals for outpatient services so that the increase results in an increase in the discount rate, which is shown as the difference between the rate of reimbursement paid to fee−for−service providers for the same services that are provided by health maintenance organizations and the rate of payment made to health maintenance organizations for those services, of more than $2,500,000 in each of calendar years 2002 and 2003. If the cochairpersons of the committee do not notify the secretary of health and family services within 14 working days after receiving the plan that the cochairpersons have scheduled a meeting for the purpose of reviewing the plan, the department of health and family services shall implement the plan. If, within 14 working days after receiving the plan, the cochairpersons notify the secretary of health and family services that the cochairpersons have scheduled a meeting for the purpose of reviewing the plan, the department of health and family services may implement the plan only as approved by the committee.

Vetoed In Part

(13k) EXPANSION OF PROGRAM OF ALL−INCLUSIVE CARE OF THE ELDERLY. From the appropriation under section 20.435 (7) (bc) of the statutes, the department of health and family services shall provide $60,000 for start−up costs to expand to Racine County the program of all−inclusive care for persons aged 65 or older authorized under 42 USC 1395 to 1395gg.

Vetoed In Part

(13q) HEALTH INSURANCE SUPPLEMENT FOR COMMUNITY DISABILITY SERVICE PROVIDERS. From the appropriation under section 20.435 (4) (bu) of the statutes, as created by this act, the department of health and family services shall in state fiscal year 2001−02 distribute moneys to applying providers of services under home and community−based waiver programs under 42 USC 1396n (c), including the long−term support community options program under section 46.27 of the statutes and the community integration programs under sections 46.275, 46.277, and 46.278 of the statutes, to offset costs of providing health insurance to employees of the providers. Moneys distributed under this subsection to an applying provider are limited to the amount the provider expends for employee health care insurance costs or $50,000, whichever is less.

(14b) SUDDEN INFANT DEATH SYNDROME PREVENTION TRAINING; RULES. The department of health and family services shall submit in proposed form the rules required under section 48.67 of the statutes, as affected by this act, to the legislature under section 227.19 of the statutes no later than the first day of the 6th month beginning after the effective date of this subsection.

(14e) MILWAUKEE HEALTH CLINICS GRANTS. In fiscal year 2001−02, from the appropriation account under section 20.435 (5) (fh) of the statutes, as affected by this act, the department of health and family services shall provide all of the following:

(a) One grant in the amount of $273,300 to the Milwaukee Immediate Care Center to allow continued operation of the facility.

(b) One grant in the amount of $226,700 to the Martin Luther King Heritage Health Center to expand primary care examination rooms and to create an emergency care clinic at the Isaac Coggs Community Health Center.

(14g) FEES FOR PATIENT HEALTH CARE RECORDS; RULES.

(a) The department of health and family services shall submit in proposed form the rules required under section 146.83 (3m) 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 10th month beginning after the effective date of this subsection.

(b) To develop the rules under paragraph (a), the secretary of health and family services shall establish an advisory committee composed of members who represent a balance of persons who maintain patient health care records and persons who request patient health care records.

(14k) IMMUNIZATION REGISTRY.

(a) The department of health and family services shall submit to the joint committee on finance a request to supplement the appropriation account under section 20.435 (4) (bm) of the statutes, as affected by this act, for the purpose of developing and implementing a statewide immunization registry. The request shall include a memorandum of understanding between the department of health and family services and the Marshfield Clinic, on behalf of the Regional Early Childhood Immunization Network, that specifies the amount of moneys allocated under section 49.175 (1) (ze) 9. of the statutes that will be used to support immunization data collection by the Regional Early Childhood Immunization Network, outside of the area currently served by the immunization registry system of the Marshfield Clinic and that results in a savings for the department's immunization registry.

(b) If the cochairpersons of the committee do not notify the secretary of health and family services within 14 working days after receiving the memorandum of understanding and request under paragraph (a) that the cochairpersons have scheduled a meeting for the purpose of reviewing the request, the appropriation account under section 20.435 (4) (bm) of the statutes, as affected by this act, shall be supplemented from the appropriation account under section 20.865 (4) (a) of the statutes, as provided in the request. If, within 14 working days after receiving the proposal, the cochairpersons notify the secretary that the cochairpersons have scheduled a meeting for the purpose of reviewing the request, the appropriation account may be supplemented from the appropriation account under section 20.865 (4) (a) of the statutes 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 prior to supplementing the appropriation account under section 20.435 (4) (bm) of the statutes, as affected by this act.

Vetoed In Part

(c) Not later than January 1, 2003, the department of health and family services shall submit a report on the immunization registry to the legislature in the manner provided under section 13.172 (2) of the statutes.

Vetoed In Part

(14L) WINNEBAGO MENTAL HEALTH INSTITUTE AND MENDOTA MENTAL HEALTH INSTITUTE POSITION AUTHORIZATIONS.

(a) The authorized FTE positions for the department of health and family services are decreased by 1.58 GPR positions, funded from the appropriation under section 20.435 (2) (a) of the statutes, for the purpose of providing care to residents of the Winnebago Mental Health Institute and Mendota Mental Health Institute.

Vetoed In Part

(b) The authorized FTE positions for the department of health and family services are increased by 1.58 PR positions, to be funded from the appropriation under section 20.435 (2) (gk) of the statutes, as affected by this act, for the purpose of providing care to residents of the Winnebago Mental Health Institute and Mendota Mental Health Institute.

(14q) MARRIAGE COUNSELING. The authorized FTE positions for the department of health and family services, funded from the appropriation under section 20.435 (3) (kx) of the statutes, are decreased by 1.0 PR position for the provision of marriage counseling services.

(15e) FIFTH STANDARD FOR EMERGENCY DETENTION AND CIVIL COMMITMENT. The repeal of 1995 Wisconsin Act 292, sections 5, 12, 14, 16, 20, 22, 24, 28, 30, 30h, 32, and 37 (1), and the repeal of 1997 Wisconsin Act 35, sections 141, 144, 147, and 605 (1), apply notwithstanding section 990.03 (3) of the statutes.

(15j) ASSISTIVE TECHNOLOGY AND ADAPTIVE EQUIPMENT.

Vetoed In Part

(a) From the appropriation account under section 20.435 (6) (a) of the statutes, the subunit in the department of health and family services that deals with physical disabilities shall expend $15,000 in each of state fiscal years 2001−02 and 2002−03 to administer funding for assistive technology and adaptive equipment for persons with physical disabilities; develop statewide reporting mechanisms, contract performance evaluation, and training; and work with vendors to obtain updated assistive technology and adaptive equipment.

(b) From the appropriation account under section 20.435 (7) (bc) of the statutes, the department of health and family services shall distribute $15,000 in each of state fiscal years 2001−02 and 2002−03 to the Easter Seals Society of Wisconsin, Inc., to provide persons with disabilities in the agricultural industry with specialized assistance regarding adaptations or modifications of agricultural equipment.

(c) From the appropriation account under section 20.435 (7) (bc) of the statutes, the department of health and family services shall expend $20,000 in each of state fiscal years 2001−02 and 2002−03 to provide recycled medical equipment, including wheelchairs, and equipment parts, maintenance, and distribution costs to persons with disabilities.

(d) From the appropriation account under section 20.435 (7) (c) of the statutes, the department of health and family services shall award grants of $18,750 in each of state fiscal years 2001−02 and 2002−03 to each of the eight independent living centers for the severely disabled, to provide information, resources, and assessments for the needs for assistive technology and adaptive equipment of persons with disabilities who are residents of the independent living centers.

(15k) MEDICAL ASSISTANCE PROVIDER FRAUD AND ABUSE; RULES. The department of health and family services shall submit in proposed form the rules required under section 49.45 (2) (a) 10. c., 11. b., and 12. b. and (b) 6m., 7., 8., and 9., (3) (g) 2. and (h) 1n., and (21) (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 the first day of the 10th month beginning after the effective date of this subsection.

(16h) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY; ADMINISTRATION. Before July 1, 2002, the department of health and family services may develop and submit to the department of administration a proposal for expenditure of the funds appropriated under section 20.865 (4) (a) of the statutes for administration of the prescription drug assistance for elderly program under section 49.688 of the statutes, as created by this act. The department of administration may approve, disapprove, or modify and approve any proposal it receives under this subsection. If the department of administration approves the proposal, the department shall submit the proposal, together with any modifications, to the cochairpersons of the joint committee on finance. If the cochairpersons of the committee do not notify the secretaries of administration and

health and family services within 14 working days after receiving the proposal that the cochairpersons have scheduled a meeting for the purpose of reviewing the proposal, the secretary of administration may transfer from the appropriation account under section 20.865 (4) (a) of the statutes to the appropriation account under section 20.435 (4) (a) of the statutes the amount specified in the proposal or any proposed modifications of the proposal for expenditure as specified in the proposal or any proposed modifications of the proposal and may approve any position authority specified in the proposal or any proposed modifications of the proposal. If, within 14 working days after receiving the proposal, the cochairpersons notify the secretaries of administration and health and family services that the cochairpersons have scheduled a meeting for the purpose of reviewing the proposal, the secretary of administration may not transfer any amount specified in the proposal or any proposed modifications of the proposal from the appropriation account under section 20.865 (4) (a) of the statutes and may not approve any position authority specified in the proposal or any proposed modifications of the proposal, except as approved by the committee.

(16mn) STUDY ON FUNDING THE HEALTH INSURANCE RISK−SHARING PLAN. The board of governors of the health insurance risk−sharing plan under chapter 149 of the statutes, as affected by this act, shall conduct a study on alternative funding sources for the health insurance risk−sharing plan. No later than January 1, 2002, the board of governors shall report the results of the study, together with its findings and recommendations, to the standing committees of the legislature on health in the manner provided under section 13.172 (3) of the statutes and to the members of the joint committee on finance.

(16r) PLAN FOR SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES. The department of health and family services shall develop a plan to administer and fund services for persons with developmental disabilities. The plan, which shall include any recommended statutory language changes that are needed to implement the plan, shall be included in that department's budget request that is submitted to the department of administration for the 2003−05 biennium. The plan shall include the following components:

Vetoed In Part

Vetoed In Part

(a) Institutional and community−based services for persons with developmental disabilities shall be administered within one administrative subunit of the department of health and family services. The subunit that is designated to administer these services shall be the subunit that is administering community−based services for persons with developmental disabilities on the effective date of this paragraph.

Vetoed In Part

(b) Funding under the medical assistance program for institutional services and home and community−based waiver services for persons with developmental disabilities shall be combined into one appropriation, to the extent permissible under federal law. The funding in this appropriation may not be tied to any specific program or service setting, but shall be individually tailored to enable the person to live in the least restrictive setting appropriate to his or her needs and preferences.

(16rq) MEDICAL ASSISTANCE WAIVERS FOR DEVELOPMENTAL DISABILITIES SERVICES. The department of health and family services shall determine whether any new waivers under the medical assistance program are necessary to administer funding for medical assistance services as described in subsection (16r) (b). That department shall apply for any waivers of federal medical assistance statutes and regulations from the federal department of health and human services that the department of health and family services determines are necessary to administer funding for medical assistance services as described in subsection (16r) (b).

(16rr) WRITTEN PLANS OF CARE FOR PERSONAL CARE SERVICES; RULES. The department of health and family services shall submit in proposed form the rules required under section 49.45 (2) (a) 24. 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 fourth month beginning after the effective date of this subsection.

Vetoed In Part

(16rs) PILOT PROGRAM FOR LONG−TERM CARE OF CHILDREN WITH DISABILITIES.

(a) In this subsection:

1. "Administering agency" means a county department under section 46.23, 51.42, or 51.437 of the statutes or a human services agency that administers the program under a contract with such a county department.

2. "Program" means a pilot program that provides a system of long−term care for children with disabilities and their families.

Vetoed In Part

(b) 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 pilot sites, the program. If the waivers are granted, the program shall have all of the following characteristics:

1. Eligibility under sections 46.27 (11), 46.275, 46.277, 46.278, 46.985, and 51.44 of the statutes shall be expanded to include children with severe disabilities and long−term care needs and children eligible for medical assistance with high medical costs, and medical assistance coverage of services shall be expanded to include services focused on the needs of children with developmental disabilities and their families.

Vetoed In Part

2. The administration of the program shall be consistent with section 46.985 of the statutes, including a family−centered assessment and planning process.

3. The program shall operate within rate settings based upon a child's level of care and support needs. The

department of health and family services shall promulgate rules that specify rates that are consistent with federal medical assistance home and community−based waiver regulations.

Vetoed In Part

4. The department of health and family services shall coordinate supports and services under the program with the medical assistance fee−for−service system, including the prior authorization process.

5. The lead agency for the program shall be an administering agency.

6. Counties in which the program is located shall provide, contract for the provision of, organize, or arrange for long−term care supports for eligible children up to age 24 years, consistent with section 46.985 (1) (b) and (6) (f) of the statutes.

Vetoed In Part

7. Information and assistance services operated under the program shall provide, contract, or arrange for the provision of all of the following:

a. Information and referral services and other assistance at hours that are convenient for the public.

b. Within the limits of available funding, prevention and intervention services.

c. Counseling concerning public and private benefits programs.

d. Assistance with understanding rights of children and parents within the long−term care system.

Vetoed In Part

8. The administering agency shall determine functional and financial eligibility for the program by coordinating with the department of health and family services in completing all of the following:

a. A determination of functional eligibility for the children's long−term support benefit.

b. A determination of financial eligibility and of the maximum amount of cost sharing required for a family who is seeking long−term care services, under standards prescribed by the department of health and family services.

c. Assistance to a child who is eligible for a long−term support benefit and to the child's family with respect to the choice of whether or not to participate in the waiver pilot.

d. Assistance in enrolling in the program, for families who choose to enroll their children.

9. The cost of the program may not exceed the cost of existing services under sections 46.27 (11), 46.275, 46.277, 46.278, 46.985, and 51.44 of the statutes.

10. The program shall blend the costs per child served in the areas of the sites in which services are provided under sections 46.27 (11), 46.275, 46.277, 46.278, 46.985, and 51.44 of the statutes.

11. The department of health and family services may develop a methodology to distribute funding under the program on a per child per month basis.

12. The department of health and family services shall reinvest into the children's long−term support system any funding saved by this new methodology.

13. The department of health and family services shall equitably assign priority on any necessary waiting lists, consistent with criteria prescribed by that department, for children who are eligible for the program, but for whom resources are not available.

14. The department of health and family services shall provide transitional services to families whose children with physical or developmental disabilities are preparing to enter the adult service system.

15. The department of health and family services shall determine eligibility for program applicants for state supplemental payments under section 49.77 of the statutes, medical assistance under section 49.46 of the statutes, and the federal food stamp program under 7 USC 2011 to 2029.

(c) If the federal waivers specified under paragraph (b) 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 (b), as approved under the federal waivers. Any new resources for supports and services for long−term care for children with disabilities and their families shall be managed under the program after approval of the federal waivers specified in paragraph (b) and enactment of necessary statutory language to implement the model under paragraph (b).

(18f) RESPITE FACILITIES; RULES. The department of health and family services shall submit in proposed form the rules required under section 50.85 (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 October 31, 2002.

SECTION 9124. Nonstatutory provisions; higher educational aids board.

(1x) REPORT ON LOAN FORGIVENESS PROGRAM. The higher educational aids board shall develop a program to forgive loans of students who graduate from the University of Wisconsin System or from the technical college system and farm for a period of 5 consecutive years. The board shall submit a report summarizing the program to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes, by March 1, 2002.

SECTION 9125. Nonstatutory provisions; historical society.

(1mk) TRANSFER OF HISTORICAL LEGACY TRUST FUND BALANCE. The unencumbered balance of the historical legacy trust fund other than the bicentennial account moneys under section 25.72, 1999 stats., immediately before the effective date of this subsection is transferred to the appropriation account under section 20.245 (1) (g) of the statutes, as affected by this act.

SECTION 9129. Nonstatutory provisions; joint committee on finance.

(1m) SUPPLEMENTAL FUNDING FOR SHARED HUMAN RESOURCES SYSTEM. Vetoed In Part

(a) In this subsection:

1. "Shared human resources system" means an automated human resources information processing system that is used by state agencies, or by the department of employment relations on behalf of state agencies, for all personnel transactions involving the announcement, examination, and certification process for filling positions in the classified service of the state civil service system.

2. "State agency" has the meaning specified in section 20.001 (1) of the statutes. Vetoed In Part

(b) Notwithstanding sections 13.101 (3) and 16.515 (1) of the statutes, the joint committee on finance may not supplement the appropriation under section 20.512 (1) (k) of the statutes, as affected by this act, for any fiscal year during the 2001−03 fiscal biennium until all of the following occur:

1. The department of employment relations submits a report to the joint committee on finance that provides a detailed plan on the costs of operation of the shared human resources system, including any future development costs of the system; and specifies the manner in which the department will fund the costs of operating the shared human resources system during the 2001−03 fiscal biennium and in succeeding biennia, including any amounts that the department intends to assess individual state agencies for operating the system in the 2001−03 fiscal biennium.

2. The department of administration submits a report to the joint committee on finance that does all of the following:

a. Discusses the measures that the department of administration will take during the biennial budget process in fiscal biennia occurring after the 2001−03 fiscal biennium to ensure that the legislature is provided sufficient information to review any assessments that a state agency plans to make against other state agencies for the operation of any information processing system. Vetoed In Part Vetoed In Part

b. Specifies how state agencies are to fund any unbudgeted assessment costs imposed by the department of employment relations during the 2001−03 fiscal biennium for operating the shared human resources system.

c. Explains why the costs for operating the shared human resources system were not budgeted for state agencies during the 2001−03 fiscal biennium if it was the intention of the department of administration that the department of employment relations was to assess such costs against state agencies. Vetoed In Part Vetoed In Part

(1x) VOTING SYSTEM TRANSITIONAL ASSISTANCE. Notwithstanding section 13.101 (3) (a) of the statutes, if the elections board requests a supplemental appropriation from the joint committee on finance for the purpose of providing voting system transitional assistance under section 7.08 (7) of the statutes, as created by this act, or SECTION 9115 (1x) of this act, no finding of emergency is required. Notwithstanding sections 13.10 and 13.101 (3) of the statutes, if the elections board requests a supplemental appropriation under this subsection, and the cochairpersons of the joint committee on finance do not notify the elections board that a meeting of the committee has been scheduled to discuss the request within 14 working days of the date that the request is made, the request is considered to be approved by the committee. Vetoed In Part

SECTION 9131. Nonstatutory provisions; justice.

(2c) AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM GRANT. The department of justice may award automated fingerprint identification system grants to local law enforcement agencies in fiscal year 2001−02 from the appropriation under section 20.455 (2) (kh) of the statutes, as created by this act. Local law enforcement agencies may use funds awarded under this subsection only for the purchase of automated fingerprint identification system work stations or to cover the cost of installing Badgernet lines for work stations. Each local law enforcement agency that receives a grant under this subsection shall enter into an agreement with the department of justice regarding the duties and obligations of the agency and of the department with respect to use of automated fingerprint identification system work stations and regarding use of, and access to, the state automated fingerprint identification system and to other criminal records databases. The department of justice shall establish grant eligibility standards and procedures for administering the grant program under this subsection.

SECTION 9132. Nonstatutory provisions; legislature.

(1q) HIGH−CAPACITY WELL STUDY. The joint legislative council shall study the issues raised by high−capacity wells in this state.

(2ak) PROCUREMENT SERVICES AUDIT. The joint legislative audit committee is requested to direct the legislative audit bureau to conduct a performance evaluation audit of the procurement services provided by the department of administration to state agencies, which includes evaluating the accuracy of assessments imposed under section 16.71 (6) of the statutes, as created by this act. If the legislative audit bureau performs the audit, it shall file its report as described in section 13.94 (1) (b) of the statutes by January 1, 2004. Vetoed In Part

(2x) STUDY OF IMPACTS OF GROUNDWATER USAGE. The joint legislative council is requested to conduct a study of the need to modify this state's laws to address the impacts of groundwater usage. If the joint legislative council conducts the study, it shall include on the study committee members that have interests in agriculture, surface water usage, business, and relevant science, including experts from the U.S. geological survey, the Vetoed In Part

Wisconsin geological and natural history survey, and the Central Wisconsin Groundwater Center at the University of Wisconsin–Stevens Point.

(2z) AUDIT OF GEOGRAPHIC INFORMATION SYSTEMS MAPPING SERVICES. The joint legislative audit committee is requested to, and may, direct the legislative audit bureau to perform a performance evaluation audit of the geographic information systems mapping services provided by the department of natural resources. The audit shall include an analysis of the degree to which the services offered by the department of natural resources compete with the services offered by private businesses and an analysis of whether it is most cost–effective for those services to be provided by the department of natural resources or by private businesses. 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.

(3v) EVALUATION OF CREDENTIALING FEES. The joint legislative audit committee is requested to, and may, direct the legislative audit bureau to evaluate the methodologies used by the department of regulation and licensing for recalculating administrative and enforcement costs under section 440.03 (9) (a) of the statutes and recommending changes to fees for issuing and renewing credentials under section 440.03 (9) (b) of the statutes. An evaluation under this subsection shall determine whether the methodologies are adequately documented and administered in a straightforward manner, whether they represent the actual costs associated with the department's regulation of credential holders, and whether they provide sufficient revenues to support the department's operations. If the committee directs the legislative audit bureau to perform an evaluation under this subsection, the bureau shall, no later than June 30, 2002, file its report as described in section 13.94 (1) (b) of the statutes. **Vetoed In Part**

(3w) AUDIT OF THE ESTATE RECOVERY PROGRAM. The joint legislative audit committee is requested to direct the legislative audit bureau to perform a financial and performance evaluation audit of the estate recovery program in the department of health and family services. The audit shall include information on the amount of moneys recovered from nursing homes, for personal care and home health services, and under the community options program, the medical assistance program, and the community–based waiver programs, and shall specify the amount of moneys recovered by the size of estate. If the committee directs the legislative audit bureau to perform an audit, the bureau shall file its report as described under section 13.94 (1) (b) of the statutes. **Vetoed In Part**

(3x) WISCONSIN ADVANCED TELECOMMUNICATIONS FOUNDATION FUNDS. If the secretary of administration notifies the cochairpersons of the joint committee on finance under SECTION 9101 (10) (a) (intro.) of this act that the Wisconsin Advanced Telecommunications Foundation has made a grant to the state in an amount less than $13,465,100, the joint committee on finance shall determine the purposes for which the grant may be expended pursuant to section 13.101 (3) of the statutes or pursuant to section 13.101 (4) of the statutes, as affected by this act. **Vetoed In Part**

(3xx) ACCUMULATED UNUSED SICK LEAVE CREDIT CONVERSION STUDY.

(a) The joint survey committee on retirement systems shall study the issue of allowing participants in the Wisconsin retirement system who have terminated covered employment and who have at least 25 years of creditable service under the Wisconsin retirement system, but who are not eligible to receive an immediate annuity under the Wisconsin retirement system at the time that they terminate covered employment, to be able to convert their accumulated unused sick leave into credits for the payment of health insurance premiums under section 40.05 (4) (b) of the statutes on the date on which the department of employee trust funds receives the participant's application for a retirement annuity or for a lump sum payment under section 40.25 (1) of the statutes. The departments of employment relations and employee trust funds shall provide any information requested by the joint survey committee on retirement systems. The joint survey committee on retirement systems shall submit the results of the study and recommendations to the department of employment relations no later than January 1, 2002. **Vetoed In Part**

(b) No later than 30 days after receiving the results of the study and recommendations submitted under paragraph (a), the department of employment relations shall submit proposed legislation incorporating the recommendations to the joint committee on employment relations.

(3y) AUDIT OF STATE AIRCRAFT USAGE. The joint legislative audit committee is requested to direct the legislative audit bureau to conduct a performance evaluation audit of aircraft usage by state agencies. If the legislative audit bureau performs the audit, the bureau is requested to include an evaluation of whether the current number of aircraft owned by the state is appropriate. If the legislative audit bureau performs the audit, it shall file its report as described under section 13.94 (1) (b) of the statutes by January 1, 2003. **Vetoed In Part**

(3z) QUALIFIED INTERPRETER DEFINITION STUDY. The joint legislative council is requested to study a potential definition of "qualified interpreter", for the purpose of appointments in court proceedings and contested administrative case proceedings. If the joint legislative council conducts the study, it shall report its findings and conclusions to the legislature in the manner provided under section 13.172 (2) of the statutes.

(4b) JURY SELECTION STUDY AND REPORT. The joint legislative council is requested to study how juries are selected, including what actions are needed to increase **Vetoed In Part**

the participation of racial and ethnic minorities on juries so that juries reflect the racial and ethnic composition of the areas from which the juries were selected. If the joint legislative council conducts the study, it shall report its findings and recommendations to the legislature in the manner provided under section 13.172 (2) of the statutes.

(4m) EVALUATION AND REPORT TO LEGISLATURE. By October 1, 2004, the legislative audit bureau shall evaluate, on a quantitative and qualitative basis, the success of restorative justice programming in Milwaukee county and the county selected under section 978.044 (4) of the statutes, as created by this act, in serving victims, offenders, and communities affected by crime and shall report its findings to the appropriate standing committees of the legislature, as determined by the speaker of the assembly and the president of the senate, under section 13.172 (3) of the statutes.

Vetoed In Part

(4z) STUDY ON NEW ECONOMY. The joint legislative council is requested to conduct a study on how the state government, the state's research universities, and the state's business community can foster economic development in this state by assisting and developing businesses and industries that are based on science and technology. If the joint legislative council conducts the study, the joint legislative council 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, 2002, and shall include in its report recommendations relating to all of the following:

(a) Ways to increase the number and percentage of jobs in this state in businesses and industries that are based on science and technology.

(b) Ways to increase the average earnings of employees employed in this state in businesses and industries that are based on science and technology.

Vetoed In Part

(c) Ways to increase the amount of venture capital invested in this state and the amount spent on research and development in this state.

(d) Ways to increase the number of homes in this state that have computers and access to the Internet.

Vetoed In Part

(e) A strategy to bring the best and brightest researchers to this state.

(5q) AUDIT OF THE DIVISION OF INTERNATIONAL AND EXPORT DEVELOPMENT. The joint legislative audit committee is requested to direct the legislative audit bureau to perform a financial and performance evaluation audit of the division of international and export development in the department of commerce. The audit shall examine the general operations of the division. If the committee directs the legislative audit bureau to perform the audit under this subsection, the bureau shall file its report as described in section 13.94 (1) (b) of the statutes by January 1, 2003.

Vetoed In Part

SECTION 9137. Nonstatutory provisions; natural resources.

(1) DRY CLEANER ENVIRONMENTAL RESPONSE PROGRAM DEDUCTIBLE. The department of natural resources shall identify any award made under section 292.65 of the statutes using the deductible under section 292.65 (8) (e) 3., 1999 stats., and recalculate the award using the deductible under section 292.65 (8) (e) of the statutes, as affected by this act. Before July 1, 2002, the department shall pay to the recipient the difference between the amount of the original award and the amount as recalculated under this subsection.

(1k) RECYCLING EFFICIENCY INCENTIVE GRANTS. 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 natural resources shall submit information concerning the appropriation under section 20.370 (6) (bv) of the statutes, as created by this act, as though the amount appropriated to the department under that appropriation for fiscal year 2002−03 were $7,600,000.

Vetoed In Part

(1kL) EMERGENCY RULES FOR RECYCLING PILOT PROGRAM. Using the procedure under section 227.24 of the statutes, the department of natural resources may promulgate as emergency rules the rules required under section 287.11 (4) (a) 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 December 31, 2005. 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.

(1km) RECYCLING POSITION AUTHORIZATION. 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 (2) (hq) of the statutes, for recycling program administration.

(1x) APPLICABILITY OF HIGH−CAPACITY WELL REQUIREMENTS. The treatment of section 281.17 (1) (c) of the statutes applies to an approval issued by the department of natural resources under section 281.17 of the statutes on or after September 1, 2000. The department of natural resources shall modify an approval issued by the department of natural resources under section 281.17 of the statutes on or after September 1, 2000, in order to incorporate into the approval the condition required under section 281.17 (1) (c) 1. of the statutes, as created by this act.

Vetoed In Part

Vetoed In Part

(2) FOX RIVER NAVIGATIONAL SYSTEM AUTHORITY; INITIAL TERMS. Notwithstanding the length of terms of the members of the board of directors of the authority specified in section 237.02 (1) (a) of the statutes, as created by this act, the initial members shall be appointed for the following terms:

(a) Three members for a term that expires on July 1, 2004.

(b) Three members for a term that expires on July 1, 2005.

Vetoed In Part

(2g) NONPOINT SOURCE POSITIONS. The authorized FTE positions for the department of natural resources are increased by 5.5 SEG positions, funded by the appropriation under section 20.370 (3) (mt) of the statutes, to reflect the transfer of funding for nonpoint source water pollution control to the environmental fund.

Vetoed In Part

(2h) NONPOINT SOURCE ADMINISTRATION. The authorized FTE positions for the department of natural resources are increased by 8.0 SEG positions, funded by the appropriation under section 20.370 (4) (mr) of the statutes, to reflect the transfer of funding for nonpoint source water pollution control to the environmental fund.

(2t) COMPUTER ACCESSIBLE WATER RESOURCE MANAGEMENT INFORMATION.

(a) During the 2001−03 fiscal biennium, the department of natural resources may submit to the joint committee on finance a proposal concerning the continued development of a system to provide computer accessible water resource management information.

(b) If the cochairpersons of the committee do not notify the department within 14 working days after the date of any submittal under paragraph (a) that the committee has scheduled a meeting for the purpose of reviewing the proposal, the appropriation under section 20.370 (4) (aq) of the statutes, as affected by this act, is supplemented by $100,000 for fiscal year 2002−03, from the appropriation account under section 20.865 (4) (u) of the statutes, and the appropriation under section 20.370 (4) (ax) of the statutes, as created by this act, is supplemented by $100,000 for fiscal year 2002−03, from the appropriation account under section 20.865 (4) (u) of the statutes, for the purpose of implementing the proposal. If, within 14 working days after the date of the submittal under paragraph (a), the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the proposal and if the committee approves the proposal, the committee may, from the appropriation under section 20.865 (4) (u) of the statutes, supplement the appropriation under section 20.370 (4) (aq) of the statutes, as affected by this act, by an amount not to exceed $100,000 for fiscal year 2002−03 and may supplement the appropriation under section 20.370 (4) (ax) of the statutes, as created by this act, by an amount not to exceed $100,000 for fiscal year 2002−03 for the purpose of implementing the proposal. Notwithstanding section 13.101 (3) (a) of the statutes, the committee is not required to find that an emergency exists.

Vetoed In Part

Vetoed In Part

Vetoed In Part

(4p) SPARTA OVERPASS. During the 2001−03 fiscal biennium, the department of natural resources shall provide $124,000 from the appropriation under section 20.370 (5) (cz) of the statutes, as created by this act, to the city of Sparta in Monroe County for construction of the snowmobile−bicycle−pedestrian overpass over I 90 specified in SECTION 9152 (4k) of this act.

(4x) RECREATIONAL FISHING PIER. From the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the department of natural resources shall provide $80,000 in fiscal year 2001−02 to the village of Whiting in Portage County for the construction of a recreational fishing pier on the Plover River that is accessible to persons with disabilities.

(4y) REPORT ON ADMINISTRATIVE FUNDING.

(a) The department of natural resources shall prepare a report that does all of the following:

1. Explains the department's rationale for the manner in which the department distributes the obligation to pay for the department's administrative costs among the department's programs and revenue sources.

Vetoed In Part

2. Presents arguments to support the position that the distribution specified in subdivision 1. is equitable in spite of the fact that some of the revenues collected by the department from approval, user, registration, and similar fees are not expended for programs that relate to the purposes for which the fees were paid.

3. Presents alternatives to the distribution specified in subdivision 1. that the department believes may result in a more equitable distribution.

(b) The department of natural resources shall submit the report prepared under paragraph (a) to the joint committee on finance no later than March 1, 2002.

(4z) REPORT ON CONCESSIONS IN STATE PARKS. The department of natural resources shall undertake an analysis of the operation and profitability of concession operations in the state parks as those operations exist on the effective date of this subsection and shall investigate the option of providing these concession operations by contracting with the private sector. The department shall prepare a report consisting of the results of the department's analysis and investigation and shall submit the report to the governor and to the joint committee on finance no later than October 1, 2002.

(5e) WAUSAU WHITEWATER COURSE. From the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the department of natural resources shall provide $50,000 in fiscal year 2001−02 to an organization that is known as the Wausau Kayak/Canoe Corporation to upgrade that part of the Wisconsin River in the city of Wausau that is known as the Wausau Whitewater Course.

Vetoed In Part

(5mk) GREAT LAKES FORESTRY MUSEUM.

Vetoed In Part

(a) In fiscal year 2001−02, from the appropriation under section 20.370 (5) (aw) of the statutes, as affected by this act, the department of natural resources shall award a grant in an amount not to exceed $150,000 to an organization known as the Great Lakes Forestry Museum to develop a facility in the city of Rice Lake for educating the public about the history of forestry and logging in this

Vetoed In Part

state. In fiscal year 2002−03, from the appropriation under section 20.375 (2) (rq) of the statutes, as created by this act, the department of forestry shall award a grant in an amount not to exceed $150,000 to the same organization for the same purpose. The amount of the funding shall be equal to the amount of contributions towards the facility from funding sources other than this state.

(b) Within 6 months after spending the full amount of the grants under paragraph (a), the organization shall submit to the department of natural resources and the department of forestry a report detailing how the grant proceeds were used.

(5vv) URBAN FORESTRY GRANT FOR WINNEBAGO COUNTY. From the appropriation under section 20.370 (5) (bw) of the statutes, as affected by this act, and notwithstanding the limitation under section 23.097 (1) of the statutes that urban forestry grants be awarded to cities and villages, the department of natural resources shall provide $37,500 in fiscal year 2001−02 to Winnebago County to provide funding to Winnebago County under section 23.097 of the statutes, as affected by this act.

Vetoed In Part

(5vw) URBAN FORESTRY GRANT FOR OUTAGAMIE COUNTY. From the appropriation under section 20.370 (5) (bw) of the statutes, as affected by this act, and notwithstanding the limitation under section 23.097 (1) of the statutes that urban forestry grants be awarded to cities and villages, the department of natural resources shall provide $37,500 in fiscal year 2001−02 to Outagamie County to provide funding to Outagamie County under section 23.097 of the statutes, as affected by this act.

Vetoed In Part

(5vx) URBAN FORESTRY GRANT FOR BURNETT COUNTY. From the appropriation under section 20.370 (5) (bw) of the statutes, as affected by this act, and notwithstanding the limitation under section 23.097 (1) of the statutes that urban forestry grants be awarded to cities and villages, the department of natural resources shall provide $25,000 in fiscal year 2001−02 to Burnett County to provide funding to Burnett County under section 23.097 of the statutes, as affected by this act.

(5vy) URBAN FORESTRY GRANT FOR WAUPACA. From the appropriation under section 20.370 (5) (bw) of the statutes, as affected by this act, the department of natural resources shall provide $15,000 in fiscal year 2001−02 and from the appropriation under section 20.375 (2) (w) of the statutes, as affected by this act, the department of forestry shall provide $15,000 in fiscal year 2002−03 to the city of Waupaca for a tree planting demonstration project.

Vetoed In Part

Vetoed In Part

(5x) URBAN FORESTRY GRANT FOR MILWAUKEE. From the appropriation under section 20.370 (5) (bw) of the statutes, as affected by this act, the department of natural resources shall provide $150,000 in fiscal year 2001−02 and from the appropriation under section 20.375 (2) (w) of the statutes, as affected by this act, the department of forestry shall provide $150,000 in fiscal year 2002−03 to the city of Milwaukee for a tree planting demonstration project.

(5y) URBAN FORESTRY GRANT FOR RACINE. From the appropriation under section 20.370 (5) (bw) of the statutes, as affected by this act, the department of natural resources shall provide $15,000 in fiscal year 2001−02 and from the appropriation under section 20.375 (2) (w) of the statutes, as affected by this act, the department of forestry shall provide $15,000 in fiscal year 2002−03 to the city of Racine for a tree planting demonstration project.

(5z) WISCONSIN CONSERVATION HALL OF FAME. From the appropriation under section 20.370 (5) (ak) of the statutes, as created by this act, the department of natural resources shall provide, in fiscal year 2001−02, a total of $10,000 to the Wisconsin Conservation Hall of Fame Foundation, Inc., for the Wisconsin Conservation Hall of Fame.

(6f) STUDY ON WILD CRANES. From the appropriation under section 20.370 (1) (kk) of the statutes, as created by this act, the department of natural resources shall provide in fiscal year 2001−02 a total of $30,000 and in fiscal year 2002−03 a total of $30,000 to the University of Wisconsin System and the International Crane Foundation jointly for a study of crop damage caused in this state by cranes.

(6g) ROOT RIVER 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 city of Racine the amount necessary for the dredging of the Root River from the city of Racine to Lake Michigan, in an amount not to exceed $104,000. The city of Racine need not contribute any moneys to match the amount provided from the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act. Notwithstanding section 30.92 (4) (b) 7. or 8. a. of the statutes, as affected by this act, the dredging project specified under this subsection qualifies as a recreational boating project for the purpose of providing 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, 2003.

Vetoed In Part

(7f) OCONTO RIVER 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 city of Oconto the amount that is necessary for the dredging of a portion of the Oconto River, in an amount not to exceed $386,000. The city of Oconto need not contribute any moneys to match the amount provided from the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act. Notwithstanding section 30.92 (4) (b) 7. or 8. a. of the statutes, as affected by this

Vetoed In Part

act, the dredging project specified under this subsection qualifies as a recreational boating project for the purpose of providing 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, 2003.

Vetoed In Part

(8c) JANESVILLE 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 $250,000 to the city of Janesville for a project to develop a 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. The city of Janesville need not contribute any moneys to match the amount provided from the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act. Notwithstanding section 30.92 (4) (b) 4., 7., or 8. of the statutes, as affected by this act, the project specified under this subsection qualifies as a recreational boating project for the purpose of providing 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, 2003.

Vetoed In Part

Vetoed In Part

(8d) MANITOWOC RIVER 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 in fiscal year 2001−02 shall provide $340,000 to the city of Manitowoc to dredge the Manitowoc River in the area where the submarine U.S.S. Cobia is moored and to make dock wall repairs and improvements to that mooring area. The city of Manitowoc need not contribute any moneys to match the amount provided from the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act. Notwithstanding section 30.92 (4) (b) 7. or 8. a. of the statutes, as affected by this act, the dredging project specified under this subsection qualifies as a recreational boating project for the purpose of providing 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, 2002.

Vetoed In Part

Vetoed In Part

(8k) MENOMINEE RIVER BOAT LAUNCH IMPROVEMENTS. 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 city of Marinette the amount necessary for improvements to boat launching facilities, including parking lots, that provide access to the Menominee River, in an amount not to exceed $242,600. 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, 2003.

(8m) PERROT STATE PARK BRIDGE STUDY. The department of natural resources shall study the feasibility and desirability of constructing a bridge at Perrot State Park in the town of Trempealeau that would provide safe access by park users to Trempealeau Mountain. No later than June 30, 2002, the department shall submit a report to the legislature concerning the results of the study in the manner provided under section 13.172 (2) of the statutes.

(8mk) ATLAS MILL RENOVATION. From the appropriation under section 20.370 (5) (ax) of the statutes, as created by this act, the department of natural resources shall provide $250,000 in fiscal year 2001−02 to an organization known as the Paper International Hall of Fame, Inc., to renovate the facility known as the Atlas Mill located in the city of Appleton into a facility to be known as the World Paper Center.

(8q) LAKE MANAGEMENT GRANT FOR FISH LAKE. From the appropriation under section 20.370 (6) (ar) of the statutes, the department of natural resources during fiscal year 2001−02 shall provide a lake management grant of $200,000 to Dane County for water quality and lake level improvements for Fish Lake and Mud Lake in Dane County and Crystal Lake located in both Dane County and Columbia County. The 75% limitation under section 281.69 (2) (a) of the statutes does not apply to this grant.

(9n) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The department of natural resources shall provide in fiscal year 2001−02, from the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, $200,000 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.

(9zw) TRANSFER OF THE DIVISION OF FORESTRY TO THE DEPARTMENT OF FORESTRY.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of natural resources that are primarily related to the functions of the division of forestry, as determined by the secretary of administration, shall become the assets and liabilities of the department of forestry. If either department is dissatisfied with the secretary's determination, that department may bring the matter to the cochairpersons of the joint committee on finance for consideration by the committee, and the committee shall affirm or modify the decision.

Vetoed In Part

(b) *Employee transfers.*

1. All incumbent employees holding positions in the department of natural resources relating primarily to the functions of the division of forestry, as determined by the secretary of administration, are transferred on the effective date of this subdivision to the department of

forestry. If either department is dissatisfied with the secretary's determination, that department may bring the matter to the cochairpersons of the joint committee on finance for consideration by the committee, and the committee shall affirm or modify the decision.

2. The secretary of administration shall determine which incumbent employees holding positions in the department of natural resources that relate primarily to general administration and program support will be transferred to the department of forestry. If either department is dissatisfied with the secretary's determination, that department may bring the matter to the cochairpersons of the joint committee on finance for consideration by the committee, and the committee shall affirm or modify the decision.

(c) *Employee status.* Employees transferred under paragraph (b) shall have the same rights and status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of forestry that they enjoyed in the department of natural resources immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee 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 natural resources that is primarily related to the functions of the division of forestry, as determined by the secretary of administration, shall be transferred to the department of forestry. If either department is dissatisfied with the secretary's determination, that department may bring the matter to the cochairpersons of the joint committee on finance for consideration by the committee, and the committee shall affirm or modify the decision.

(e) *Contracts.* All contracts entered into by the department of natural resources in effect on the effective date of this paragraph that are primarily related to the functions of the division of forestry, as determined by the secretary of administration, remain in effect and are transferred to the department of forestry. If either department is dissatisfied with the secretary's determination, that department may bring the matter to the cochairpersons of the joint committee on finance for consideration by the committee, and the committee shall affirm or modify the decision. The department of forestry shall carry out any such contractual obligations unless modified or rescinded by the department of forestry to the extent allowed under the contract.

Vetoed In Part

(f) *Rules and orders.* All rules promulgated by the department of natural resources that are primarily related to the functions of the division of forestry, as determined by the secretary of administration, and that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until amended or repealed by the department of forestry. All orders issued by the department of natural resources that are primarily related to the functions of the division of forestry, as determined by the secretary of administration, and that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the department of forestry. If either department is dissatisfied with the secretary's determination, that department may bring the matter to the cochairpersons of the joint committee on finance for consideration by the committee, and the committee shall affirm or modify the decision.

(g) *Pending matters.* Any matter pending with the department of natural resources on the effective date of this paragraph that is primarily related to the functions of the division of forestry, as determined by the secretary of administration, is transferred to the department of forestry and 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 of forestry. If either department is dissatisfied with the secretary's determination, that department may bring the matter to the cochairpersons of the joint committee on finance for consideration by the committee, and the committee shall affirm or modify the decision.

(h) *Position changes.*

1. The authorized FTE positions for the department of natural resources are decreased by 3.5 FED positions related to forests funded from the appropriation under section 20.370 (1) (my) of the statutes.

2. The authorized FTE positions for the department of natural resources are decreased by 2.0 FED positions related to southern state forests funded from the appropriation under section 20.370 (1) (my) of the statutes.

3. The authorized FTE positions for the department of natural resources are decreased by 1.48 PR positions related to forestry funded from the appropriation under section 20.370 (8) (mk) of the statutes.

4. The authorized FTE positions for the department of natural resources are increased by 44.75 SEG positions funded from the appropriation under section 20.370 (1) (mv) of the statutes, as created by this act.

5. The authorized FTE positions for the department of natural resources are increased by 2.0 FED positions funded from the appropriation under section 20.370 (1) (mx) of the statutes, as created by this act.

Vetoed In Part

18. There are authorized for the department of forestry 2.5 FTE SEG positions to be funded from the appropriation under section 20.375 (2) (sv) of the statutes, as affected by this act.

21. There are authorized for the department of forestry 1.48 FTE PR positions to be funded from the appropriation under section 20.375 (3) (tm) of the statutes, as created by this act.

22. There are authorized for the department of forestry 432.94 FTE SEG positions related to forestry to be funded from the appropriation under section 20.375 (2) (q) of the statutes, as created by this act.

23. There are authorized for the department of forestry 31.41 FTE SEG positions related to land program management to be funded from the appropriation under section 20.375 (2) (q) of the statutes, as created by this act.

Vetoed In Part

24. There are authorized for the department of forestry 31.16 FTE SEG positions related to land facilities and lands to be funded from the appropriation under section 20.375 (2) (q) of the statutes, as created by this act.

25. There are authorized for the department of forestry 10.03 FTE SEG positions related to enforcement and science to be funded from the appropriation under section 20.375 (2) (q) of the statutes, as affected by this act.

Vetoed In Part

26. There are authorized for the department of forestry 76.55 FTE SEG positions related to administration and technology to be funded from the appropriation under section 20.375 (2) (q) of the statutes, as created by this act.

27. There are authorized for the department of forestry 29.91 FTE SEG positions related to customer service to be funded from the appropriation under section 20.375 (2) (q) of the statutes, as created by this act.

28. There are authorized for the department of forestry 3.5 FTE FED positions to be funded from the appropriation under section 20.375 (2) (x) of the statutes, as created by this act.

(9zy) APPOINTMENT OF FORESTRY SECRETARY; EARLY APPOINTMENT. Notwithstanding the effective date of the treatment of section 15.45 of the statutes by this act, the governor may nominate and with the advice and consent of the senate appoint, before July 1, 2002, the secretary of forestry to take office on July 1, 2002.

SECTION 9139. Nonstatutory provisions; public defender board.

(1) MISDEMEANOR OFFENDER DIVERSION PROGRAM. The public defender board, in consultation with the director of state courts and the Wisconsin District Attorneys Association, shall develop alternative charging and sentencing options for misdemeanor crimes in order to divert misdemeanor offenders from imprisonment, and shall submit a proposal describing the recommended options to the secretary of administration by July 1, 2002. The proposal shall address, among other topics, alternative charging and sentencing options for nonviolent crimes against property. If the secretary of administration approves the proposal, he or she shall submit the proposal to the joint committee on finance. If the cochairpersons of the committee do not notify the secretary of administration within 14 working days after the date of his or her submittal that the committee has scheduled a meeting for the purpose of reviewing the proposal, the public defender board and the director of state courts, in conjunction with the Wisconsin District Attorneys Association, shall implement the portions of the proposal that are permitted under state statutes or rules. If, within 14 working days after the date of the secretary's submittal, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposal, the proposal may be implemented only upon approval of the committee.

(2q) QUARTERLY SAVINGS REPORT. At the end of each quarter in fiscal years 2001−02 and 2002−03, the public defender board shall submit to the cochairpersons of the joint committee on finance a report of the amount of savings recognized by the public defender board during the previous 3 months. The public defender board shall request additional funding from the joint committee on finance in accordance with the method provided under section 13.10 of the statutes, if a shortfall occurs in any appropriation to the public defender board.

SECTION 9140. Nonstatutory provisions; public instruction.

(3q) DEAF AND HARD−OF−HEARING EDUCATION COUNCIL. Notwithstanding the length of term specified in section 15.377 (2) of the statutes, one of the initial members of the deaf and hard−of−hearing education council appointed under section 15.377 (2) (a) of the statutes, one of the initial members appointed under section 15.377 (2) (i) of the statutes, the initial member appointed under section 15.377 (2) (b) of the statutes, and the initial member appointed under section 15.377 (2) (c) of the statutes shall serve for terms expiring on July 1, 2002; the initial members appointed under section 15.377 (2) (d), (e), and (f) of the statutes and one of the initial members appointed under section 15.377 (2) (i) of the statutes shall serve for terms expiring on July 1, 2003; and the initial members appointed under section 15.377 (2) (g) and (h) of the statutes, one of the initial members appointed under section 15.377 (2) (a) of the statutes, and one of the members appointed under section 15.377 (2) (i) of the statutes shall serve for terms expiring on July 1, 2004.

(5w) WISCONSIN HUMANITIES COUNCIL. Notwithstanding sections 20.255 (2) (cf) and 115.366 (1) of the statutes, from the amount appropriated to the department of public instruction under section 20.255 (2) (cf) of the statutes in the 2001−02 fiscal year, the department shall pay $50,000 to the Wisconsin Humanities Council to organize and plan the Wisconsin Book Festival.

(6mk) EXPENDITURE OF FEDERAL FUNDS. The department of public instruction shall expend $100,000 from the appropriation under section 20.255 (3) (mm) of the statutes before July 1, 2002, for the purposes of the grant program under SECTION 9149 (3mk) of this act.

(6w) AFTER−SCHOOL CARE GRANTS PROGRAM. **Vetoed In Part**

(a) A school board may apply to the state superintendent of public instruction for a grant to fund an after−school care program for pupils who are eligible to receive temporary assistance for needy families under 42 USC 601 to 619 and who would otherwise be unsupervised by an adult in the afternoon after school.

(b) The state superintendent of public instruction shall award grants from the appropriation under section 20.255 (2) (kn) of the statutes, as created by this act, and shall ensure, to the extent feasible, that the grants are evenly distributed among rural, suburban, and urban school districts.

(10f) REVENUE LIMITS. For the purpose of determining a school district's revenue limit in the 2002−03 school year, the department of public instruction shall exclude from the base the amount of state aid received, and property taxes levied, to pay the additional cost of 4−year−old kindergarten pupils who are not children with disabilities, as defined in section 115.76 (5) of the statutes, resulting from 2001 Wisconsin Act .... (this act), sections 2761d and 2761g.

(10fm) JOINT LEGISLATIVE COUNCIL STUDY ON SPECIAL EDUCATION. The joint council is requested to conduct a study of criteria to determine a pupil's need for special education services; the extent of the problem of providing special education services to violent pupils and recommendations on how to address the problem; the availability of alternative regular education programs that might be more appropriate for pupils currently enrolled in special education programs; the impact of statewide, standardized tests on referrals to special education; current training of special education teachers; special education funding; and whether it is possible to recover a larger percentage of medical assistance funds for the provision of special education services. 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 June 30, 2003.

(10k) JOINT LEGISLATIVE COUNCIL STUDY ON SCHOOL FINANCING. The joint legislative council is requested to conduct a study of school financing. 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 June 30, 2003.

SECTION 9141. Nonstatutory provisions; public lands, board of commissioners of.

(1p) PROJECT POSITION. Notwithstanding section 230.27 (1) of the statutes, 1.0 FTE project position that is authorized for the board of commissioners to perform duties related to submerged log activities and that terminates in September 2001 is extended to September 30, 2002, and the authorized FTE positions for the board of commissioners are increased by 1.0 PR project position until September 30, 2002, for the purpose of performing duties relating to submerged log activities.

SECTION 9142. Nonstatutory provisions; public service commission.

(2) TRANSITIONAL PROVISIONS; WATER AND SEWER SERVICE TO MANUFACTURED HOME PARKS. On the effective date of this subsection, each of the following applies:

(a) *Assets and liabilities.* The assets and liabilities of the public service commission primarily related to the regulation of water and sewer service provided to manufactured home parks, as determined by the secretary of administration, shall become the assets and liabilities of the department of commerce. **Vetoed In Part**

(b) *Tangible personal property.* All tangible personal property, including records, of the public service commission primarily related to the regulation of water and sewer service provided to manufactured home parks, as determined by the secretary of administration, is transferred to the department of commerce.

(c) *Contracts.* All contracts entered into by the public service commission in effect on the effective date of this paragraph that are primarily related to the regulation of water and sewer service provided to manufactured home parks, 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. **Vetoed In Part**

(d) *Rules and orders.* All rules promulgated by the public service commission that are in effect on the effective date of this paragraph and that are primarily related to the regulation of water and sewer service provided to manufactured home parks, as determined by the secretary of administration, remain in effect until their specified expiration date or until amended or repealed by the department of commerce. All orders issued by the public service commission that are in effect on the effective date of this paragraph and that are primarily related to the regulation of water and sewer service provided to manufactured home parks, as determined by the secretary of administration, remain in effect until their specified expiration date or until modified or rescinded by the department of commerce. **Vetoed In Part**

(e) *Pending matters.* Any matter pending with the public service commission on the effective date of this paragraph and that is primarily related to the regulation of water and sewer service provided to manufactured home parks, as determined by the secretary of administration, is transferred to the department of commerce and all materials submitted to or actions taken by the public service commission with respect to the pending matter are considered as having been submitted to or taken by the department of commerce.

(2zq) DISTRIBUTED GENERATION RULES.

Vetoed In Part

(a) The public service commission shall submit in proposed form the rules required under section 196.496 (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 9th month beginning after the effective date of this paragraph.

(b) The public service commission shall create a committee under section 227.13 of the statutes to advise the commission with respect to promulgating the rules required under section 196.496 (2) of the statutes, as created by this act. The advisory committee shall consist of one employee each of the department of administration and the department of natural resources, designated by the secretaries of the respective departments, and members who represent interests regarding distributed generation facilities, including distributed generation equipment manufacturers and installers, customers, energy advocacy groups, utility workers, environmental groups, public utilities, and electric cooperative associations.

(3mk) WISCONSIN ADVANCED TELECOMMUNICATIONS FOUNDATION ASSESSMENTS.

(a) In this subsection:

1. "Commission" means the public service commission.

2. "Endowment fund" means the fund established by the foundation under section 14.28 (2) (g), 1999 stats.

3. "Foundation" means the Wisconsin Advanced Telecommunications Foundation.

4. "Telecommunications provider" has the meaning given in section 196.01 (8p) of the statutes.

(b) No later than the first day of the 2nd month beginning after the effective date of this paragraph, the commission shall do each of the following:

1. Determine the total amount that the foundation solicited from each telecommunications provider for contribution to the endowment fund and the total amount that each telecommunications provider contributed to the endowment fund.

2. Assess against each telecommunications provider the difference, if any, between the amount solicited by the foundation and the amount contributed by the telecommunications provider, as determined under subdivision 1.

(c) A telecommunications provider shall pay an assessment made by the commission under paragraph (b) within 30 days after the commission mails the bill to the telecommunications provider. The bill constitutes notice of the assessment and demand for payment. Disputes over failure to pay the assessment shall be governed by section 196.85 (3) to (8), 1999 stats., except that any reference to a public utility shall refer instead to a telecommunications provider, and any reference to a bill rendered under section 196.85 (1) of the statutes, 1999 stats., shall refer instead to a bill rendered under this paragraph.

(d) A telecommunications provider may establish a surcharge on customers' bills to collect the amount of an assessment paid under paragraph (c), but only if the bills indicate that the surcharge is being assessed due to the telecommunications provider's failure to meet its responsibility to make contributions to the Wisconsin Advanced Telecommunications Fund.

Vetoed In Part

SECTION 9143. Nonstatutory provisions; regulation and licensing.

(3c) FORM FOR EYE EXAMINATIONS AND EVALUATIONS.

(a) By January 1, 2002, the medical examining board and the optometry examining board shall jointly develop a form to be used for eye examinations and evaluations under section 118.135 of the statutes, as created by this act. The form shall provide a place for the physician or optometrist to indicate whether follow−up care is recommended.

(b) By May 31, 2002, the department of regulation and licensing shall distribute the form to school districts and charter schools as provided under section 440.03 (16) of the statutes, as created by this act.

SECTION 9144. Nonstatutory provisions; revenue.

(1c) STUDY ON PROMOTING ECONOMIC GROWTH. The department of revenue shall study options for restructuring shared revenue to encourage high−growth sectors of the economy and the creation of high−quality jobs in this state. The study shall include considering using up to 10% of the amount distributed to counties and municipalities under section 79.03 of the statutes to match local efforts to encourage creation of high−quality jobs in this state; recommending ways to incorporate smart growth planning under section 16.965 of the statutes into the shared revenue program; and studying the feasibility of allowing towns to maintain their boundaries in exchange for shared revenue payments. No later than January 1, 2003, the department of revenue shall report the result of its study to the secretary of administration.

(1q) ESTATE TAX; PROPOSED LEGISLATION. If the federal government enacts any law that provides revenue to the state that is intended to offset any loss of estate tax revenue under chapter 72 of the statutes as a result of any federal law enacted in 2001, the department of revenue shall submit proposed legislation regarding modifications to the estate tax under chapter 72 of the statutes to the joint committee on finance. Proposed legislation submitted under this subsection may not, in conjunction with the fiscal effect of any federal law, result in any increase or decrease in total state tax revenues.

(2e) SHARED REVENUE POPULATION ADJUSTMENT.

(a) Notwithstanding section 79.005 (2) of the statutes, the population used for purposes of determining 2001 shared revenue payments for counties under section 79.03 of the statutes and 2001 county mandate relief payments under section 79.058 of the statutes shall be the population determined by the department of administra-

tion under section 16.96 of the statutes for the statements provided to counties in the year 2000 under section 79.015 of the statutes.

(b) Notwithstanding section 79.005 (2) of the statutes, the department of administration shall provide, to the best of its ability, 2001 and 2002 population estimates that are reconciled with the most recent federal decennial census to the department of revenue on or before August 1, 2001. The department of revenue shall use the reconciled estimates to prepare the statement of estimated 2002 county shared revenue payments and county mandate relief payments provided on or before September 15, 2001, under section 79.015 of the statutes.

(c) Notwithstanding section 79.005 (2) of the statutes, the department of administration shall provide, to the best of its ability, 2000 and 2001 population estimates that are reconciled with the most recent federal decennial census to the department of revenue on or before August 1, 2002. The department of revenue shall use the reconciled estimates to calculate corrections to 2001 county shared revenue payments and county mandate relief payments under section 79.08 of the statutes.

Vetoed In Part

(2x) VOLUNTEER INCOME TAX ASSISTANCE PROGRAM. The department of revenue shall, in undertaking the program described in section 73.03 (56) of the statutes, as created by this act, work with the Internal Revenue Service and the University of Wisconsin−Extension to recruit sufficient volunteers to meet the demand, no later than January 1, 2002, for the volunteer income tax assistance program.

(2z) STUDY ON MOVING TAX−PROCESSING ACTIVITIES. The department of revenue shall study the feasibility of moving its tax−processing activities in Madison to a location in southwestern Wisconsin. No later than January 1, 2003, the department of revenue shall report the results of its study to the governor and the legislature.

(3z) ADOPTION OF FEDERAL INCOME TAX LAW CHANGES. Changes to the Internal Revenue Code made by P.L. 106−554 apply to the definitions of the "Internal Revenue Code" in chapter 71 of the statutes at the time that those changes apply for federal income tax purposes.

(4p) LOTTERY AND GAMING PROPERTY TAX CREDIT.

(a) Notwithstanding section 79.10 (10) (bm) and (bn) of the statutes, as affected by this act, and section 79.10 (10) (bm) 2. of the statutes, as created by this act, a person who was eligible for a credit under section 79.10 (9) (bm), 1999 stats., or under section 79.10 (10) (bn), 1999 stats., related to the 2000 property tax assessment, but who did not receive the credit, may claim the credit by applying to the department of revenue in the manner specified under section 79.10 (10) (bm) 2. of the statutes, as created by this act, no later than October 1, 2001.

(b) Notwithstanding section 79.10 (10) (bm) and (bn) of the statutes, as affected by this act, and section 79.10 (10) (bm) 2. of the statutes, as created by this act, the department of revenue shall pay, from the appropriation under section 20.835 (3) (s) of the statutes, as created by this act, all eligible claims under section 79.10 (9) (bm), 1999 stats., or under section 79.10 (10) (bn), 1999 stats., related to the 1999 property tax assessment that the department received no later than October 1, 2001.

SECTION 9146. Nonstatutory provisions; state fair park board.

(1) STATE FAIR PARK POLICE SERVICES.

(a) On the effective date of this paragraph, 6.0 full−time equivalent positions in the state fair park board having duties primarily related to the state fair park police and the incumbents in those positions, as determined by the secretary of administration, are transferred to the department of administration.

(b) Employees transferred under paragraph (a) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration that they enjoyed in the state fair park board immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

SECTION 9147. Nonstatutory provisions; supreme court.

Vetoed In Part

(1n) COURT INTERPRETER PROGRAM. The authorized FTE positions for the supreme court are increased by 1.0 GPR project position, for a 2−year period beginning on the first day of the 2nd month beginning after publication, to be funded from the appropriation under section 20.680 (2) (a) of the statutes, for the purpose of developing and administering a court interpreter testing and training program.

SECTION 9148. Nonstatutory provisions; technical college system.

Vetoed In Part

(1f) TRUCK DRIVER TRAINING CENTER. The director of the technical college system shall determine the opening date of the truck driver training center at Waukesha County Technical College and notify the director of state courts of that date. The technical college system board may not award grants for truck driver training under section 38.04 (31) of the statutes, as created by this act, until the first day of the 12th month beginning after the date of that notice.

SECTION 9149. Nonstatutory provisions; technology for educational achievement in Wisconsin board.

(3mk) INTERNET DATA LINE GRANT PROGRAM. From the appropriation under section 20.275 (1) (i) of the statutes, the technology for educational achievement in Wisconsin board shall, in consultation with the department of public instruction, award grants in the 2001−02 fiscal year to public library boards on behalf of public libraries that did not have access to high−speed Internet data lines as of May 1, 2001. Grants awarded under this subsection may be used for infrastructure, wiring, communications hardware, and computer and access costs associated with

the installation and use of high−speed Internet data lines in public libraries.

SECTION 9151. Nonstatutory provisions; tourism.

(1mk) GRANT FOR MOVING HISTORIC HOME. From the appropriation under section 20.380 (1) (b) of the statutes, as affected by this act, the department of tourism shall provide a grant of $35,000 in fiscal year 2001−02 to the New Berlin Historical Society for costs associated with moving the Theodora Winton Youmans home to the New Berlin historic park. The department of tourism shall enter into an agreement with the New Berlin Historical Society that specifies the uses for the grant proceeds and reporting and auditing requirements.

(2ht) HERITAGE TOURISM PROGRAM. The authorized FTE positions for the department of tourism are increased by 1.0 PR position, to be funded from the appropriation under section 20.380 (1) (kg) of the statutes, as affected by this act, for operation of the heritage tourism program under section 41.19 of the statutes, as affected by this act.

SECTION 9152. Nonstatutory provisions; transportation.

Vetoed In Part

(2) POSITION AUTHORIZATION; EMPLOYEE TRANSFER.

(a) The authorized FTE positions for the department of transportation are decreased by 1.0 SEG position for the performance of duties primarily related to printing services.

(b) On the effective date of this paragraph, 1.0 FTE position in the department of transportation performing duties primarily related to printing services and the incumbent employee holding that position, as determined by the secretary of administration, are transferred to the department of administration. The employee transferred under this paragraph has all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration that the employee enjoyed in the department of transportation immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

Vetoed In Part

(2cd) ALLOCATION OF EXPENDITURE REDUCTIONS; LAPSES TO TRANSPORTATION FUND.

(a) Within 30 days of the final credits by the department of employee trust funds to appropriations of the department of transportation to implement 1999 Wisconsin Act 11, section 27 (1) (b) 1., for the payment of contributions under the Wisconsin retirement system, the department of transportation shall submit a plan to the joint committee on finance that does all of the following:

1. Allocates reductions of $3,530,800 in fiscal year 2001−02 among program revenue, program revenue−service, segregated fund revenue, and segregated fund revenue−service appropriations, as defined in section 20.001 (2) (b), (c), (d), and (da) of the statutes, under section 20.395 of the statutes, as affected by this act, less any amount lapsed in fiscal year 2000−01 as a result of any credits by the department of employee trust funds to the department of transportation's appropriations to implement such act.

Vetoed In Part

2. Allocates reductions of $800,000 in each fiscal year of the 2001−03 fiscal biennium from among the appropriations under section 20.395 (3) (iq) and (5) (cq) and (dq) of the statutes; the appropriation under section 20.395 (4) (aq) of the statutes, as affected by this act; and, from moneys associated with delivery costs of the department of transportation, the appropriations under section 20.395 (3) (cq) and (eq) of the statutes, as affected by this act, and the appropriation under section 20.395 (3) (bq) of the statutes.

(b) The plan submitted under paragraph (a) shall require all of the following:

1. That the amount of any proposed reductions under paragraph (a) 1. from program revenue, program revenue−service, or segregated fund revenue−service appropriations lapse to the transportation fund.

2. That the amount of any proposed reductions under paragraph (a) 2. lapse to the transportation fund.

(c) If the cochairpersons of the committee do not notify the department of transportation that the committee has scheduled a meeting for the purpose of reviewing the proposed plan within 14 working days after the date of the submittal, the department of transportation may implement the plan. If, within 14 days after the date of the submittal, the cochairpersons of the committee notify the department of transportation that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the department of transportation may not implement the plan until it is approved by the committee, as submitted or as modified.

(2t) STATEWIDE TRAUMA CARE SYSTEM. From the appropriation account under section 20.395 (4) (ax) of the statutes, as affected by this act, the department of transportation shall transfer $185,000 in fiscal year 2001−02 and $500,000 in fiscal year 2002−03 to the appropriation under section 20.435 (1) (kx) of the statutes for the purposes of the statewide trauma care system under section 146.56 of the statutes.

(2vx) UNIFIED DISADVANTAGED BUSINESS CERTIFICATION PROGRAM.

(a) No person may use the list of disadvantaged businesses established by the department of transportation under section 84.076 (3), 1999 stats., for bids first advertised after the last day of the 5th month beginning after the effective date of this paragraph.

Vetoed In Part

(b) Notwithstanding section 84.072 of the statutes, as created by this act, no later than the first day of the 4th month beginning after the effective date of this paragraph, the department of transportation shall certify as a disadvantaged business under section 84.072 of the statutes, as created by this act, any business that, on the effective date of this paragraph, is certified by the department

as a disadvantaged business for the purposes of section 84.076, 1999 stats. Notwithstanding section 84.072 of the statutes, as created by this act, the department of transportation is not required to review any documentation in certifying under this paragraph a business as a disadvantaged business under section 84.072 of the statutes, as created by this act.

(3) AIRPORT FINANCING COMMITTEE. There is created an airport financing committee consisting of members appointed by the governor. The governor shall appoint members representing the department of transportation, the department of commerce, airport managers, airlines serving this state, the general aviation community, the people of this state, and private businesses having an interest in transportation policy and financing. The committee shall select its officers and the person appointed chairperson shall call the committee's first meeting. The committee shall review and evaluate this state's airport system needs and the current system of funding those needs and shall recommend changes, if any, to better meet those needs. The committee shall evaluate, among other things: aircraft registration fees; aviation fuel taxes and fees; allocation of sales tax receipts from the sale of aircraft, parts, and services; and the allocation of other moneys for airport financing. The committee's recommendations, if any, should, if enacted, generate revenue in amounts equal to or greater than the sum of moneys appropriated for aeronautical activities in fiscal year 2002. Not later than December 31, 2002, the committee shall submit a report containing the committee's evaluation, findings, and recommendations to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes.

(3b) LONG−RANGE SURFACE TRANSPORTATION INVESTMENT PLANNING COMMITTEE.

(a) There is created a long−range surface transportation investment planning committee consisting of the governor, or a representative of the governor, and 14 members nominated by the speaker of the assembly and the majority leader of the senate, acting jointly, and appointed by the governor. Members shall be nominated and appointed within 20 days after the effective date of this paragraph and shall include:

Vetoed In Part

1. A representative of the senate.

2. A representative of the assembly.

3. A representative of the Wisconsin Alliance of Cities.

4. A representative of the League of Wisconsin Municipalities.

Vetoed In Part

5. A representative of the Wisconsin Towns Association.

6. A representative of the Wisconsin Counties Association.

7. A representative of the Wisconsin Transportation Builders Association.

8. A representative of the Wisconsin Urban and Rural Transit Association.

9. A representative of the Citizens for a Better Environment.

10. A representative of the American Automobile Association of Wisconsin.

11. A representative of the Wisconsin Council of the Blind.

12. A representative of the Wisconsin Association of Railroad Passengers.

13. A representative of a community proposing a commuter rail initiative.

14. A representative of the Bicycle Federation of Wisconsin.

(b) The committee shall have the following duties: to gather information relating to state and local needs for surface transportation programs, including state highways, transit, local roads, passenger rail including commuter rail, and bicycle and pedestrian transportation; to involve the participation of relevant groups, including those with interests in all relevant transportation modes, local and state government, the environment, transportation program users, persons with disabilities, and private businesses; to assess potential future long−range funding needs for surface transportation programs up to a 20−year planning horizon or 2020; to develop a recommended multiprogram state surface transportation investment plan, including funding; and to prepare a report containing the committee's evaluation, findings, and recommendations. Not later than October 15, 2002, the committee shall submit the report to the governor and to the legislature in the manner provided under section 13.172 (2) of the statutes.

(c) The committee shall hold its first meeting no later than 28 days after the effective date of this paragraph and shall select a chairperson at that meeting. The department of transportation and the legislative fiscal bureau shall provide staff assistance to the committee.

Vetoed In Part

(3d) PORT ARTHUR ROAD EXTENSION IN CITY OF LADYSMITH. From the appropriation under section 20.395 (2) (eq) of the statutes, as affected by this act, the department of transportation shall allocate $200,000 or 80% of the cost of the project, whichever is less, in the 2001−03 fiscal biennium to fund a project to close a portion of College Avenue in the city of Ladysmith and to extend Port Arthur Road east to STH 27 in the city of Ladysmith, if the city of Ladysmith provides a local contribution toward the costs of the project in an amount equal to at least 20% of the cost of the project.

Vetoed In Part

(3e) IMPROVEMENTS TO USH 51 IN CITY OF MADISON. Notwithstanding section 85.07 of the statutes, during the 2001−03 fiscal biennium, the department of transportation shall expend funds not to exceed $300,000 from federal funds available under 23 USC 152 for a highway improvement project on USH 51 at the

Vetoed In Part

intersection of Rieder Road in the city of Madison in Dane County, if the project is consistent with the requirements of 23 USC 152 and regulations promulgated under 23 USC 152. The project shall include reconstruction of the southbound lanes of USH 51 at Rieder Road to incorporate a divided deceleration and turn lane on USH 51 for southbound traffic turning east onto Rieder Road from USH 51 and a divided acceleration lane on USH 51 for traffic traveling west on Rieder Road turning south onto USH 51. The project shall also include installation of any traffic control signals necessary to allow traffic traveling west on Rieder Road to turn onto southbound USH 51 without requiring southbound traffic on USH 51 to stop.

Vetoed In Part

(3h) HANSON ROAD BRIDGE IN BURKE. Not later than December 31, 2003, the department of transportation shall construct the Hanson Road bridge project in the town of Burke in Dane County and shall reconfigure Portage Road in the town of Burke to accommodate such construction.

(3k) AUTOMATED DRIVERS' LICENSE TESTING. The department of transportation shall conduct a study to determine whether to require automated drivers' license testing throughout the state and shall prepare a report containing its findings and recommendations. The department shall submit the report to the governor, and to the legislature in the manner provided under section 13.172 (2) of the statutes, not later than June 30, 2003.

(3mp) OVERPAYMENT OF STATE TRANSIT OPERATING AIDS. Notwithstanding section 85.20 (4m) (er) of the statutes, the department of transportation shall waive repayment by the city of Rhinelander of any outstanding balance of overpayments of state transit operating aids distributed by the department to the city for the calendar years 1997 through 1999.

(3wy) HIGHWAY REST AREAS. The total amount of any proposed expenditures or encumbrances that the department of transportation does not make in the 2001−03 fiscal biennium as a result of the implementation of section 84.04 (4) of the statutes, as created by this act, shall be expended or encumbered by the department in the 2001−03 fiscal biennium to reopen previously closed rest areas or to keep open rest areas that are proposed for closure in areas where other rest areas and motorist services described in section 86.195 (3) of the statutes are not available.

(4) GRANTS TO LOCAL PROFESSIONAL FOOTBALL STADIUM DISTRICTS. From the appropriation under section 20.395 (1) (gr) of the statutes, as created by this act, the department of transportation shall award grants in January 2002 to a local professional football stadium district created under subchapter IV of chapter 229 of the statutes for the development, construction, reconstruction, or improvement of parking lots, garages, transportation facilities, or other functionally related or auxiliary facilities or structures on the site of the existing parking lot facility, of a football stadium, as defined in section 229.821 (6) of the statutes. Within 30 days of receipt of the grants under this subsection, the local professional football stadium district shall provide all grant proceeds to the professional football team described in section 229.823 of the statutes to be used by the professional football team for the purposes of the grants specified in this subsection.

(4c) WAUSAU CITY SQUARE PARK PEDESTRIAN PATHWAY. In the 2001−03 fiscal biennium, from the appropriation under section 20.395 (2) (nx) of the statutes, the department of transportation shall award a grant to the city of Wausau for the project known as the City Square Park Pedestrian Pathway, if the city of Wausau contributes funds for the project that at least equal 20% of the costs of the project.

(4d) HALFWAY CREEK BIKE TRAIL PROJECT. In the 2001−03 fiscal biennium, from the appropriation under section 20.395 (2) (nx) of the statutes, the department of transportation shall award a grant to the village of Holmen for the project known as the Halfway Creek Bike Trail, if a person, other than the state, contributes funds for the project that at least equal 20% of the costs of the project.

Vetoed In Part

(4e) CAPITOL COURT PROJECT. Of the amounts appropriated to the department of transportation under section 20.395 (3) (cq) of the statutes, as affected by this act, on the effective date of this subsection, the department shall allocate $250,000 for preliminary engineering for and construction, reconstruction, or improvement of highways, transportation facilities, or other functionally related or auxiliary facilities or structures associated with the Capitol Court project on West Capitol Drive in the city of Milwaukee and for associated economic development. Notwithstanding section 20.001 (3) (c) of the statutes, if the department has not expended or encumbered any funds for the project on or before June 30, 2003, the funds allocated under this subsection shall lapse from the appropriation account under section 20.395 (3) (cq) of the statutes, as affected by this act, to the transportation fund.

Vetoed In Part

Vetoed In Part

(4h) EISNER AVENUE PEDESTRIAN–BIKE TRAIL PROJECT. In the 2001−03 fiscal biennium, from the appropriation under section 20.395 (2) (nx) of the statutes, the department of transportation shall award a grant under section 85.026 (2) of the statutes to the city of Sheboygan in Sheboygan County or the town of Sheboygan in Sheboygan County, or both, for the project known as the Eisner Avenue Pedestrian−Bike Trail Improvement project, if the recipient of the grant awarded under this subsection contributes funds for the project that total at least 20% of the costs of the project.

(4k) SPARTA OVERPASS. In the 2001−03 fiscal biennium, from the appropriation under section 20.395 (2) (nx) of the statutes, the department of transportation shall award a grant of $496,000 to the city of Sparta in Monroe

County for construction of a snowmobile−bicycle−pedestrian overpass over I 90 in the city of Sparta. The overpass shall be at least 14 feet in width and shall be located to provide convenient and safe access to the Elroy−Sparta State Trail, the La Crosse River State Trail, and nearby snowmobile trails.

(4nk) CLAYTON PEDESTRIAN FACILITY. In the 2001−03 fiscal biennium, the department of transportation shall construct a grade−separated pedestrian crossing of USH 45 in the town of Clayton in Winnebago County if the town of Clayton contributes funds for the project that at least equal 15% of the costs of the project.

(4v) GRANTS TO BROWN COUNTY AND MUNICIPALITIES. From the appropriation under section 20.395 (2) (iq) of the statutes in fiscal year 2001−02, the department of transportation shall award grants under section 84.185 of the statutes, as affected by this act, totaling $410,000 in January 2002 to Brown County, the city of Green Bay, and the village of Ashwaubenon to be used to pay costs associated with the CTH "VK"/Lombardi Avenue project in the city of Green Bay in Brown County. Grant proceeds under this subsection shall be distributed in proportion to the percentage of the costs of the project to be borne by each local governmental unit. The provisions of section 84.185 of the statutes, as affected by this act, relating to the awarding of grants, the amount of grants, and the eligibility requirements for grants, including a required local contribution under section 84.185 (2) (b) 5. of the statutes, do not apply to grants awarded under this subsection.

Vetoed In Part

(4x) MENASHA RECREATIONAL TRAIL. Notwithstanding limitations on the amount and use of aids provided under section 86.31 of the statutes, as affected by this act, or on eligibility requirements for receiving aids under section 86.31 of the statutes, as affected by this act, the department of transportation shall award a grant of $25,000 in the 2001−03 fiscal biennium to the town of Menasha in Winnebago County for the construction of a recreational trail along Cold Spring Road in the town of Menasha. Payment of the grant under this subsection shall be made from the appropriation under section 20.395 (2) (fr) of the statutes, as affected by this act, before making any other allocation of funds under section 86.31 (3) (b) of the statutes, and is in addition to the town of Menasha's entitlement, as defined in section 86.31 (1) (ar) of the statutes, to aids under section 86.31 of the statutes, as affected by this act.

Vetoed In Part

(4z) IMPROVEMENT OF 85TH STREET IN KENOSHA COUNTY. Notwithstanding limitations on the amount and use of aids provided under section 86.31 of the statutes, as affected by this act, or on eligibility requirements for receiving aids under section 86.31 of the statutes, as affected by this act, the department of transportation shall award a grant of $609,000 in the 2001−03 fiscal biennium to the village of Pleasant Prairie in Kenosha County for improvements to 85th Street in the village of Pleasant Prairie. Payment of the grant under this subsection shall be made from the appropriation under section 20.395 (2) (fr) of the statutes, as affected by this act, before making any other allocation of funds under section 86.31 (3) (b) of the statutes, and is in addition to the village of Pleasant Prairie's entitlement, as defined in section 86.31 (1) (ar) of the statutes, to aids under section 86.31 of the statutes, as affected by this act.

Vetoed In Part

(5) PARKING FACILITY GRANT. The department of transportation shall award a grant of $420,700 to Kenosha County from the appropriation under section 20.395 (1) (bs) of the statutes, as affected by this act, in fiscal year 2001−02 to provide 50% of the local share required for a congestion mitigation and air quality improvement project under section 85.245 of the statutes relating to a parking facility in the city of Kenosha. No grant may be awarded under this subsection unless Kenosha County makes a matching fund contribution toward the local share required for the project that is equal to the amount of the grant awarded under this subsection.

Vetoed In Part

(5c) HIGHWAYS DESIGNATED FOR USE BY OVERSIZE VEHICLES. Notwithstanding section 348.07 (4) of the statutes, the secretary of transportation shall designate the following highways to which sections 348.07 (2) (f), (fm), (gm), and (gr) and 348.08 (1) (e) and (h) of the statutes apply: STH 107 from CTH "A" in Marathon County to STH 64 in Lincoln County, CTH "A" from STH 97 to CTH "K" in Marathon County, CTH "K" from Wausau in Marathon County to Merrill in Lincoln County, CTH "Q" from CTH "K" to USH 51 in Lincoln County, CTH "U" from STH 107 to USH 51 in Marathon County, and STH 97 from STH 29 in Marathon County to STH 64 in Taylor County. This subsection does not apply after June 30, 2003, or, if the secretary makes a determination before June 30, 2003, whether to designate the highways specified under this subsection under section Trans 276.07, Wisconsin Administrative Code, on the day after such determination.

Vetoed In Part

(5e) ASHLAND RAILROAD DEPOT. From the appropriations under section 20.395 (2) (nx) of the statutes, the department of transportation shall award a grant under section 85.026 (2) of the statutes of $1,000,000 in fiscal year 2002−03 to the city of Ashland to be used to restore the historic Ashland railroad depot, if a person, other than the state, contributes funds for the restoration that at least equal 20% of the costs of the restoration.

(5g) RAILROAD CROSSING IMPROVEMENT IN LADYSMITH. The department of transportation shall allocate $480,000 in the 2001−03 fiscal biennium from the appropriations under section 20.395 (2) (gr) and (gx) of the statutes, as affected by this act, for the construction of an underpass under the railroad tracks on Phillips Street for the purpose of providing emergency vehicle access to the entire city of Ladysmith.

Vetoed In Part

(5v) BUS FOR TRANSPORTING THE ELDERLY. In the 2001−03 fiscal biennium, from the appropriation under

Vetoed In Part section 20.395 (1) (cq) of the statutes, the department of transportation shall allocate $30,000 to award a grant to an eligible applicant under section 85.22 of the statutes for the acquisition of a bus to provide transportation services to the elderly in the village of Twin Lakes and the town of Randall in Kenosha County.

(5w) MARQUETTE INTERCHANGE RECONSTRUCTION PROJECT. From the appropriations under section 20.395 (3) (cr) and (cy) of the statutes, as created by this act, the department of transportation shall allocate $160,643,900 in the 2001−03 fiscal biennium, including $75,150,000 in federal interstate cost estimate funds, for the Marquette interchange reconstruction project specified under section 84.014 of the statutes, as created by this act. Except for the allocation of federal interstate cost estimate funds, the department may reduce the amount of any allocation under this subsection if allocating such amount would result in the loss of any federal highway funds. Funds from any allocation reduction under this subsection may be used to fund other southeast Wisconsin freeway rehabilitation projects. Funds allocated under this subsection for the Marquette interchange reconstruction project may not be used to fund interim repairs, as defined in section 84.014 (1) (a) of the statutes, as created by this act.

Vetoed In Part (5x) REQUEST ON SOUTHEAST WISCONSIN FREEWAY REHABILITATION. By the date specified by the cochairpersons of the joint committee on finance for the submission of requests for consideration at the next quarterly meeting of the committee under section 13.10 of the statutes occurring after the effective date of this subsection, the department of transportation shall submit a request for the transfer of moneys from the appropriations under section 20.395 (3) (cq), (cv), and (cx) of the statutes, as affected by this act, to the appropriations under section 20.395 (3) (cr), (cw), and (cy) of the statutes, as created by this act, to allocate funds for rehabilitation of the southeast Wisconsin freeways. The department's request, and the committee's action on the request, may not include funding allocated for projects in other parts of the state or other funding that is not allocated to rehabilitation of southeast Wisconsin freeways.

(5y) REQUEST ON WEST CANAL STREET RECONSTRUCTION PROJECT FUNDING. Notwithstanding section 16.42 (1) of the statutes, the department of transportation shall include in its 2003−05 biennial budget request to the department of administration a request for a grant of not more than $5,000,000, to be funded from Indian gaming receipts, as defined in section 569.01 (1m) of the statutes, if additional funds are needed in the 2003−05 fiscal biennium to complete the West Canal Street reconstruction project specified under section 84.03 (3) of the statutes, as created by this act. If a request for additional funding is made under this subsection, the request shall include a recommendation for statutory changes needed to require the city of Milwaukee to make a matching contribution equal to the amount of the grant to be awarded by the department of transportation in the 2003−05 fiscal biennium.

(5yq) STATE TRUNK HIGHWAY 15/45 LOCATION STUDY AND ENVIRONMENTAL IMPACT ASSESSMENT. Notwithstanding section 13.489 (1m) of the statutes, the department of transportation shall allocate $200,000 in fiscal year 2001−02 from the appropriations under section 20.395 (3) (bq), (br), and (bx) of the statutes to conduct a location study and an environmental assessment for an STH 15/USH 45 highway project from Greenville to New London in Outagamie County.

(5z) COMPUTERIZED INFORMATION SYSTEMS.

(a) The department of transportation shall study, and prepare a report on, the department's computerized information systems and the department's plan for utilizing its data processing resources, including the use of those resources for database redesign for the division of motor vehicles. In preparing its report under this paragraph, the department of transportation shall consult with the department of electronic government, as created by this act. The department of transportation shall include in the report recommendations concerning the potential benefits of coordinating data processing resource planning among other state agencies. By the date specified by the cochairpersons of the joint committee on finance for submission of requests for consideration at the 4th quarterly meeting of the committee under section 13.10 of the statutes for the 2001−02 fiscal year, the department shall submit the report to the committee for review and approval.

(b) Notwithstanding section 16.50 (1) of the statutes, as affected by this act, and section 16.50 (2) of the statutes, of the moneys appropriated to the department of transportation under section 20.395 (5) (cq) of the statutes for fiscal year 2002−03, the secretary of administration may not waive submission of expenditure estimates and may not approve such estimates as to $2,000,000 for departmental data processing resources, including division of motor vehicles database redesign, and for study by a consultant of the department's computerized information systems and information technology needs, unless the joint committee on finance approves the report submitted under paragraph (a). As part of its approval of the report, the committee may transfer any portion of the $2,000,000 to the appropriation account under section 20.395 (4) (aq) of the statutes, as affected by this act, for the purpose of conducting a study, by a consultant, of the department's computerized information systems and information technology needs.

(6b) BUSINESS SIGNS IN KENOSHA COUNTY. Notwithstanding the eligibility criteria established under section 86.195 of the statutes, upon application and payment of fees ordinarily required for the mounting of business signs, the department of transportation shall

mount business signs meeting the specifications under section 86.195 of the statutes, and rules promulgated under that section, for Tenuta's Delicatessen and Liquors, located in the city of Kenosha in Kenosha County. The business signs shall be mounted on the specific information signs on I 94 approaching the interchange at I 94 and 52nd Street in Kenosha County. The word "liquor" may not appear on a business sign mounted under this subsection.

Vetoed In Part

(6bg) STH 100 RECONSTRUCTION. Not later than June 30, 2003, the department of transportation shall begin reconstruction of that portion of STH 100 between STH 32 and STH 38 in Milwaukee County.

Vetoed In Part

(6d) TRAFFIC CONTROL SIGNALS IN GRANTSBURG. Not later than June 30, 2003, the department of transportation shall install traffic control signals at the intersection of STH 48 and STH 70 in the village of Grantsburg in Burnett County.

(6dd) TRAFFIC CONTROL SIGNALS IN SPOONER. Not later than June 30, 2003, the department of transportation shall install traffic control signals at the intersection of USH 63 and West Beaver Brook Avenue in the city of Spooner in Washburn County.

(6dg) STREETLIGHT IN LITTLE FALLS. Not later than June 30, 2003, the department of transportation shall install a streetlight at the intersection of STH 27 and STH 71 in the town of Little Falls in Monroe County.

(6e) WAYLAND ACADEMY. Notwithstanding section 86.19 (1) of the statutes, the department of transportation shall erect directional signs along USH 151 in the vicinity of STH 33 for Wayland Academy located in Beaver Dam in Dodge County not later than June 30, 2003.

(6h) SIGNS FOR THE CLEAR LAKE ALL VETERANS' MEMORIAL AND CEMETERY. Notwithstanding s. 86.19 (1) of the statutes, the department of transportation shall erect 2 directional signs along USH 63 in the Clear Lake region in Polk County for the Clear Lake All Veterans' Memorial and Cemetery not later than June 30, 2002.

(6pp) SIGNS IN WALWORTH COUNTY. Not later than June 30, 2003, the department of transportation shall erect signs along I 43 approaching the city of Delavan in Walworth County identifying the downtown area of the city of Delavan as a "Historic Downtown" and providing directional information to the "Historic Downtown."

Vetoed In Part

(6q) SIGNS IN MARATHON COUNTY. Not later than June 30, 2003, the department of transportation shall erect 2 signs, one for each direction of travel, along STH 29 in Marathon County, and 2 signs, one for each direction of travel, along STH 107 in Marathon County. Each sign shall identify and provide directional information to the area that is commonly known as "Little Chicago" and shall be erected near the highway exit providing the most direct route from the highway to the area that is commonly known as "Little Chicago."

(6r) TRAFFIC CONTROL SIGNALS IN WEST SALEM. Not later than December 31, 2001, the department of transportation shall install traffic control signals at the intersection of STH 16 and Brickl Road in the village of West Salem in La Crosse County.

(6s) SIGNS IN MILWAUKEE COUNTY. Not later than 60 days after the effective date of this subsection, the department of transportation shall erect 2 signs, one for each direction of travel, along I 43/894 approaching the 60th Street exit in the city of Greenfield in Milwaukee County, providing directional information to downtown Greendale.

Vetoed In Part

(6x) TRAFFIC CONTROL SIGNALS IN OAK CREEK. No later than June 30, 2003, the department of transportation shall install traffic control signals at the intersection of STH 38 and Oakwood Road in the city of Oak Creek in Milwaukee County.

(7d) RULES FOR HARBOR ASSISTANCE PROGRAM. In the 2001−03 fiscal biennium, the department of transportation shall amend any rules that have been promulgated to administer the harbor assistance program under section 85.095 of the statutes to specifically provide that a facility that is used by a ferry service or cruise ship constitutes a commercial transportation facility for purposes of determining eligibility under the program.

Vetoed In Part

(7q) REQUEST FOR ADDITIONAL MAINTENANCE ACTIVITIES FUNDING. At the 4th quarterly meeting of the joint committee on finance under section 13.10 of the statutes in the 2001−02 fiscal year, the department of transportation may submit to the committee a request for the transfer of moneys not to exceed $10,000,000 from the appropriation under section 20.395 (3) (cq) of the statutes, as affected by this act, to the appropriation under section 20.395 (3) (eq) of the statutes, as affected by this act, in the 2002−03 fiscal year for the purpose of funding the installation, replacement, rehabilitation, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, and intelligent transportation systems.

Vetoed In Part

SECTION 9153. Nonstatutory provisions; treasurer.

(1) REPORT OF ABANDONED PROPERTY. Notwithstanding section 177.17 (4) (a) 1. of the statutes, as affected by this act, if this subsection takes effect after October 31, 2001, the report due under section 177.17 (4) (a) 1. of the statutes, as affected by this act, by November 1, 2002, shall cover the 2 preceding calendar years.

(2) SERVICE CHARGES CONCERNING ABANDONED PROPERTY. Notwithstanding section 177.06 (3) (b) of the statutes, as affected by this act, if this subsection takes effect after October 31, 2001, a holder may assess a service charge on or before December 31 of the 2nd calendar year covered in the report required by November 1, 2002, under section 177.17 (4) (a) 1. of the statutes, as affected by this act, with respect to any property that is described in section 177.06 (1) of the statutes and that is required to be listed in the report.

SECTION 9156. Nonstatutory provisions; University of Wisconsin System.

(1d) RENEW WISCONSIN PERFORMANCE STANDARDS. The board of regents of the University of Wisconsin System shall direct the University of Wisconsin System−Extension to work with the League of Wisconsin Municipalities, the Wisconsin Alliance of Cities, the Wisconsin Towns Association, and the Wisconsin Counties Association to provide training on performance standards as provided under section 66.0316 (6) (c) of the statutes, as created by this act.

(2mp) REPORTS ON TRANSFER CREDITS. The president of the University of Wisconsin System, the president of the board of regents of the University of Wisconsin System, the president of the technical college system board, and the director of the technical college system shall submit reports no later than October 15, 2001, April 15, 2002, October 15, 2002, and April 15, 2003, to the education committees of the assembly and the senate on all of the following:

(a) The status of implementing the plan under 1999 Wisconsin Act 9, SECTION 9154 (4g), concerning transfer of credits from the technical college system to the University of Wisconsin System.

(b) Identification of occupations in high demand by geographic region and a plan to expand educational programs to meet the needs identified.

(2x) DIGITAL TELEVISION CONVERSION FUNDING COOPERATION. The board of regents of the University of Wisconsin System shall cooperate fully with the educational communications board in an effort to secure the greatest possible federal financial participation in the digital television conversion project enumerated under SECTION 9107 (1) (c) of this act.

Vetoed In Part

(3c) POSITION AUTHORIZATIONS.

(a) In this subsection:

1. "Board" means the board of regents of the University of Wisconsin System.

2. "Limited term appointment" means an appointment under section 230.26 (1) of the statutes.

(b) Notwithstanding section 16.505 (1) of the statutes, as affected by this act, before July 1, 2003, the board may create up to 50 authorized FTE positions in the classified service of the state civil service system at the University of Wisconsin−Madison in positions that are frequently filled by limited term appointments, as determined by the board in consultation with the department of employment relations. The authorized FTE positions may be GPR positions, PR positions, or SEG positions, or any combination thereof.

(c) Notwithstanding section 230.15 of the statutes, the board may initially appoint to the positions created under paragraph (b) only individuals who have held limited term appointments at the University of Wisconsin−Madison for at least one year. Individuals so appointed are not required to be certified under section 230.25 of the statutes and are not required to have qualified for the position by competitive examination. Any position created under paragraph (b) may not be filled by transfer under section 230.29 of the statutes.

(d) Notwithstanding section 20.928 (1) of the statutes, before July 1, 2003, the board may not certify under section 20.928 (1) of the statutes any sum of money needed to pay any costs associated with a position created under paragraph (b) if that position is a GPR position.

(e) During the 2001−03 fiscal biennium, the board shall report quarterly to the department of administration and to the joint committee on finance on the number of positions created under paragraph (b).

(f) No later than September 1, 2003, the board shall submit a report to the governor, the department of employment relations, and to the chief clerk of each house of the legislature for distribution to the legislature under section 13.172 (2) of the statutes concerning the creation of the positions under paragraph (b). The report shall determine if the number of limited term appointments at the University of Wisconsin−Madison has been reduced as a result of the creation of positions under paragraph (b); document the number of individuals appointed to positions created under paragraph (b) and the number of years of employment that these individuals had as limited term appointments at the time of their appointment to the positions created under paragraph (b); and examine the reasons why any individual who was appointed to a position created under paragraph (b) subsequently terminated employment with the board.

(3e) FRINGE BENEFITS FOR CERTAIN LIMITED TERM APPOINTMENTS. Notwithstanding section 230.26 (4) of the statutes, any person who holds a limited term appointment under section 230.26 (1) of the statutes at the University of Wisconsin−Madison and is a participating employee, as defined in section 40.02 (46) of the statutes, shall receive paid vacation and sick leave during the period that begins on the effective date of this subsection and ends on June 30, 2003. For the purpose of calculating the amount of paid vacation and sick leave to which a person holding a limited term appointment is entitled under this subsection, the person shall be considered a permanent employee.

(3g) MATHEMATICS POSITION. The board of regents of the University of Wisconsin System shall ensure that at least one of the FTE positions authorized in the 2002−03 fiscal year by this act shall be filled by a faculty or staff member in the mathematics department of the University of Wisconsin−Madison.

(3pn) NONRESIDENT TUITION. Notwithstanding section 36.27 (1) (a) of the statutes, the board of regents of the University of Wisconsin shall increase nonresident undergraduate tuition by 2.5% in the 2001−02 academic year and by 2.5% in the 2002−03 academic year.

Vetoed In Part

(3s) CONSOLIDATION OF STATE VEHICLE FLEET MAINTENANCE OPERATIONS.

Vetoed In Part

(a) On the effective date of this paragraph, the assets and liabilities of the board of regents of the University of Wisconsin System that are primarily related to its vehicle fleet maintenance functions at the University of Wisconsin−Madison, as determined by the secretary of administration, shall become assets and liabilities of the department of administration.

(b) On the effective date of this paragraph, all tangible personal property, including records, of the board of regents of the University of Wisconsin System that is primarily related to its vehicle fleet maintenance functions at the University of Wisconsin−Madison, as determined by the secretary of administration, is transferred to the department of administration.

(c) All contracts entered into by the board of regents of the University of Wisconsin System in effect on the effective date of this paragraph that are primarily related to its vehicle fleet maintenance functions at the University of Wisconsin−Madison, as determined by the secretary of administration, are transferred to the department of administration. The department of administration shall carry out any contractual obligations under such a contract until the contract is modified or rescinded by the department of administration to the extent allowed under the contract.

(d) All rules promulgated by the board of regents of the University of Wisconsin System that are primarily related to its vehicle fleet maintenance functions at the University of Wisconsin−Madison, and that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until amended or repealed by the department of administration. All orders issued by the board of regents of the University of Wisconsin System that are primarily related to its vehicle fleet maintenance functions at the University of Wisconsin−Madison, and that are in effect on the effective date of this paragraph remain in effect until their specified expiration dates or until modified or rescinded by the department of administration.

(e) Any matter pending with the board of regents of the University of Wisconsin System that is primarily related to its vehicle fleet maintenance functions at the University of Wisconsin−Madison on the effective date of this paragraph is transferred to the department of administration, and all materials submitted to or actions taken by 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 of administration.

Vetoed In Part

(f) Notwithstanding section 16.42 of the statutes, the board of regents of the University of Wisconsin System shall submit information under section 16.42 of the statutes for purposes of the 2003−05 biennial budget bill reflecting any savings incurred from consolidation of vehicle fleet maintenance functions under this subsection.

(g) The board of regents of the University of Wisconsin System shall fully cooperate with the department of administration in implementing this subsection.

(5p) FUNDING. For the 2002−03 fiscal year, the board of regents of the University of Wisconsin System shall do all of the following:

(a) Of moneys appropriated under section 20.285 (1) (a) of the statutes allocate $325,000 for additional faculty and staff at the University of Wisconsin−Green Bay.

(b) Of moneys appropriated under section 20.285 (1) (a) of the statutes allocate $1,850,000 to fund an expansion of information systems and computer science programs at the University of Wisconsin−Eau Claire and to initiate a work−based university consortium at the University of Wisconsin−Stout.

(c) Of moneys appropriated under section 20.285 (1) (a) of the statutes allocate $266,000 to fund additional course offerings in computer science and informational technology at the University of Wisconsin−River Falls.

(d) Of moneys appropriated under section 20.285 (1) (a) of the statutes allocate $1,320,000 to fund the expansion of computer, Internet, technology, and media studies programs at the University of Wisconsin−Whitewater.

(e) Of moneys appropriated under section 20.285 (1) (a) of the statutes allocate $295,000 to fund the University of Wisconsin−Platteville, University of Wisconsin−Fox Valley, and University of Wisconsin−Oshkosh engineering collaboration.

(f) Of moneys appropriated under section 20.285 (1) (a) of the statutes allocate $612,000 for the University of Wisconsin−Extension small business development centers.

(g) Of moneys appropriated under section 20.285 (1) (a) of the statutes allocate $277,900 to offer high technology courses at the University of Wisconsin−La Crosse.

(h) Of moneys appropriated under section 20.285 (1) (a) of the statutes allocate $293,600 to establish an adult student access and advocacy office and to expand the number of students enrolled in the master of science in information systems program at the University of Wisconsin−Oshkosh.

(i) Of moneys appropriated under section 20.285 (1) (a) of the statutes allocate $403,000 to expand the number of high technology courses offered and to establish a molecular biology and bio−informatics certificate program at the University of Wisconsin−Parkside.

(j) Of moneys appropriated under section 20.285 (1) (a) of the statutes allocate $1,204,500 to provide digital science distance education courses from the University of Wisconsin−Stevens Point for nontraditional students.

(k) Of moneys appropriated under section 20.285 (1) (a) of the statutes allocate $200,200 to implement a transportation and logistics management bachelor's degree program at the University of Wisconsin−Superior.

(L) Of moneys appropriated under section 20.285 (1) (a) of the statutes allocate $983,500 to expand technology courses designed for working adults at the University of Wisconsin college campuses.

Vetoed In Part

SECTION 9157. Nonstatutory provisions; veterans affairs.

(1) SERVICING PRIMARY MORTGAGE LOANS.

(a) *Plan.* The department of veterans affairs and the department of administration shall develop a plan for the most cost−effective method of servicing loans purchased under section 45.79 (5) (a) 10. of the statutes, as created by this act.

(b) *Funding.* The secretary of administration may not direct that moneys appropriated to the department of veterans affairs under section 20.485 (3) (wg) and (wp) of the statutes, as created by this act, be encumbered or expended until after the plan developed under paragraph (a) is completed.

(c) *Escrow payments.* Notwithstanding section 45.79 (5) (a) of the statutes, as affected by this act, the department of veterans affairs may not hold monthly escrow payments made by borrowers until after the plan developed under paragraph (a) is completed.

Vetoed In Part

(3) TRANSFER OF APPROVAL OF VETERANS TRAINING.

(a) *Transfer of positions and employees.* On the effective date of this paragraph, 3.0 FTE FED positions in the educational approval board, and the incumbent employees holding those positions, are transferred to the department of veterans affairs. The educational approval board and the department of veterans affairs shall jointly determine the employees to be transferred under this paragraph and shall jointly develop a plan for the orderly transfer thereof. In the event of any disagreement between the educational approval board and the department of veterans affairs, the secretary of administration shall resolve the dispute and shall develop a plan for the orderly transfer thereof.

Vetoed In Part

(b) *Employee status.* Employees transferred under paragraph (a) 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 educational approval board immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(4) EDUCATION CENTER GRANT. From the appropriation under section 20.485 (2) (vj) of the statutes, as created by this act, the department of veteran affairs may provide, in the 2001−03 fiscal biennium, one grant of $200,000 to the Wisconsin Veterans War Memorial/Milwaukee, Inc., for a veterans education center.

(5mk) MOBILE CLAIMS OFFICER AND REGIONAL COORDINATOR POSITIONS.

(a) The department of veterans affairs, in consultation with Wisconsin veterans service organizations, county veterans' service officer organizations, and county veterans' service officers, shall study whether additional mobile claims officers are needed to provide claim and benefit assistance to veterans located outside the department's southeastern regional service area. If the department determines that additional mobile claims officers are needed, the department may submit a proposal to the joint committee on finance to increase the number of authorized positions in the department for mobile claims officers. If the cochairpersons of the committee do not notify the secretary of veterans affairs within 14 working days after receiving the proposal that the cochairpersons have scheduled a meeting for the purpose of reviewing the proposal, the number of authorized positions are increased by the number proposed. If, within 14 working days after receiving the proposal, the cochairpersons notify the secretary of veterans affairs that the cochairpersons have scheduled a meeting for the purpose of reviewing the proposal, the number of authorized positions may be increased only as approved by the committee. The number of authorized positions for mobile claims officers that are proposed by the department and approved by the committee under this paragraph may not exceed the limits under section 45.35 (4) (d) of the statutes, as created by this act.

(b) The department of veterans affairs, in consultation with Wisconsin veterans service organizations, county veterans' service officer organizations, and county veterans' service officers, shall study whether additional regional coordinators are needed to provide claim and benefit assistance to veterans located outside the department's southeastern regional service area. If the department and the county veterans' service officer organizations with which the department consults determine that additional regional coordinators are needed, the department shall submit a proposal to the joint committee on finance to increase the number of authorized positions in the department for regional coordinators. If the cochairpersons of the committee do not notify the secretary of veterans affairs within 14 working days after receiving the proposal that the cochairpersons have scheduled a meeting for the purpose of reviewing the proposal, the number of authorized positions are increased by the number proposed. If, within 14 working days after receiving the proposal, the cochairpersons notify the secretary of veterans affairs that the cochairpersons have scheduled a meeting for the purpose of reviewing the proposal, the number of authorized positions may be increased only as approved by the committee. The number of authorized positions for regional coordinators that are proposed by the department and approved by the committee under this paragraph may not exceed the limits under section 45.35 (4) (b) of the statutes, as created by this act.

Vetoed In Part

(c) Notwithstanding section 13.101 (3) (a) of the statutes, if the committee approves the position increase under paragraph (a) or (b), the committee may supplement the appropriation account under section 20.485 (2) (u) of the statutes and is not required to find that an emergency exists.

(6c) GRANT FOR A SUPPORTIVE LIVING ENVIRONMENT FOR VETERANS. From the appropriation account under section 20.485 (2) (rm) of the statutes, as affected by this act, in fiscal year 2001−02, the department of veterans affairs shall provide one grant of $25,000 to Armitage, Inc., to establish a supportive living environment for veterans in the city of Onalaska.

(7e) COST−EFFECTIVE TRANSPORTATION SERVICES FOR VETERANS. The department of veterans affairs and the department of administration, jointly, shall determine the most cost−effective methods for providing statewide transportation services to disabled veterans under section 45.43 (7m) of the statutes, as created by this act.

(7v) VICTORIOUS CHARGE MONUMENT GRANT. From the appropriation under section 20.485 (2) (eg) of the statutes, as created by this act, the department of veterans affairs shall provide a grant of $50,000 in fiscal year 2001−02 to the Milwaukee Arts Board for the restoration of the Victorious Charge Civil War monument located in the city of Milwaukee.

(8b) SOUTHERN WISCONSIN VETERANS RETIREMENT CENTER. The authorized FTE positions for the department of veterans affairs are increased by 28.0 PR positions, to be funded from the appropriation under section 20.485 (1) (gk) of the statutes, as affected by this act, for the operation of the Southern Wisconsin Veterans Retirement Center.

(8c) VETERANS EMERGENCY AID PILOT PROGRAM. From the appropriation under section 20.485 (2) (rm) of the statutes, as affected by this act, in fiscal year 2002−03, the department of veterans affairs shall provide a grant of $20,000 to the Monroe County Veterans Service Office to administer an emergency aid pilot program that provides emergency aid to low−income veterans who have received services from the Veterans Administration Medical Center in Tomah or the Veterans Assistance Center at the Veterans Administration Medical Center in Tomah. The Monroe County veterans service officer shall determine the eligibility of veterans for the aid under this subsection. The grant awarded under this subsection may be used only for the emergency aid pilot program. Any emergency aid awarded under this subsection shall be used to pay for emergency services, such as transportation services, food, or temporary housing.

Vetoed In Part

Vetoed In Part

(8g) GRANT TO WISCONSIN VETERANS TRIBUTE MEMORIAL. In fiscal year 2001−02, the department shall provide a grant from the appropriation account under section 20.485 (2) (e) of the statutes, as affected by this act, in the amount of $3,000 to the Wisconsin Veterans Tribute Memorial in Chippewa County for the repair and replacement of flags at the memorial if the Wisconsin Veterans Tribute Memorial provides matching funds of $3,000.

(8n) COMMANDANT FOR THE WISCONSIN VETERANS HOME AT KING. The authorized FTE positions for the department of veterans affairs are increased by 1.0 PR position, to be funded from the appropriation under section 20.485 (1) (gk) of the statutes, for the administration of the Wisconsin Veterans Home at King.

Vetoed In Part

SECTION 9158. Nonstatutory provisions; workforce development.

(2) TRANSFER OF POSITION AND INCUMBENT EMPLOYEE; ELECTRICIAN.

(a) *Position transfer.*

1. On the effective date of this subdivision, the authorized FTE positions for the department of workforce development, funded from the appropriation under section 20.445 (1) (kc) of the statutes, are decreased by 1.0 PR−S position having responsibility for small projects requiring the services of an electrician.

2. On the effective date of this subdivision, the authorized FTE positions for the department of administration, funded from the appropriation under section 20.505 (5) (ka) of the statutes, as affected by this act, are increased by 1.0 PR−S position having responsibility for small projects requiring the services of an electrician.

3. On the effective date of this subdivision, the incumbent employee holding the position specified in subdivision 1. is transferred to the department of administration.

(b) *Employee status.* The employee transferred under paragraph (a) 3. shall have all the same rights and the same statutes under subchapter V of chapter 111 and chapter 230 of the statutes in the department of workforce development immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, if the employee so transferred has attained permanent status in class, that employee is not required to serve a probationary period.

Vetoed In Part

(3f) STUDY REGARDING THE PROVISION OR SALE OF IMPOUNDED VEHICLES TO LOW−INCOME INDIVIDUALS. The department of workforce development shall study the feasibility of instituting and administering a program that would provide unclaimed, impounded vehicles to low−income individuals or that would provide for the sale of these vehicles to low−income individuals at below−market prices. In conducting the study, the department of workforce development shall consult with the department of transportation and local units of government. No later than June 30, 2002, the department shall submit a report documenting the findings of its study to the members of the joint committee on finance and, in the manner provided under section 13.172 (3) of the statutes, to the appropriate standing committees of the legislature.

Vetoed In Part

(4d) WISCONSIN CONSERVATION CORPS ADMINISTRATIVE SUPPORT. The authorized FTE positions for the Wisconsin conservation corps board, funded from the appropriation under section 20.445 (6) (c), 1999 stats., are decreased by 2.5 GPR positions having responsibility for providing administrative support for the board.

(6) TRANSFER OF MEDICAL ASSISTANCE ELIGIBILITY.

(a) *Position decreases.*

1. On the effective date of this subdivision, the authorized FTE positions for the department of workforce development, funded from the appropriation under section 20.445 (1) (kc) of the statutes, as affected by the acts of 2001, are decreased by 6.5 PR positions.

2. On the effective date of this subdivision, the authorized FTE positions for the department of workforce development, funded from the appropriation under section 20.445 (1) (ha) of the statutes, as affected by the acts of 2001, are decreased by 0.3 PR position.

3. On the effective date of this subdivision, the authorized FTE positions for the department of workforce development, funded from the appropriation under section 20.445 (1) (gb) of the statutes, as affected by the acts of 2001, are decreased by 0.2 PR position.

(b) *Transfer of positions and employees.*

1. On the effective date of this subdivision, 8.18 FTE FED positions in the department of workforce development, and the incumbent employees holding those positions, are transferred to the department of health and family services.

Vetoed In Part

2. On the effective date of this subdivision, 4.82 FTE GPR positions in the department of workforce development, and the incumbent employees holding those positions, are transferred to the department of health and family services.

3. On the effective date of this subdivision, there are transferred from the department of workforce development to the department of health and family services 7.0 FTE incumbent employees holding the positions specified in paragraph (a).

4. The departments of workforce development and health and family services shall jointly determine the employees to be transferred under subdivisions 1. to 3. and shall jointly develop a plan for the orderly transfer thereof. In the event of any disagreement between the departments, the secretary of administration shall resolve the dispute and shall develop a plan for the orderly transfer thereof.

(c) *Employee status.* Employees 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 health and family services that they enjoyed in the department of workforce development immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(8) FOOD STAMP REINVESTMENT.

(a) In this subsection "cost allocation resolution moneys" means the moneys appropriated under section 20.445 (3) (nL) of the statutes that were allocated on September 25, 1998, by the joint committee on finance to reimburse the federal government for expenditures that were not approved by the federal departments of labor and health and human services in a cost allocation plan that was developed and submitted by the department of workforce development in the 1997−98 federal fiscal year.

(b) From the appropriation under section 20.445 (3) (nL) of the statutes, the department of workforce development shall reallocate cost allocation resolution moneys to local food stamp reinvestment activities.

(8x) COMMUNITY YOUTH GRANTS. Notwithstanding section 49.175 (1) (z) of the statutes, as affected by this act, from the moneys allocated under section 49.175 (1) (z) of the statutes, as affected by this act, the department of workforce development shall provide grants in each fiscal year of the 2001−03 fiscal biennium to the Wisconsin chapters of the Boys and Girls Clubs of America to improve social, academic, and employment skills of youth who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq. The total amount of grants that are provided under this subsection in each fiscal year of the 2001−03 fiscal biennium shall be $500,000.

(8y) COMMUNITY REINVESTMENT IN CERTAIN WISCONSIN WORKS CONTRACTS. The department of workforce development may not extend the deadline for the expenditures, by Wisconsin works agencies, of community reinvestment funds that were earned as part of contracts that were entered into under section 49.143 of the statutes and have a term that begins on September 1, 1997, and ends on December 1, 1999.

(9e) WISCONSIN WORKS CONTRACTS FOR THE 2002−03 CONTRACT PERIOD.

(a) *Definitions.* In this subsection:

1. "Department" means the department of workforce development.

2. "Draft contract terms" means the draft contract terms issued by the department of workforce development on May 14, 2001, for Wisconsin works contracts having a term that begins on January 1, 2002, and ends on December 31, 2003.

3. "Wisconsin works" has the meaning given in section 49.141 (1) (p) of the statutes.

4. "Wisconsin works agency" has the meaning given in section 49.001 (9) of the statutes.

5. "Wisconsin works contract" means a contract to administer Wisconsin works under section 49.143 of the statutes, as affected by this act.

(b) *Performance bonuses.* Each Wisconsin works contract having a term that begins on January 1, 2002, **Vetoed In Part**

and ends on December 31, 2003, shall require the department to do all of the following:

1. Pay a Wisconsin works agency an amount equal to 2% of the total amount of the contract if the agency meets the performance standards for restricted performance bonus that are required under paragraph (d) and the agency is otherwise eligible to receive payment under the contract.

2. Pay a Wisconsin works agency an amount equal to 2% of the total amount of the contract if the agency meets the performance standards for unrestricted performance bonus that are required under paragraph (d) and the agency is otherwise eligible to receive payment under the contract.

(c) *Sanctions for unallowable expenses.* Each Wisconsin works contract having a term that begins on January 1, 2002, and ends on December 31, 2003, shall require a Wisconsin works agency that submits to the department unallowable expenses, as identified by the department or in an audit sponsored by the department or legislative audit bureau, to pay to the department a sanction equal to 50% of the total amount of unallowable expenses that were submitted by the Wisconsin works agency.

(d) *Performance standards.* Each Wisconsin works contract having a term that begins on January 1, 2002, and ends on December 31, 2003, shall include the performance standards specified in the department's draft contract terms except that each contract shall specify all of the following:

1. That the department may only grant a Wisconsin works agency a one−case credit for purposes of determining whether the agency meets the base contract benchmark and whether the agency is eligible to contract with the department under section 49.143 (1) (a) 2. of the statutes, as created by this act.

2. That no Wisconsin works agency may receive a one−case credit for purposes of determining whether the agency is eligible for unrestricted bonus funds.

3. That the performance standards the department uses to determine whether the Wisconsin works agency meets the base contract benchmark and whether the Wisconsin works agency is eligible to contract with the department under section 49.143 (1) (a) 2. of the statutes, as created by this act, include an extension request standard that requires timely processing of requests for extensions and timely documentation of those requests on the client assistance for reemployment and economic support computer system.

Vetoed In Part

4. That the department may not apply the extension requests standard under subdivision 3. to determine whether a Wisconsin works agency is eligible to receive unrestricted bonus funds.

5. That, if the Wisconsin works agency has an average score of 6.5 on each survey item under the financial management standards and is otherwise eligible to receive payment under the contract, the agency shall be eligible for unrestricted bonus funds.

6. That the significant audit finding item that is part of the financial management performance standard includes an audit finding that the unallowable or questioned costs, as identified by the department or in an audit sponsored by the department or legislative audit bureau, exceed a percentage of the total amount of the contract that is determined by the department.

Vetoed In Part

(e) *Community reinvestment funds.* No Wisconsin works contract having a term that begins on January 1, 2002, and ends on December 31, 2003, may include a provision that provides community reinvestment funds to a Wisconsin works agency.

(f) *Contracting process.* Not later than the first day of the first month beginning after the effective date of this paragraph, the department shall amend the draft contract terms to specify that in subsequent contracts the department shall use the contracting process specified under section 49.143 (1) of the statutes, as affected by this act.

(9q) FOOD STAMP TRANSFER. No later than March 1, 2002, the department of health and family services and the department of workforce development shall submit a proposal to the secretary of administration for supplemental expenditure and position authority necessary to transfer all administrative functions related to the food stamp program authorized under 7 USC 2011 to 2036 from the department of workforce development to the department of health and family services. If the secretary of administration approves the plan, the secretary shall submit 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 secretary of administration shall 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 secretary 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

(10c) PREDATORY RESIDENTIAL REAL ESTATE LENDING PRACTICES INVESTIGATION.

Vetoed In Part

(a) *Grant for investigation of predatory residential real estate lending practices.* From the appropriation under section 20.445 (1) (a) of the statutes, the department of workforce development shall award a grant of $150,000 in fiscal year 2001−02 to the Milwaukee Metropolitan Fair Housing Council, Inc., for the investigation of predatory practices of lenders in the making of loans that are secured by a first lien real estate mortgage on, or an equivalent security interest in, a

one−family to 4−family dwelling that the borrower uses as his or her principal place of residence. The investigation shall examine the practices of lenders only in Milwaukee County. The investigation shall examine the practices of making loans based upon the equity in a property rather than on the particular borrower's ability to repay the loan, including credit insurance and other financial products as part of or in association with loans, and inducing borrowers to repeatedly refinance their loans, and shall examine any other unfair, deceptive, false, misleading, or unconscionable practices within the scope of the investigation.

(b) *Report on predatory residential real estate lending practices.* By January 1, 2004, the Milwaukee Metropolitan Fair Housing Council, Inc., shall submit a report evaluating the results of its investigation under paragraph (a) to the secretary of workforce development, and by February 1, 2004, the secretary of workforce development shall forward copies of the report to the appropriate standing committees of the legislature in the manner provided under section 13.172 (3) of the statutes, to the secretary of financial institutions, and to the governor. The report shall indicate the number of predatory practices discovered during the investigation, and, for each loan with regard to which a predatory practice is discovered, a description of the practice, the total amount of the loan, the cost to the borrower as a result of the practice, the income level, age, race, national origin, and gender of the borrower, and a description of the census block in which the real estate securing the loan is located.

(10d) EARLY CHILDHOOD EXCELLENCE INITIATIVE; LA CAUSA. Notwithstanding section 49.175 (1) (r) of the statutes, as affected by this act, from the moneys allocated under section 49.175 (1) (r) of the statutes, as affected by this act, the department of workforce development shall provide, in each year of the 2001−03 fiscal biennium, a grant of $250,000 to La Causa, Inc., to expand its day care facilities and to provide community services.

(10g) COMMUNITY REINVESTMENT FUNDS FOR MILWAUKEE COUNTY. Notwithstanding section 49.175 (1) (d) 2. of the statutes, as affected by this act, from the moneys allocated under section 49.175 (1) (d) 2. of the statutes, as affected by this act, the department shall provide $656,000 in fiscal year 2001−02 and $1,312,000 in fiscal year 2002−03 to Milwaukee County to provide services to individuals who are eligible to receive temporary assistance for needy families under 42 USC 601 to 619.

(11c) SUDDEN INFANT DEATH SYNDROME PREVENTION TRAINING; RULES. The department of workforce development shall submit in proposed form the rules required under section 49.155 (1d) (a) of the statutes, as affected by this act, to the legislature under section 227.19 of the statutes no later than the first day of the 6th month beginning after the effective date of this subsection.

SECTION 9159. Nonstatutory provisions; other.

(1) STATE AGENCY APPROPRIATIONS REDUCTIONS.

(a) *Appropriations reductions.* Except as provided in paragraph (b), the largest sum certain appropriation for state operations made to the following state agencies from general purpose revenue in the 2001−03 fiscal biennium is reduced by the amounts in each fiscal year indicated:

State Agency	Amount of Reduction 2001−02 Fiscal Year	Amount of Reduction 2002−03 Fiscal Year
Administration, department of	$ 719,000	$ 719,000
Agriculture, trade and consumer protection, department of	1,013,200	1,013,200
Commerce, department of	411,700	411,700
Corrections, department of	1,756,300	1,756,300
Educational communications board	283,800	283,800
Employment relations, department of	304,900	304,900
Health and family services, department of	8,035,500	8,035,500
Historical society	525,800	525,800
Justice, department of	1,770,000	1,770,000
Military affairs, department of	307,300	307,300

Natural resources, department of	2,474,100	2,474,100
Revenue, department of	4,216,300	4,216,300
Technical college system board	172,800	172,800
Tourism, department of	597,900	597,900
University of Wisconsin System, board of regents of	6,345,000	6,345,000
Workforce development, department of	502,600	502,600

(b) *Submission of requests to the joint committee on finance for reallocating appropriations reductions.* Except as provided in this paragraph, any state agency specified in paragraph (a) may submit a request to the joint committee on finance under section 13.10 of the statutes to reallocate any of the reductions under paragraph (a) to other sum certain appropriations for state operations made to the agency from general purpose revenue. The department of military affairs may not submit a request under this paragraph to reduce the appropriation account for the Badger Challenge program under section 20.465 (4) (b) of the statutes.

(2) INFORMATION TECHNOLOGY MANAGEMENT BOARD; INITIAL TERMS. Notwithstanding section 15.215 (1) of the statutes, as created by this act, of the members other than state officers first appointed to serve as members of the information technology management board, the governor shall designate one to serve for a term expiring on May 1, 2003, and one to serve for a term expiring on May 1, 2005.

(2x) STUDY OF PUBLIC BROADCASTING SERVICES. The president of the University of Wisconsin System and the chairperson of the educational communications board shall jointly submit a report to the secretary of administration suggesting methods by which the University of Wisconsin−Extension and the educational communications board can improve coordination with regard to provision of public broadcasting services in this state. The report shall include specific identification of methods by which the University of Wisconsin−Extension and the educational communications board can achieve operational efficiencies through greater cooperation and sharing of resources between the agencies.

(2y) REPORT ON EFFORTS TO SECURE FUNDING FOR DIGITAL TELEVISION CONVERSION PROJECT. No later than June 1, 2003, the president of the University of Wisconsin System and the educational communications board shall submit a report to the building commission concerning their efforts to secure federal financial participation to finance the digital television conversion project enumerated under SECTION 9107 (1) (c) of this act.

(2z) REVIEW OF SPACE NEEDS OF DEPARTMENT OF VETERANS AFFAIRS. The department of veterans affairs and the department of administration shall jointly conduct a review of the current and future space needs of the department of veterans affairs for departmental offices and for the Wisconsin veterans museum. The review shall include an analysis of the options available to meet those needs. No later than July 1, 2002, the department of veterans affairs and the department of administration shall jointly submit a report to the building commission describing the review and providing recommendations and alternatives for action to meet the space needs. **Vetoed In Part**

(3b) VETERANS SERVICES. The authorized FTE positions for the department of electronic government are increased by 2.0 PR positions, to be funded from the appropriation under section 20.530 (1) (ke) of the statutes, as affected by this act, for the purpose of administering the program under section 22.07 (9) of the statutes, as created by this act.

(3f) CHANGE THE TOWN OF HOBART INTO A VILLAGE. The town of Hobart, in Brown County, shall become a village if all of the procedures contained in sections 66.0201 to 66.0213 of the statutes are fulfilled, except that approval by the department of administration under section 66.0207 of the statutes is not necessary for the town to become a village. In addition, the town of Hobart, in Brown County, and the City of Green Bay shall enter into a boundary agreement under section 66.0307 of the statutes, although the agreement need not be finalized before the referendum is held under section 66.0211 of the statutes.

(3q) CITY OF LA CROSSE CLAIM. There is directed to be expended from the appropriation under section 20.395 (1) (ar) of the statutes, as affected by the acts of 1999 and 2001, $8,420.92 in payment of a claim against the state made by the city of La Crosse as partial reimbursement for the penalty that was assessed against the city for tardy filing of its annual report with the departments of transportation and revenue for 1999 under section 86.303 (5) (g) of the statutes. Acceptance of this payment releases this state and its officers, employees, and agents **Vetoed In Part**

from any further liability relating to deduction of penalties from general transportation aids payable to the city for the 2000 calendar year.

(3t) UNIVERSITY OF WISCONSIN–PARKSIDE; CHARTER SCHOOL.

(a) This act authorizes the chancellor of the University of Wisconsin−Parkside to establish or to contract for the establishment of a charter school, but only in a populous school district that is located in close proximity to the campus. The legislature finds that these limitations will better enable the university to assess the ability of the charter school to improve the academic performance of pupils.

(b) The legislature finds that improving the academic performance of pupils in this state is a state responsibility of statewide dimension and that authorizing the University of Wisconsin−Parkside to establish or to contract for the establishment of a charter school as described in paragraph (a) will have a direct and immediate effect on that statewide concern.

Vetoed In Part

(3y) STUDY OF STATE AIRCRAFT USAGE. If the legislative audit bureau does not initiate the audit described in SECTION 9132 (3y) of this act by December 1, 2001, the departments of administration, transportation, and natural resources shall jointly conduct a study of the use of aircraft by state agencies and shall determine how reductions can be made in the costs associated with that use. If the study is conducted, the departments shall jointly report the results of the study to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes no later than January 1, 2003.

SECTION 9201. Appropriation changes; administration.

(1) CONSOLIDATION OF APPROPRIATIONS.

(a) The unencumbered balance in the appropriation account under section 20.505 (3) (g), 1999 stats., is transferred to the appropriation account under section 20.505 (1) (j) of the statutes, as affected by this act.

(b) The unencumbered balance in the appropriation account under section 20.505 (4) (gm), 1999 stats., is transferred to the appropriation account under section 20.505 (1) (j) of the statutes, as affected by this act.

Vetoed In Part

(c) The unencumbered balance in the appropriation account under section 20.505 (3) (h), 1999 stats., is transferred to the appropriation account under section 20.505 (4) (h) of the statutes, as affected by this act.

(d) The unencumbered balance in the appropriation account under section 20.505 (1) (ma), 1999 stats., is transferred to the appropriation account under section 20.505 (1) (mb) of the statutes, as affected by this act.

(e) The unencumbered balance in the appropriation account under section 20.505 (1) (mc), 1999 stats., is transferred to the appropriation account under section 20.505 (1) (mb) of the statutes, as affected by this act.

(f) The unencumbered balance in the appropriation account under section 20.505 (1) (n), 1999 stats., is transferred to the appropriation account under section 20.505 (1) (mb) of the statutes, as affected by this act.

(h) The unencumbered balance in the appropriation account under section 20.505 (6) (kq), 1999 stats., immediately before the effective date of this paragraph is transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act.

(i) The unencumbered balance in the appropriation account under section 20.505 (6) (ks), 1999 stats., is transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act.

(2) ENERGY EFFICIENCY FUND ELIMINATION. On the effective date of this subsection, the unencumbered balance in the energy efficiency fund immediately before the effective date of this subsection is transferred to the general fund.

(4v) INFORMATION TECHNOLOGY SERVICES.

(a) The unencumbered balance in the appropriation account under section 20.505 (1) (is), 1999 stats., immediately before the effective date of this paragraph is transferred to the appropriation account under section 20.530 (1) (is) of the statutes, as created by this act.

Vetoed In Part

(b) The unencumbered balance in the appropriation account under section 20.505 (1) (kL), 1999 stats., immediately before the effective date of this paragraph is transferred to the appropriation account under section 20.530 (1) (kL) of the statutes, as created by this act.

Vetoed In Part

(c) The unencumbered balance in the appropriation account under section 20.505 (1) (kr), 1999 stats., immediately before the effective date of this subsection is transferred to the appropriation account under section 20.530 (1) (kr) of the statutes, as created by this act.

(5mk) INDIAN GAMING RECEIPTS TRANSFERS. The unencumbered balances in the appropriation accounts under section 20.505 (1) (ku) and (6) (kq) and (ks) of the statutes, as affected by this act, immediately before the effective date of this subsection are transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act.

(5v) SOUTHERN OAKS GIRLS SCHOOL MENTAL HEALTH UNIT FUNDING. The secretary of administration, to the extent permitted under 28 CFR 31.500 to 31.503, shall transfer from the appropriation under section 20.505 (6) (m) of the statutes, as affected by this act, to the appropriation under section 20.410 (3) (kx) of the statutes $433,100 in fiscal year 2001−02 and $541,700 in fiscal year 2002−03, from federal juvenile accountability incentive block grant moneys, for the purpose of operating the mental health unit at the Southern Oaks Girls School.

Vetoed In Part

(6c) ANTI–DRUG ENFORCEMENT PROGRAM.

(a) In fiscal year 2001−02, immediately before the transfer under section 20.505 (6) (j) 13. of the statutes to section 20.505 (6) (k) of the statutes, there is transferred

from the appropriation account under section 20.505 (6) (k) of the statutes to the appropriation account under section 20.505 (6) (j) of the statutes an amount equal to 85% of the unencumbered balance in the appropriation account under section 20.505 (6) (k) of the statutes on June 30, 2001.

(b) In fiscal year 2001−02, immediately before the transfer under section 20.505 (6) (j) 3. of the statutes to section 20.505 (6) (kp) of the statutes, as affected by this act, there is transferred from the appropriation account under section 20.505 (6) (kp) of the statutes to the appropriation account under section 20.505 (6) (j) of the statutes an amount equal to 85% of the unencumbered balance in the appropriation account under section 20.505 (6) (kp) of the statutes on June 30, 2001.

(c) In fiscal year 2001−02, immediately before the transfer under section 20.505 (6) (j) 14. of the statutes to section 20.505 (6) (kt) of the statutes, there is transferred from the appropriation account under section 20.505 (6) (kt) of the statutes to the appropriation account under section 20.505 (6) (j) of the statutes an amount equal to 85% of the unencumbered balance in the appropriation account under section 20.505 (6) (kt) of the statutes on June 30, 2001.

(6d) OFFICE OF JUSTICE ASSISTANCE PENALTY ASSESSMENT MONEYS. Notwithstanding section 20.001 (3) (c) of the statutes, on July 1, 2001, there is lapsed to the general fund $875,200 from the appropriation account to the office of justice assistance under section 20.505 (6) (j) of the statutes, as affected by the acts of 2001.

(7q) LAND INFORMATION; INCORPORATIONS AND ANNEXATIONS.

(a) Notwithstanding section 20.001 (3) (a) of the statutes, on the effective date of this subsection there is lapsed to the general fund $400,000 from the appropriation account of the department of administration under section 20.505 (1) (ie) of the statutes, as affected by this act.

(b) Notwithstanding section 20.001 (3) (a) of the statutes, on July 1, 2002 there is lapsed to the general fund $400,000 from the appropriation account of the department of administration under section 20.505 (1) (ie) of the statutes, as affected by the acts of 2001.

SECTION 9204. Appropriation changes; agriculture, trade and consumer protection.

(1) WAREHOUSE KEEPER AND GRAIN DEALER FEES. The unencumbered balance in the appropriation account under section 20.115 (1) (jm), 1999 stats., is transferred to the agricultural producer security fund.

(2) DAIRY AND VEGETABLE PRODUCER SECURITY. From the unencumbered balance in the appropriation account under section 20.115 (1) (gm), 1999 stats., the secretary of administration shall transfer to the agricultural producer security fund the amount that the secretary determines is derived from moneys received under section 100.03 (3) (a) 2., 1999 stats., section 100.03 (3) (a) 3., 1999 stats., and section 100.06 (9), 1999 stats.

(3) ANIMAL HEALTH; GIFTS AND GRANTS. The unencumbered balance in the appropriation account under section 20.115 (2) (gb), 1999 stats., is transferred to the appropriation account under section 20.115 (8) (g) of the statutes, as affected by this act. **Vetoed In Part**

(4) MARKETING SERVICES; GIFTS AND GRANTS. The unencumbered balance in the appropriation account under section 20.115 (3) (ga), 1999 stats., is transferred to the appropriation account under section 20.115 (8) (g) of the statutes, as affected by this act.

(5) AGRICULTURAL INVESTMENT AIDS; GIFTS AND GRANTS. The unencumbered balance in the appropriation account under section 20.115 (4) (i), 1999 stats., is transferred to the appropriation account under section 20.115 (8) (g) of the statutes, as affected by this act. **Vetoed In Part**

(6) AGRICULTURAL RESOURCE MANAGEMENT; GIFTS AND GRANTS. The unencumbered balance in the appropriation account under section 20.115 (7) (gb), 1999 stats., is transferred to the appropriation account under section 20.115 (8) (g) of the statutes, as affected by this act.

(7) ANIMAL HEALTH CONTRACTUAL SERVICES. The unencumbered balance in the appropriation account under section 20.115 (2) (k), 1999 stats., is transferred to the appropriation account under section 20.115 (8) (ks) of the statutes, as affected by this act. **Vetoed In Part**

(8) GENERAL LABORATORY SERVICES SERVICES. The unencumbered balance in the appropriation account under section 20.115 (8) (kp), 1999 stats., is transferred to the appropriation account under section 20.115 (8) (ks) of the statutes, as affected by this act.

(9) MILK STANDARDS PROGRAM. The unencumbered balance in the appropriation account under section 20.115 (8) (ga), 1999 stats., is transferred to the appropriation account under section 20.115 (8) (ha) of the statutes, as affected by this act.

SECTION 9205. Appropriation changes; arts board.

(1mk) INDIAN GAMING RECEIPTS TRANSFER. The unencumbered balance in the appropriation account under section 20.215 (1) (km) of the statutes, as affected by this act, immediately before the effective date of this subsection is transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act.

SECTION 9210. Appropriation changes; commerce.

(1) TANK PLAN REVIEW AND INSPECTION FEES. There is transferred from the appropriation account under section 20.143 (3) (j) of the statutes to the petroleum inspection fund $1,280,641 plus the amount determined by the secretary of administration under SECTION 9101 (1) of this act.

(3mk) INDIAN GAMING RECEIPTS TRANSFERS. The unencumbered balances in the appropriation accounts

under section 20.143 (1) (kf), (kg), (kh), (kj), (km), and (kr) of the statutes, as affected by this act, immediately before the effective date of this subsection are transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act.

(3z) MOBILE HOME PARK WATER AND SEWER SERVICE. The unencumbered balance in the appropriation account under section 20.155 (1) (i), 1999 stats., is transferred to the appropriation account under section 20.143 (3) (j) of the statutes, as affected by this act.

SECTION 9211. Appropriation changes; corrections.

(1) INSTITUTIONAL OPERATIONS AND CHARGES LAPSE. Notwithstanding section 20.001 (3) (a) of the statutes, on the effective date of this subsection, there is lapsed to the general fund $1,000,000 from the appropriation account of the department of corrections under section 20.410 (1) (kk) of the statutes, as affected by the acts of 2001.

(2c) VICTIM SERVICES AND PROGRAMS. In fiscal year 2001−02, immediately before the transfer under section 20.505 (6) (j) 5m. of the statutes to section 20.410 (1) (kh) of the statutes, there is transferred from the appropriation account under section 20.410 (1) (kh) of the statutes to the appropriation account under section 20.505 (6) (j) of the statutes an amount equal to 85% of the unencumbered balance in the appropriation account under section 20.410 (1) (kh) of the statutes on June 30, 2001.

SECTION 9223. Appropriation changes; health and family services.

(1) BIRTH PARENT SEARCH AND ADOPTION RECORD PROGRAM; LAPSE. Notwithstanding section 20.001 (3) (a) of the statutes, on June 30, 2002, there is lapsed to the general fund $94,300 from the appropriation account of the department of health and family services under section 20.435 (3) (jj) of the statutes, as affected by the acts of 2001.

(2) ALCOHOL AND OTHER DRUG ABUSE INITIATIVES; LAPSE.

(a) Notwithstanding section 20.001 (3) (c) of the statutes, on June 30, 2002, there is lapsed to the general fund $773,200 from the appropriation account of the department of health and family services under section 20.435 (6) (gb) of the statutes, as affected by the acts of 2001. **Vetoed In Part**

(b) Notwithstanding section 20.001 (3) (c) of the statutes, on June 30, 2003, there is lapsed to the general fund $125,000 from the appropriation account of the department of health and family services under section 20.435 (6) (gb) of the statutes, as affected by the acts of 2001.

(3) DRIVER IMPROVEMENT SURCHARGE; LAPSE. Notwithstanding section 20.001 (3) (a) of the statutes, on June 30, 2002, there is lapsed to the general fund $1,000,000 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 2001.

(4) FACILITY LICENSING AND INSPECTION FEES LAPSE. Notwithstanding section 20.001 (3) (a) of the statutes, on June 30, 2002, the secretary of administration shall lapse to the general fund $831,200 from the appropriation account of the department of health and family services under section 20.435 (6) (jm) of the statutes, as affected by the acts of 2001.

(4z) LAPSE OF INCOME AUGMENTATION RECEIPTS.

(a) Notwithstanding section 20.001 (3) (c) of the statutes, no later than June 30, 2003, the secretary of administration shall lapse to the general fund all amounts from the appropriation account of the department of health and family services under section 20.435 (8) (mb) of the statutes, as affected by the acts of 2001, that were allocated under SECTION 9123 (8z) of this act, but not expended or encumbered as provided in that subsection.

(b) Notwithstanding section 20.001 (3) (c) of the statutes, no later than June 30, 2003, the secretary of administration shall lapse to the general fund $6,750,000 from the appropriation account of the department of health and family services under section 20.435 (8) (mb) of the statutes, as affected by the acts of 2001, in addition to any amounts lapsed under paragraph (a).

(5mk) INDIAN GAMING RECEIPTS TRANSFERS.

(a) The unencumbered balances in the appropriation accounts under section 20.435 (4) (kb), (5) (ke), and (7) (kg), (kL), (km), and (kn) of the statutes, as affected by this act, immediately before the effective date of this paragraph are transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act. **Vetoed In Part**

(b) There is transferred from the appropriation to the department of health and family services under section 20.435 (4) (ky) of the statutes to the appropriation to the department of administration under section 20.505 (8) (hm) of the statutes, as affected by this act, immediately before the effective date of this paragraph, $18,300.

(5q) PRIMARY HEALTH CARE PROGRAM; LAPSE. Notwithstanding section 20.001 (3) (c) of the statutes, on June 30, 2002, there is lapsed to the general fund $100,000 from the appropriation account of the department of health and family services under section 20.435 (4) (gp) of the statutes, as affected by the acts of 2001.

(5zk) FEDERAL REIMBURSEMENT OF TARGETED CASE MANAGEMENT COSTS; LAPSE; USE OF REMAINING MONEYS. Notwithstanding section 20.001 (3) (c) of the statutes, the secretary of administration shall lapse to the general fund, from the appropriation account under section 20.435 (8) (mb) of the statutes, as affected by the acts of 2001, $3,008,300 in fiscal year 2001−02 and $3,328,500 in fiscal year 2002−03 in moneys received under 42 USC 1396 to 1396v in reimbursement of the cost of providing targeted case management services to children whose care is not eligible for reimbursement under 42 USC 670 to 679a. If after those lapses any of those moneys received under 42 USC 1396 to 1396v remain in that appropriation account, those remaining moneys shall be used to support the counties' share of implementing the **Vetoed In Part** **Vetoed In Part**

statewide automated child welfare information system established by the department of health and family services under section 46.03 (7) (g) of the statutes.

SECTION 9224. Appropriation changes; higher educational aids board.

Vetoed In Part

(1mk) INDIAN GAMING RECEIPTS TRANSFERS. The unencumbered balances in the appropriation accounts under section 20.235 (1) (k) and (km) of the statutes, as affected by this act, immediately before the effective date of this subsection are transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act.

SECTION 9225. Appropriation changes; historical society.

(1mk) INDIAN GAMING RECEIPTS TRANSFER. The unencumbered balance in the appropriation account under section 20.245 (2) (km) of the statutes, as affected by this act, immediately before the effective date of this subsection is transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act.

SECTION 9231. Appropriation changes; justice.

(1mk) INDIAN GAMING RECEIPTS TRANSFERS. The unencumbered balances in the appropriation accounts under section 20.455 (2) (kt) and (ku) of the statutes, as affected by this act, immediately before the effective date of this subsection are transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act.

SECTION 9237. Appropriation changes; natural resources.

Vetoed In Part

(1) TRANSFER FROM ENVIRONMENTAL FUND. There is transferred $5,100,000 from the environmental fund to the general fund.

(1f) WELL COMPENSATION LAPSE. Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this subsection, there is lapsed to the environmental fund $1,000,000 from the appropriation account of the department of natural resources under section 20.370 (6) (cr) of the statutes, as affected by the acts of 2001.

(2) TRANSFER OF GAMING REVENUES TO THE CONSERVATION FUND. There is transferred from the appropriation account to the department of administration under section 20.505 (8) (hm) of the statutes to the conservation fund, $1,000,000 in fiscal year 2001−02 and $718,000 in fiscal year 2002−03.

(2i) ADDITIONAL TRANSFERS FROM ENVIRONMENTAL FUND. There is transferred from the environmental fund to the general fund, $956,200 on June 30, 2002, and $1,055,200 on June 30, 2003.

Vetoed In Part

(3k) TRANSFER TO ENDANGERED RESOURCES PROGRAM. There is transferred $15,000 from the fish and wildlife account of the conservation fund to the appropriation account under section 20.370 (1) (fs) of the statutes.

(4mk) INDIAN GAMING RECEIPTS TRANSFERS. The unencumbered balances in the appropriation accounts under section 20.370 (1) (hk) and (Lk), (3) (ak), (4) (kk), (6) (dk), and (9) (hk) of the statutes, as affected by this act, immediately before the effective date of this subsection are transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act.

(5z) FOREST INCOME AIDS TRANSFER. On the effective date of this subsection, there is transferred $200,000 from the forestry account of the conservation fund to the appropriation account to the department of natural resources under section 20.370 (9) (iq) of the statutes, as affected by this act.

SECTION 9239. Appropriation changes; public defender board.

(1q) GENERAL PURPOSE REVENUE LAPSE. The secretary of administration shall lapse to the general fund, from the appropriation accounts to the public defender board under sections 20.550 (1) (a), (b), (c), (d), (e), and (f) of the statutes, a total of $550,000 on June 30, 2002, and a total of $550,000 on June 30, 2003. The public defender board shall determine how the total lapse amount for each year is apportioned amongst the individual general purpose revenue appropriation accounts.

SECTION 9240. Appropriation changes; public instruction.

(1c) ALCOHOL AND OTHER DRUG ABUSE PROGRAMS. In fiscal year 2001−02, immediately before the transfer under section 20.505 (6) (j) 5. of the statutes to section 20.255 (2) (kd) of the statutes, there is transferred from the appropriation account under section 20.255 (2) (kd) of the statutes to the appropriation account under section 20.505 (6) (j) of the statutes an amount equal to 85% of the unencumbered balance in the appropriation account under section 20.255 (2) (kd) of the statutes on June 30, 2001.

(1mk) INDIAN GAMING RECEIPTS TRANSFER. The unencumbered balance in the appropriation account under section 20.255 (2) (km) of the statutes, as affected by this act, immediately before the effective date of this subsection is transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act.

SECTION 9249. Appropriation changes; technology for educational achievement in Wisconsin board.

(1f) FEDERAL AID. There is transferred $840,000 from the appropriation account under section 20.275 (1) (m) of the statutes, as affected by this act, to the appropriation account under section 20.275 (1) (mp) of the statutes, as created by this act.

SECTION 9251. Appropriation changes; tourism.

(1mk) INDIAN GAMING RECEIPTS TRANSFERS. The unencumbered balances in the appropriation accounts under section 20.380 (1) (kg) and (km) of the statutes, as affected by this act, immediately before the effective date of this subsection are transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act.

SECTION 9256. Appropriation changes; University of Wisconsin System.

(1mk) INDIAN GAMING RECEIPTS TRANSFERS. The unencumbered balances in the appropriation accounts under section 20.285 (1) (km) and (kn) of the statutes, as affected by this act, immediately before the effective date of this subsection are transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act.

SECTION 9257. Appropriation changes; veterans affairs.

(1) APPROVAL OF VETERANS TRAINING. The unencumbered balance in the appropriation account under section 20.485 (5) (m), 1999 stats., is transferred to the appropriation account under section 20.485 (2) (m) of the statutes, as affected by this act.

(2mk) INDIAN GAMING RECEIPTS TRANSFERS. The unencumbered balances in the appropriation accounts under section 20.485 (2) (kg) and (km) of the statutes, as affected by this act, immediately before the effective date of this subsection are transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act.

SECTION 9258. Appropriation changes; workforce development.

(2mk) INDIAN GAMING RECEIPTS TRANSFERS. The unencumbered balances in the appropriation accounts under section 20.445 (5) (kg) and (7) (kd) of the statutes, as affected by this act, immediately before the effective date of this subsection are transferred to the appropriation account under section 20.505 (8) (hm) of the statutes, as affected by this act.

(2q) WELFARE FRAUD AND ERROR REDUCTION. The unencumbered balance of the appropriation to the department of workforce development under section 20.445 (3) (Lm), 1999 stats., is transferred to the appropriation account under section 20.445 (3) (L) of the statutes, as affected by this act.

(2w) TRANSFER OF CERTAIN UNEXPENDED COMMUNITY REINVESTMENT FUNDS. On January 1, 2002, there is transferred from the appropriation to the department of workforce development under section 20.445 (3) (md) of the statutes, as affected by this act, to the appropriation account to the joint committee on finance under section 20.865 (4) (k) of the statutes, as created by this act, an amount equal to $20,849,000 less the amount of moneys encumbered and expended by the department of workforce development from the appropriation account under section 20.445 (3) (md) of the statutes, as affected by this act, during the period beginning on the effective date of this subsection and ending on December 31, 2001, for the payment of community reinvestment funds that are earned under contracts that are entered into under section 49.143 of the statutes and have a term that begins on September 1, 1997, and ends on December 31, 1999.

SECTION 9301. Initial applicability; administration.

(1) EXPENDITURE LIMITS FOR GENERAL PURPOSE REVENUE. The treatment of section 13.40 of the statutes first applies to appropriations made for the 2003−05 biennium.

(2mk) REVIEW OF ANNEXATIONS WITHIN POPULOUS COUNTIES. The treatment of section 66.0217 (6) (a) of the statutes, with regard to the department of administration's review of annexations, first applies to annexation proceedings that are commenced on the effective date of this subsection.

(2x) EXEMPTION OF LIMITED TRADES WORK FROM CONSTRUCTION SUPERVISION. The treatment of sections 16.70 (3) and 16.87 (2) of the statutes first applies with respect to contracts entered into on the effective date of this subsection.

(3q) UNCLAIMED PRIZES. The treatment of section 562.065 (4) of the statutes first applies to prizes that are unclaimed on the 90th day after the effective date of this subsection.

SECTION 9304. Initial applicability; agriculture, trade and consumer protection.

(1) CONSUMER PROTECTION ASSESSMENTS. The treatment of sections 20.115 (1) (jb), 59.25 (3) (f) 2., 59.40 (2) (m), 66.0113 (1) (b) 7. c. and d. and (c) and (3) (a), (b), (c), and (d), 66.0114 (1) (b) and (bm), 100.261 (title), (1), (2), and (3) (a) and (b) 1., 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), 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 consumer protection assessments that are imposed for violations that first occur on the effective date of this subsection.

(1d) AGRICULTURAL CHEMICAL CLEANUP PROGRAM. The treatment of section 94.73 (3m) (r) of the statutes first applies to applications received on the effective date of this subsection for costs incurred not more than 36 months before the effective date of this subsection.

SECTION 9306. Initial applicability; boundary area commission, Minnesota−Wisconsin.

(1k) MINNESOTA–WISCONSIN BOUNDARY AREA COMMISSION AND COMPACT WITHDRAWAL. The treatment of sections 13.123 (3) (a) and 13.45 (3) (a) of the statutes first applies to expenses incurred on the effective date of this subsection.

SECTION 9307. Initial applicability; building commission.

(1x) LEASE OR ACQUISITION OF STATE BUILDINGS. The treatment of sections 13.48 (15), (19), and (27) and 20.924 (1) (i) and (j) of the statutes first applies to contracts that are entered into, or extended, modified, or renewed, on the effective date of this subsection. **Vetoed In Part**

SECTION 9309. Initial applicability; circuit courts.

Vetoed In Part

(1n) COURT INTERPRETERS. The treatment of sections 20.625 (1) (c), 48.315 (1) (h), 48.375 (7) (d) 1m., 758.19 (8), 814.67 (1) (am), (b) (intro.) and 2., 885.37 (title), (1) (a) and (b), (2), (4) (a), and (5) (a), 885.38, 905.015, and 938.315 (1) (h) of the statutes first applies to interpreters used by a clerk of court or appointed by a court on the effective date of this subsection.

Vetoed In Part

(2) TAKING JUVENILES INTO CUSTODY. The treatment of sections 938.19 (1) (d) 6., 938.20 (2) (cm), (7) (c) 1m., and (8), 938.205 (1) (c), 938.208 (1) (intro.), 938.355 (6d) (a) 4., (b) 4., and (c) 4., 938.533 (3) (a), 938.534 (1) (b) 3m., 938.538 (4) (a), and 938.539 (3) of the statutes first applies to a violation of a condition of court−ordered supervision or aftercare supervision, a condition of a juvenile's placement in a Type 2 secured correctional facility, as defined in section 938.02 (20) of the statutes, or in a Type 2 child caring institution, as defined in section 938.02 (19r) of the statutes, or a condition of a juvenile's participation in the intensive supervision program under section 938.534 of the statutes, as affected by this act, committed on the effective date of this subsection.

Vetoed In Part

(4w) 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.

(5g) LIMITATION TIME FOR CHILD ABUSE ACTIONS. The treatment of section 893.587 of the statutes first applies to actions commenced on the effective date of this subsection.

(5mk) HARASSMENT ORDERS. The treatment of section 813.125 (3) (a) (intro.) and (am) and (4) (a) (intro.) and (am) of the statutes first applies to petitions filed on the effective date of this subsection.

Vetoed In Part

(5z) PROPERTY DEVELOPMENT RIGHTS. The treatment of section 893.335 of the statutes first applies to transactions for the sale of property development rights entered into on the effective date of this subsection.

(6c) COURT REPORTER TRANSCRIPT FEES. The treatment of sections 757.57 (5) and 814.69 (1) (b) and (bm) of the statutes first applies to transcripts requested on the effective date of this subsection.

Vetoed In Part

(6d) FEES OF REGISTER IN PROBATE. The treatment of section 814.66 (1) (a) 2. and (b) 2. and (3) of the statutes first applies to petitions filed on the effective date of this subsection.

(6q) YOUTH REPORT CENTER. The treatment of sections 103.67 (2) (j), 118.163 (1m) (c) and (2) (L), 938.17 (2) (h) 1., 938.245 (2) (a) 9m. and (5), 938.32 (1) (a) and (1p), 938.34 (7j), 938.342 (1d) (c) and (1g) (k), 938.343 (3m), 938.344 (2g) (a) 5., and 938.355 (6) (d) 5. and (6m) (a) (intro.) and 4. and (ag) of the statutes first applies to a juvenile who commits a delinquent act or a civil law or ordinance violation, or who is found to be in need of protection or services under section 938.13 of the statutes, on the effective date of this subsection.

(7p) AUTHENTICATION OF HEALTH CARE RECORDS. The treatment of section 908.03 (6m) (b) (intro.) of the statutes first applies to actions commenced on the effective date of this subsection.

(8z) TIME LIMIT ON COURT ANSWERS. The treatment of sections 601.73 (2) (c), 801.09 (2) (a) and (c), 801.095 (1), (2), (3), and (4), 802.06 (1), (1m), and (6), and 802.09 (1) of the statutes first applies to actions commenced on the effective date of this subsection.

SECTION 9310. Initial applicability; commerce.

(1x) INTEREST REIMBURSEMENT UNDER PETROLEUM STORAGE REMEDIAL ACTION PROGRAM. The treatment of section 101.143 (4) (c) 8. (intro.), a., and d. of the statutes first applies to loans secured on the effective date of this subsection.

(2q) PRACTICAL EXAMINATION OF CRANE OPERATORS. Notwithstanding section 101.22 (3) (b) (intro.) of the statutes, the treatment of section 101.22 (3) (b) 3. of the statutes first applies to a crane operator certification program that issues a crane operator certificate on the first day of the 12th month beginning after the effective date of this subsection.

Vetoed In Part

SECTION 9311. Initial applicability; corrections.

(3) PAYMENT OF MEDICAL OR DENTAL CHARGES. The treatment of section 302.386 (3) (a) of the statutes first applies to medical or dental care provided on the effective date of this subsection.

(4) AUTOPSIES OF INMATES. The treatment of section 979.025 of the statutes first applies to deaths that occur on the effective date of this subsection.

Vetoed In Part

(6tk) USE OF CORRECTIONAL FACILITIES IN MILWAUKEE DRUG COURT PROJECT. The renumbering and amendment of section 973.09 (4) of the statutes and the creation of section 973.09 (4) (b) of the statutes first apply to sentences imposed on the effective date of this subsection.

(7c) NOTIFICATION TO UNIVERSITY OF WISCONSIN BOARD OF REGENTS REGARDING SEX OFFENDERS. The treatment of section 301.46 (2s) and (5) (a) (intro.) of the statutes first applies to information concerning a person who registers under section 301.45 (2) of the statutes on the effective date of this subsection or who updates information under section 301.45 (4) of the statutes on the effective date of this subsection.

(7k) CONTRACTS FOR DATA ENTRY OR TELEMARKETING SERVICES. The treatment of section 301.029 (2) (a) of the statutes first applies to contracts entered into or renewed by the department of corrections on the effective date of this subsection.

SECTION 9315. Initial applicability; elections board.

(1k) TRAINING AND CERTIFICATION OF CHIEF INSPECTORS. The treatment of sections 7.03 (1) (a), 7.15 (1) (e), 7.30 (1) and (6) (b), and 7.31 (2) of the statutes first applies with respect to elections held on September 1, 2002.

(1q) ELECTION RECOUNTS. The treatment of section 9.01 (1) (a), (ad), (ag) 1., 1m., 2., 3., and 3m., and (ar) 3. of the statutes first applies to petitions for recounts filed on the effective date of this subsection.

(1y) LEAVES OF ABSENCE FOR SERVICE AS AN ELECTION OFFICIAL. The treatment of sections 7.33 (4) and (5) and 111.93 (3) of the statutes first applies to employees who are affected by a collective bargaining agreement containing provisions inconsistent with this treatment on the day on which the collective bargaining agreement expires or is extended, modified, or renewed, whichever occurs first.

SECTION 9316. Initial applicability; employee trust funds.

(1m) PRESUMPTION FOR EMPLOYMENT–CONNECTED DISEASE. The treatment of sections 891.45 (1) and 891.455 (1) and (2) of the statutes and the renumbering of section 891.45 of the statutes first apply to applications submitted by a state, county, or municipal fire fighter or his or her beneficiary in any proceeding involving disability or death benefits on the effective date of this subsection.

SECTION 9317. Initial applicability; employment relations commission.

(6) BINDING ARBITRATION FOR MEMBERS OF A POLICE DEPARTMENT EMPLOYED BY A 1ST CLASS CITY. The treatment of section 111.70 (4) (jm) 4. k. of the statutes first applies to petitions for arbitration submitted under section 111.70 (4) (jm) 1. of the statutes on the effective date of this subsection.

(8m) QUALIFIED ECONOMIC OFFERS. The treatment of section 111.70 (1) (nc) 1. d. and e. and (4) (cm) 5s. and 8t. of the statutes first applies to petitions for arbitration filed under section 111.70 (4) (cm) 6. of the statutes on the effective date of this subsection.

SECTION 9320. Initial applicability; financial institutions.

(1d) RENT–TO–OWN AGREEMENTS AND RENTAL–PURCHASE COMPANIES.

(a) *Rent–to–own agreements generally.* The treatment of sections 218.632 to 218.636, 218.64, 218.65 to 218.658, 218.682 (3), 218.688, 409.104 (12m), and 421.202 (7m) of the statutes first applies to rent–to–own agreements entered into on the effective date of this subsection.

(b) *Liability waivers.* The treatment of section 218.638 of the statutes first applies to liability waivers entered into on the effective date of this subsection.

Vetoed In Part

(c) *Rental–purchase companies generally.* The treatment of sections 218.617 to 218.628, 218.682 (1) and (2), and 220.02 (2) (b) and (3) and chapter 218 (title) of the statutes first applies to any person engaging in business as a rental–purchase company on the effective date of this subsection.

(d) *Price cards.* The treatment of section 218.644 of the statutes first applies to a rental–purchase company that displays property on the effective date of this subsection.

(e) *Advertising.* The treatment of section 218.646 of the statutes first applies to a rental–purchase company that advertises a rent–to–own agreement on the effective date of this subsection.

(f) *Referral transactions.* The treatment of section 218.648 of the statutes first applies to a rental–purchase company giving or offering to give a rebate or discount to an individual on the effective date of this subsection.

(g) *Assignment of earnings.* The treatment of section 218.68 of the statutes first applies to a rental–purchase company taking or arranging for an assignment of earnings on the effective date of this subsection.

(1j) MERGER OR CONSOLIDATION OF COOPERATIVES. The treatment of sections 185.61 (1) and 185.62 (5) of the statutes first applies to plans of merger or consolidation that are submitted by a board of directors of a cooperative under section 185.61 of the statutes on the effective date of this subsection.

(1q) FEES. The treatment of sections 180.0122 (1) (a), (m), (n), (o), (om), (x), and (y) and 183.0114 (1) (w) of the statutes first applies to fees that are submitted on the effective date of this subsection.

SECTION 9323. Initial applicability; health and family services.

(4) FAMILY CARE ELIGIBILITY. The treatment of sections 46.286 (1) (a) 2. (intro.), (1m), and (3) (a) (intro.) and 6. of the statutes first applies to an application for eligibility for family care that is made on the effective date of this subsection.

Vetoed In Part

(5) FOSTER PARENT INSURANCE DEDUCTIBLE. The treatment of section 48.627 (3) (h) of the statutes first applies to an act or omission, as described in section 48.627 (2m) or (2s) (a) or (b) of the statutes, that occurs on the effective date of this subsection.

Vetoed In Part

(6) RATE–BASED SERVICE CONTRACTS. The treatment of section 46.036 (5m) (a) 1., (b) 1. and 2., (e), and (em) of the statutes first applies to a contract under which a provider, as defined in section 46.036 (5m) (a) 1. of the statutes, as affected by this act, commences performance on the effective date of this subsection.

(9) TRANSFERS BY AFFIDAVIT. The treatment of section 867.035 (1) (a) (intro.) and 1. and (bm) (intro.), 1., 2., 3., and 4., (2), and (2m) of the statutes first applies to transfers by affidavit on account of deaths occurring on the effective date of this subsection.

(10c) MEDICAL ASSISTANCE ELIGIBILITY. The treatment of sections 49.46 (1) (a) 1. (by SECTION 1797), 1m. (by SECTION 1798), 6. (by SECTION 1800), 9., 10., 11., and 12. (by SECTION 1804) and (e) (by SECTION 1805) and 49.47 (4) (a) 1. and 2., (ag) (intro.) and 1., and (b) 2m. a. and (6) (a) 7. of the statutes first applies to eligibility determinations for medical assistance that are made on the effective date of this subsection.

(10d) INCREASE IN THE AID TO FAMILIES WITH DEPENDENT CHILDREN STANDARD. The treatment of sections 49.46 (1) (a) 1. (by SECTION 1797g), 1g. (by SECTION 1797j), 1m. (by SECTION 1798g), 6. (by SECTION 1800m), and 12. (by SECTION 1804g), (ar), and (e) (by SECTION 1805d) and 49.47 (4) (c) 1. and 1m. of the statutes first applies to eligibility determinations for medical assistance that are made on the effective date of this subsection.

(15c) CHILD SEXUAL ABUSE REPORTS. The amendment of section 48.981 (3) (a) of the statutes and the creation of section 48.981 (3) (a) 4. of the statutes first apply to a report of suspected or threatened abuse, as defined in section 48.02 (1) (b) to (f) of the statutes, made under section 48.981 (3) (a) of the statutes, as affected by this act, on the effective date of this subsection.

(15k) CONTRACTS WITH HEALTH MAINTENANCE ORGANIZATIONS FOR MEDICAL ASSISTANCE. The amendment of section 49.45 (22) of the statutes and the creation of section 49.45 (22) (c) of the statutes first apply to contracts entered into, extended, modified, or renewed on the effective date of this subsection.

(15w) DRUG COPAYMENTS AND COINSURANCE UNDER THE HEALTH INSURANCE RISK–SHARING PLAN. The treatment of sections 149.14 (5) (b), (c), and (e) and 149.146 (2) (am) 2., 3., and 5. of the statutes first applies to policies under the health insurance risk–sharing plan that are issued or renewed on the effective date of this subsection.

(16d) GRANTS FOR COMPETENCY EXAMINATIONS. The treatment of section 46.48 (10) of the statutes first applies to grants for competency examinations made on the effective date of this subsection.

(16f) MEDICAL ASSISTANCE FOR INDEPENDENT FOSTER CARE ADOLESCENTS. The treatment of sections 49.46 (1) (a) 5m. and 51.42 (3) (ar) 4m. and 4p. of the statutes first applies to individuals leaving foster care or treatment foster care placement on the effective date of this subsection.

(16k) INCOME AUGMENTATION ACTIVITIES. The treatment of sections 20.435 (8) (mb) and 46.46 (1) of the statutes with respect to performance by the department of health and family services of income augmentation activities first applies to income augmentation activities performed under section 46.46 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), 1999 stats., entered into before the effective date of this subsection.

Vetoed In Part

(17k) ALCOHOL AND OTHER DRUG ABUSE TREATMENT OF MINORS. The treatment of sections 51.13 (1) (a), (b), (d), and (e), (2) (a), (b), and (d), (3) (b) and (c), (4) (a) (intro.), (c), (d), and (g) (intro.) and 1., (6) (a), and (7) (a), (b), and (c), 51.22 (2), 51.35 (3) (a), (b), and (g), 51.47 (title) and (1), 51.48, and 51.61 of the statutes, the renumbering and amendment of section 51.13 (1) (c) of the statutes, the amendment of section 51.35 (3) (c) of the statutes, and the creation of section 51.13 (1) (c) 2. of the statutes first apply to individuals who are receiving treatment for alcohol or other drug abuse in an approved inpatient treatment facility, or who are receiving outpatient treatment for alcohol or other drug abuse, on the effective date of this subsection regardless of whether admission to the inpatient facility or outpatient program occurred or was sought prior to the effective date of this subsection.

Vetoed In Part

(18k) TAKING OVER OPERATION OF MEDICAL ASSISTANCE PROVIDER. The treatment of sections 49.45 (2) (b) 8. and (21) (title), (a), (ag), (b), and (e) and 50.03 (13) (a) of the statutes first applies to sales or other transfers completed on the effective date of this subsection.

(18m) ASSESSMENT FOR REPEATED RECOVERIES AGAINST PROVIDERS OF MEDICAL ASSISTANCE. The treatment of section 49.45 (2) (b) 9. of the statutes first applies to repeated recoveries from the identical provider that are made on the effective date of this subsection.

Vetoed In Part

(18n) DECERTIFICATION OR SUSPENSION OF PROVIDERS OF MEDICAL ASSISTANCE. The renumbering and amendment of section 49.45 (2) (a) 12. of the statutes and the creation of section 49.45 (2) (a) 12. b. of the statutes first apply to violations of federal statutes or regulations or state statutes or rules committed on the effective date of this subsection.

(18p) CERTIFICATION OF PROVIDERS OF MEDICAL ASSISTANCE. The renumbering and amendment of section 49.45 (2) (a) 11. of the statutes and the creation of section 49.45 (2) (a) 11. b. and (b) 7. of the statutes first apply to applications for certification received on the effective date of this subsection.

(18pk) RECOVERIES AGAINST PROVIDERS OF MEDICAL ASSISTANCE. The treatment of sections 49.85 (2) (a) and (3) (a) 1. and 71.93 (1) (a) 3. of the statutes, the renumbering and amendment of section 49.45 (2) (a) 10. of the statutes, and the creation of section 49.45 (2) (a) 10. b. and c. of the statutes first apply to recoveries imposed on the effective date of this subsection.

Vetoed In Part

(18pm) AUDITS AND ACCESS TO RECORDS OF PROVIDERS OF MEDICAL ASSISTANCE. The repeal of section 49.45 (3) (h) 1. and 2. of the statutes, the renumbering and amendment of section 49.45 (3) (g) and (h) 3. of the statutes, and the creation of section 49.45 (3) (g) 2. and (h) 1n. of the statutes first apply to audits or investigations performed on or access requested on the effective date of this subsection.

Vetoed In Part

(18pn) LIMIT ON NUMBER OF CERTIFIED MEDICAL ASSISTANCE PROVIDERS. The treatment of sections 49.45 (2) (b) 6m. of the statutes first applies to certifications made on the effective date of this subsection.

SECTION 9327. Initial applicability; insurance.

(1c) CLAIM FOR CHIROPRACTIC SERVICES. If a policy, plan, or contract contains provisions that are inconsistent with the treatment of sections 628.46 (2m) and 632.875 (2) (intro.) of the statutes, the treatment of sections 628.46 (2m) and 632.875 (2) (intro.) of the statutes first

Vetoed In Part

applies to that policy, plan, or contract on the day on which the policy, plan, or contract is terminated or renewed, whichever occurs first.

(3q) SMALL EMPLOYER HEALTH INSURANCE RATES.

(a) The treatment of sections 635.02 (2) and 635.05 (1) of the statutes first applies to policies or plans that are issued or renewed to small employers on the first day of the 13th month beginning after the effective date of this paragraph.

(b) The treatment of section 635.05 (2) (a) 2. of the statutes first applies to policies or plans that are renewed on the first day of the 13th month beginning after the effective date of this paragraph.

SECTION 9336. Initial applicability; military affairs.

(1) EMERGENCY RESPONSE. The treatment of sections 166.20 (1) (gk) and (im) and (2) (bm) 1. and 2. and (bs), 166.21 (2m) (e) and (f), 166.215 (2) and (3), 166.22 (1) (a), (c), and (d), (2), (3), (3m), (4), and (5) (am) and (b), and 895.483 (title) and (2) of the statutes first applies to emergencies involving the release or potential release of hazardous substances that occur on the effective date of this subsection.

(2gk) NATIONAL GUARD TUITION GRANTS. The treatment of section 21.49 (3) (a) of the statutes first applies to courses completed after the effective date of this subsection.

(2w) SELECTIVE SERVICE REGISTRATION. The treatment of sections 230.143 and 230.15 (1) of the statutes first applies to appointments made on the first day of the 13th month beginning after the effective date of this subsection.

SECTION 9337. Initial applicability; natural resources.

(1) AQUATIC PLANT REMOVAL EQUIPMENT. The treatment of section 30.92 (4) (b) 8. b. and bp. of the statutes first applies to the acquisition of capital equipment for which an application for financial assistance for the acquisition is submitted to the

(1m) SOLID WASTE TIPPING FEE. The treatment of section 289.645 (3) (intro.) and (a) of the statutes first applies to solid waste disposed of on the effective date of this subsection. department of natural resources on the effective date of this subsection.

Vetoed In Part

(2y) LAKE MANAGEMENT PLANNING GRANTS. The treatment of section 281.68 (3) (b) 6. of the statutes first applies to lake management planning grants that are applied for on the effective date of this subsection.

(2z) LAKE MANAGEMENT PROJECT GRANTS. The treatment of section 281.69 (3) (b) 2m. of the statutes first applies to lake management project grants that are applied for on the effective date of this subsection.

(3cf) COMPENSATION FOR ISSUING VEHICLE ADMISSION STICKERS. The treatment of section 27.01 (7) (gu) and (h) of the statutes first applies to vehicle admission stickers that are issued on the effective date of this subsection.

(3f) MANAGED FOREST LAND ELIGIBILITY. The treatment of section 77.82 (1) (a) 2., (b) 1., and 1g. and (7) (a) 3. of the statutes first applies to petitions for designation of land as managed forest land and to petitions for conversion of land to managed forest land that are filed on January 1, 2002.

Vetoed In Part

(4f) COMPENSATION FOR ISSUING FISH AND GAME APPROVALS. The treatment of section 29.566 (title) and (1m) of the statutes first applies to approvals issued under chapter 29 of the statutes that are issued on the effective date of this subsection.

(4m) DESIGNATION OF CHIEF FORESTER. The creation of section 23.113 of the statutes first applies to appointments made on the effective date of this subsection.

SECTION 9340. Initial applicability; public instruction.

(1k) MILWAUKEE PARENTAL CHOICE PROGRAM. The treatment of section 119.23 (2) (a) 3. of the statutes first applies to private schools that intend to participate in the Milwaukee parental choice program in the 2002−03 school year.

(2) TUITION PAYMENT BY STATE. The treatment of section 121.79 (1) (d) (intro.), 1., and 3. of the statutes first applies to the payment of tuition in the 2002−03 school year.

Vetoed In Part

(6) STATE AID ADJUSTMENTS. The treatment of section 121.105 (2) (a) 1., 2., and 3. of the statutes first applies to state aid adjustments under section 121.15 (4) (b) of the statutes that are made on the effective date of this subsection.

(7) COMPUTER AID. The treatment of section 121.004 (6) of the statutes first applies to state aid paid to school districts in the 2001−02 school year.

(7x) SCHOOL DAY MILK PROGRAM. The treatment of sections 20.255 (2) (cp) and 115.343 (title), (1), and (2) (c) of the statutes first applies to aid paid to schools under section 115.343 of the statutes, as affected by this act, in the 2002−03 school year.

(8) CARRY OVER OF REVENUE LIMIT AUTHORITY. The treatment of section 121.91 (4) (dg) and (dr) of the statutes first applies to state aid adjustments under section 121.15 (4) (b) of the statutes that are made on the effective date of this subsection.

(8h) FOUR-YEAR-OLD KINDERGARTEN. The treatment of sections 119.23 (4) (bm), 121.004 (7) (c) 1. c. and (cm), 121.07 (6) (a) (intro.), 121.15 (3m) (a) 1. (as it relates to pupils enrolled in 4−year−old kindergarten), and 121.91 (4) (L) of the statutes first applies to state aid distributed in, and school districts' revenue limit for, the 2002−03 school year.

Vetoed In Part

(11x) COMMUNITY PROGRAMS AND SERVICES. The treatment of sections 121.905 (3) (a) 1. and 121.91 (2m) (e) 1. and (4) (i) of the statutes first applies to the calculation of a school district's revenue limit for the 2001−02 school year.

(12d) SUPPLEMENTAL AID. The treatment of section 115.435 (1) (c) of the statutes first applies to tax assessments as of the January 1 immediately preceding the effective date of this subsection.

(14c) REVENUE LIMIT ADJUSTMENT. The treatment of section 121.91 (4) (m) of the statutes first applies to a school district's revenue limit for the 2001−02 school year.

(16c) USE OF CALCULATORS. The treatment of section 118.30 (2) (f) of the statutes first applies to examinations administered during the 2002−03 school year.

SECTION 9342. Initial applicability; public service commission.

(1x) OFFICE OF THE COMMISSIONER OF RAILROADS. The treatment of section 195.60 (2) of the statutes first applies to fiscal year 2001−02.

(3) ASSESSMENTS FOR WHOLESALE MERCHANT PLANTS. The treatment of sections 196.07 (2) and 196.85 (1) and (1m) (a) of the statutes first applies to activities of the public service commission occurring on the effective date of this subsection.

(4mk) COMMENCEMENT OF CONSTRUCTION OF LARGE ELECTRIC GENERATING FACILITIES. The treatment of section 196.491 (3c) of the statutes first applies to certificates of public convenience and necessity that are issued on the effective date of this subsection.

Vetoed In Part

(4wxm) LEASED GENERATION CONTRACTS. The treatment of sections 196.491 (1) (w) 2., 196.52 (9), and 196.795 (5) (k) 1. and 3. of the statutes and the renumbering and amendment of section 196.491 (1) (w) of the statutes first apply to leased generation contracts that are entered into, modified, renewed, or extended on the effective date of this subsection.

SECTION 9343. Initial applicability; regulation and licensing.

(1k) IRREVOCABLE BURIAL TRUSTS. The treatment of section 445.125 (1) (a) 2. of the statutes first applies to burial trust agreements entered into on the effective date of this subsection.

SECTION 9344. Initial applicability; revenue.

(1) DRY CLEANING PRODUCTS FEE. The treatment of sections 77.996 (3), 77.9962, 77.9963, and 292.65 (8) (d) 7. of the statutes first applies to fees that are due on January 25, 2002.

(2p) LOTTERY AND GAMING PROPERTY TAX CREDIT. The treatment of section 20.835 (3) (s) of the statutes, the renumbering of section 79.10 (10) (bm) and (bn) of the statutes, and the creation of section 79.10 (10) (bm) 2. and (bn) 2. of the statutes first apply to credits based on the property tax assessments as of January 1, 2001.

(3) OBJECTIONS. The treatment of section 70.995 (8) (c) of the statutes first applies to objections that are filed with the state board of assessors on the first day of the 3rd month beginning after the effective date of this subsection.

(4) SETTLEMENT OF TAXES. The treatment of sections 74.23 (1) (a) 5., 74.25 (1) (a) 4m., and 74.30 (1) (dm) of the statutes first applies to taxes that are based on the assessment as of January 1, 2001.

Vetoed In Part

(5) TELEPHONE COMPANY PROPERTY. The treatment of section 76.81 of the statutes, the renumbering and amendment of section 70.112 (4) of the statutes, and the creation of section 70.112 (4) (b) of the statutes first apply to the property tax assessments as of January 1, 2003.

Vetoed In Part

(6) WASTE TREATMENT EQUIPMENT. The treatment of sections 70.11 (21) (a), (c), (d), (e), and (f), 71.05 (11) (b), and 73.01 (4) (a) and (5) (a) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of sections 70.11 (21) (a), (c), (d), (e), and (f), 71.05 (11) (b), and 73.01 (4) (a) and (5) (a) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(8) OTHER STATE TAX CREDIT; PARTNERS OF A PARTNERSHIP. The treatment of section 71.07 (7) (b) 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 (7) (b) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(8x) INCOME TAX CHECKOFF, BASEBALL PARK DISTRICTS. The treatment of sections 20.566 (1) (hp), 71.10 (5f), and 229.685 (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 after July 31 the treatment of sections 20.566 (1) (hp), 71.10 (5f), and 229.685 (1) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(9) MILWAUKEE AND BELOIT DEVELOPMENT OPPORTUNITY ZONES. The treatment of section 560.795 (1) (e) and (f), (2) (a), (b) 5. and 6., and (c), (3) (a) 4. and 5., (b) 1., 2., 3., 4., 5., 6., 7., and 8., (c), and (d), (4) (a) (intro.), and (5) 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 560.795 (1) (e) and (f), (2) (a), (b) 5. and 6., and (c), (3) (a) 4. and 5., (b) 1., 2., 3., 4., 5., 6., 7., and 8., (c), and (d), (4) (a) (intro.), and (5) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(9c) TAX EXEMPTION FOR MILITARY, UNIFORMED SERVICES PENSIONS. The treatment of section 71.05 (1) (am) and (an) of the statutes first applies to taxable years beginning on January 1, 2002.

(9m) MAXIMUM SHARED REVENUE PAYMENTS. The treatment of section 79.06 (2) (b) of the statutes first applies to payments made in November 2001.

(10) DEVELOPMENT ZONES CAPITAL INVESTMENT CREDIT. The treatment of sections 71.05 (6) (a) 15., 71.07 (2dm), 71.10 (4) (grb), 71.21 (4), 71.26 (2) (a) and (3) (n), 71.28 (1dm), 71.30 (3) (emb), 71.34 (1) (g), 71.47 (1dm), 71.49 (1) (emb), 73.03 (35), 77.92 (4), 560.70 (7), 560.75 (8), and 560.795 (3) (d) of the statutes first applies to taxable years beginning on January 1 of the year in which this subsection takes effect, except that if this subsection takes effect after July 31 the treatment of sections 71.05 (6) (a) 15., 71.07 (2dm), 71.10 (4) (grb), 71.21 (4), 71.26 (2) (a) and (3) (n), 71.28 (1dm), 71.30 (3) (emb), 71.34 (1) (g), 71.47 (1dm), 71.49 (1) (emb), 73.03 (35), 77.92 (4), 560.70 (7), 560.75 (8), and 560.795 (3) (d) of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(10w) PROPERTY TAX EXEMPTION FOR DIGITAL BROADCASTING EQUIPMENT. The treatment of section 70.111 (25) of the statutes first applies to the property tax assessments as of January 1, 2002.

(11) MEMBERS OF A TARGETED GROUP. The treatment of sections 71.07 (2dx) (a) 5., 71.28 (1dx) (a) 5., and 71.47 (1dx) (a) 5. 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) (a) 5., 71.28 (1dx) (a) 5., and 71.47 (1dx) (a) 5. of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(11z) DEVELOPMENT ZONES CREDIT. The treatment of sections 71.07 (2di) (b) 1. and 3. and (2dx) (b) (intro.), (be), and (bg), 71.28 (1di) (b) 1. and 3. and (1dx) (b) (intro.), (be), and (bg), and 71.47 (1di) (b) 1. and 3. and (1dx) (b) (intro.), and (be) and (bg) 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 (2di) (b) 1. and 3. and (2dx) (b) (intro.), (be), and (bg), 71.28 (1di) (b) 1. and 3. and (1dx) (b) (intro.), and 71.47 (1di) (b) 1. and 3. and (1dx) (b) (intro.), (be), and (bg) 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

(12) HUB FACILITY. The treatment of sections 70.11 (42), 76.02 (1), and 78.55 (1) of the statutes first applies to the property tax assessments as of January 1, 2001.

(12e) RAILROAD REPAIR FACILITY. The treatment of sections 76.02 (6m), 76.16, and 76.24 (2) (a) of the statutes first applies to the property tax assessments as of January 1, 2002.

(14) PALPABLE ERRORS. The treatment of sections 70.73 (1m) and 74.41 (1) (d) of the statutes first applies to the property tax assessments as of January 1, 2001.

Vetoed In Part

(15) INTERNAL SERVICES. The treatment of section 20.566 (3) (k) of the statutes first applies to internal services that are provided on the effective date of this subsection.

(17) RECYCLING SURCHARGE IMPOSED ON FARMS. The treatment of section 77.94 (1) (b) and (c) of the statutes first applies to taxable years beginning on January 1, 2001.

(17f) PROPERTY TAX EXEMPTION FOR CASH REGISTERS AND FAX MACHINES. The treatment of sections 38.28 (2) (b) 2., 70.11 (39m), 70.35 (1) and (2), 70.36 (1m), 70.995 (12r), 73.06 (3), 76.025 (1), 76.81 (related to exempt cash registers and fax machines), 79.03 (3) (b) 3., 79.095 (2) (a), (3), and (4), and 121.06 (4) of the statutes first applies to the property tax assessments as of January 1, 2003.

(18) PARTNERSHIPS AND LIMITED LIABILITY COMPANIES. The treatment of sections 71.22 (1r), 71.25 (15), and 71.45 (6) of the statutes first applies to taxable years for partnership partners or limited liability company members beginning on January 1, 2001.

(19) TAXATION OF INTER VIVOS TRUSTS. The treatment of section 71.14 (3) (intro.) and (3m) (a) (intro.) and (b) 2. of the statutes first applies, retroactively, to taxable years beginning on January 1, 1999.

(22) TECHNOLOGY ZONES CREDIT. The treatment of sections 71.07 (3g), 71.10 (4) (grd), 71.28 (3g), 71.30 (3) (eon), 71.47 (3g), 71.49 (1) (eon), 73.03 (35m), and 560.96 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 (3g), 71.10 (4) (grd), 71.28 (3g), 71.30 (3) (eon), 71.47 (3g), 71.49 (1) (eon), 73.03 (35m), and 560.96 of the statutes first applies to taxable years beginning on January 1 of the year following the year in which this subsection takes effect.

(23k) AUTOMATIC TELLER MACHINES. The treatment of section 70.11 (39) of the statutes, as it applies to automatic teller machines, first applies to the property tax assessments as of January 1, 2002.

(24) SALE BY SECURED PARTY. The treatment of section 125.06 (8) of the statutes first applies to security interests entered into on the effective date of this subsection.

(24d) INTOXICATING LIQUOR LICENSE QUOTAS. The treatment of section 125.51 (4) (br) 1. e. and f. and 2. of the statutes first applies to the issuance of reserve "Class B" licenses on the effective date of this subsection.

(24p) EXPENDITURE RESTRAINT PROGRAM. The treatment of section 79.05 (2) (c) of the statutes first applies to payments in 2003.

(27) PROPERTY TAXED IN PART. The renumbering of section 70.1105 of the statutes and the creation of section 70.1105 (2) of the statutes first apply to the property tax assessments as of January 1, 2001. **Vetoed In Part**

(28) LICENSE FEE FOR LIGHT, HEAT, AND POWER COMPANY. The treatment of section 76.28 (1) (f) of the statutes first applies to the license fee assessments as of May 1, 2002. **Vetoed In Part**

(28b) PROPERTY TAX EXEMPTION FOR COMPUTERS. The treatment of section 70.11 (39) of the statutes, as it applies to custom software, first applies to the property tax assessments as of January 1, 2002.

(28v) SWAMPLAND OR WASTELAND. The treatment of section 70.32 (2) (c) 4. of the statutes first applies to the property tax assessments as of January 1, 2002.

(28w) PROPERTY TAX EXEMPTION FOR YMCA AND YWCA. The treatment of section 70.11 (10) and (12) (a) of the statutes first applies to the property tax assessments as of January 1, 2002.

(28z) 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, 2001.

(30nk) AGRICULTURAL DEVELOPMENT ZONES. The treatment of sections 71.07 (2dx) (a) 2., (b) (intro.), (c), and (d), 71.28 (1dx) (a) 2., (b) (intro.), (c), and (d), 71.47 (1dx) (a) 2., (b) (intro.), (c), and (d) (with respect to claiming tax credits in an agricultural development zone), and 560.798 (with respect to claiming tax credits) of the statutes first applies to taxable years beginning on January 1, 2003.

SECTION 9345. Initial applicability; secretary of state.

(1c) NOTARY PUBLIC QUALIFICATIONS. The treatment of sections 137.01 (1) (a) and (d), (2) (a), (am), and (b), (6) (b), (6m), and (7) of the statutes first applies to applications for notary public received by the secretary of state on the effective date of this subsection.

SECTION 9348. Initial applicability; technical college system.

(1x) BORROWING AND CAPITAL EXPENDITURES. The treatment of sections 38.15 (1) and (2), 67.05 (6m) (a), and 67.12 (12) (e) 5. of the statutes first applies to resolutions adopted by a technical college district board under section 38.15 (1) of the statutes, as affected by this act, or s. 67.05 (1) or 67.12 (12) (e) 1. of the statutes on July 1, 2002.

SECTION 9352. Initial applicability; transportation.

(1f) DETOURS FROM STATE TRUNK HIGHWAYS. The treatment of section 84.205 of the statutes first applies to damage incurred on the effective date of this subsection.

(3) STATE PATROL SECURITY AND TRAFFIC ENFORCEMENT SERVICES. The treatment of section 85.51 (title) and (2) of the statutes and the renumbering and amendment of section 85.51 of the statutes first apply to security and traffic enforcement services requested or provided on the effective date of this subsection.

(3wy) HIGHWAY REST AREAS. The treatment of section 84.04 (4) of the statutes first applies to construction commenced on the effective date of this subsection.

(3y) TRANSPORTATION SAFETY CONTRACTS. The treatment of section 85.56 of the statutes first applies to contracts entered into on the effective date of this subsection.

(4k) SUSPENSION OF JUVENILES' OPERATING PRIVILEGES. The treatment of sections 938.17 (2) (d), 938.34 (8), and 938.343 (2) of the statutes first applies to forfeitures imposed on the effective date of this subsection. **Vetoed In Part**

(5) DRIVER IMPROVEMENT SURCHARGES. The treatment of section 346.655 (1) (as it relates to driver improvement surcharges) of the statutes first applies to driver improvement surcharges imposed for violations committed on the effective date of this subsection.

(5k) REFERENDA ON TOWN HIGHWAYS AND BRIDGES SPENDING LIMITS. The treatment of section 81.01 (3) (b) of the statutes first applies with respect to referenda called on the effective date of this subsection. **Vetoed In Part**

(6) OCCUPATIONAL LICENSE ELIGIBILITY. The treatment of sections 343.30 (1q) (b) 3. and 4., 343.305 (10) (b) 3. and 4., and 343.31 (3) (bm) 3. and 4. and (3m) (a) and (b) of the statutes first applies to violations committed or refusals occurring on the effective date of this subsection, but does not preclude the counting of other convictions, suspensions, or revocations as prior convictions, suspensions, or revocations for purposes of administrative action by the department of transportation, sentencing by a court, or revocation or suspension of motor vehicle operating privileges.

(7kk) IMMOBILIZATION AND IGNITION INTERLOCK DEVICES.

(a) The treatment of sections 343.10 (5) (a) 3. (by SECTION 3409f), 343.301 (by SECTION 3417m), 343.305 (10m), 346.65 (2g) (d), 346.65 (6) (a) 1. and (m), 347.413 (1), and 347.417 (1) and (2) of the statutes, the renumbering and amendment of sections 940.09 (1d) and 940.25 (1d) of the statutes, and the creation of sections 940.09 (1d) (a) and 940.25 (1d) (a) of the statutes first apply to violations committed or refusals occurring on the effective date of this paragraph but does not preclude the counting of other convictions, suspensions, or revocations as prior convictions, suspensions, or revocations for purposes of administrative action by the department of transportation, sentencing by a court, or revocation or suspension of motor vehicle operating privileges. **Vetoed In Part**

(b) The treatment of sections 343.10 (5) (a) 3. (by SECTION 3409g), 346.65 (6) (a) 1. (by SECTION 3443k), 347.413 (1) (by SECTION 3445g), 347.417 (1) (by SECTION 3445j) and (2) (by SECTION 3445m), 940.09 (1d) (b) (by SECTION 3937p), and 940.25 (1d) (b) (by SECTION 3938p) of the statutes, the renumbering of sections

940.09 (1d) (a) (by SECTION 3937m) and 940.25 (1d) (a) (by SECTION 3938m) of the statutes, the renumbering and amendment of sections 343.301 (1) (a) (by SECTION 3418m) and (b) (by SECTION 3420m) and (2) (a) (by SECTION 3420p) and (b) (by SECTION 3420s) and 343.305 (10m) (by SECTION 3423h) of the statutes, and the creation of sections 343.301 (1) (a) 1. (by SECTION 3419m) and (b) 1. (by SECTION 3420n) and (2) (a) 1. (by SECTION 3420r) and (b) 1. (by SECTION 3420t), 343.305 (10m) (a) (by SECTION 3423j), 940.09 (1d) (a) 1. (by SECTION 3937n), and 940.25 (1d) (a) 1. (by SECTION 3938n) of the statutes first apply to violations committed or refusals occurring on the effective date of this paragraph but does not preclude the counting of other convictions, suspensions, or revocations as prior convictions, suspensions, or revocations for purposes of administrative action by the department of transportation, sentencing by a court, or revocation or suspension of motor vehicle operating privileges.

(8k) VEHICLES ON CLASS "B" HIGHWAYS. The treatment of section 348.16 (3) of the statutes first applies to the operation of a motor vehicle on the effective date of this subsection, but does not preclude the counting of other convictions as prior convictions for purposes of sentencing by a court.

SECTION 9353. Initial applicability; treasurer.

(1) AGREEMENTS TO LOCATE PROPERTY OTHER THAN SUPPORT. The renumbering and amendment of section 177.35 (2) of the statutes first applies to agreements entered into on the effective date of this subsection.

(2) UNCLAIMED PROPERTY CLAIMS; SECURITIES. The treatment of section 177.22 (4) of the statutes (as it relates to the amount that a person may claim for property subject to that subsection) and the renumbering and amendment of section 177.24 (3) of the statutes (as it relates to the amount payable for a claim for property presumed abandoned under section 177.10 of the statutes) first apply to claims filed under section 177.24 of the statutes on the effective date of this subsection.

SECTION 9357. Initial applicability; veterans affairs.

(1) TUITION AND FEE REIMBURSEMENT. The treatment of sections 45.25 (1), (3) (a), and (4) (a) and 45.396 (2), (3) (intro.), and (5) of the statutes first applies to applications for reimbursement for courses completed on the effective date of this subsection.

(2) RESIDENCY REQUIREMENT FOR VETERANS PROGRAMS. The treatment of sections 45.25 (2) (d), 45.35 (5) (a) 2. c., 45.37 (3), (6) (f), and (7) (b), and 45.71 (16) (a) 2m. a. of the statutes first applies to applications for benefit programs administered under chapter 45 of the statutes, and applications for admission to the Wisconsin Veterans Home at King and the Southern Wisconsin Veterans Retirement Center, that are received on the effective date of this subsection.

Vetoed In Part

SECTION 9358. Initial applicability; workforce development.

(2) RECEIPT AND DISBURSEMENT FEE INCREASE. The treatment of section 767.29 (1) (d) of the statutes (with respect to increasing the amount of the receipt and disbursement fee) first applies to receipt and disbursement fees that are payable in calendar year 2002.

(3) UNCLAIMED AND NOT DISTRIBUTABLE SUPPORT. The treatment of sections 20.445 (3) (qm) and (r) (with respect to the exception related to paragraph (qm)), 177.24 (3) (b) and (4), 177.25 (1m) and (2), and 177.265 of the statutes, the renumbering of section 177.24 (1) of the statutes, and the creation of sections 177.17 (4) (a) 2., 177.24 (1) (b), and 177.35 (2) (b) of the statutes first apply retroactively to amounts credited under section 20.912 (1) of the statutes to the support collections trust fund, and amounts determined not to be distributable from the support collections trust fund by the department of workforce development, on January 1, 1999.

(4) CHILDREN FIRST PROGRAM. The treatment of section 49.36 (7) of the statutes first applies to contracts entered into, extended, modified, or renewed on the effective date of this subsection.

(5) WISCONSIN WORKS CHILD CARE SUBSIDY ELIGIBILITY. The treatment of section 49.155 (1m) (c) (intro.), 1. (intro.), 1g., 1h., 1m., 2., and 3. of the statutes first applies to eligibility determinations for the Wisconsin works child care subsidy made on the effective date of this subsection.

(6) WISCONSIN WORKS CHILD CARE FUNDS. The treatment of section 49.155 (3m) (d) of the statutes first applies to child care funds distributed on the effective date of this subsection.

(7q) MEDICAL ASSISTANCE TRANSFER; INCOME MAINTENANCE CONTRACTS. The amendment of section 49.33 (1) (b) (by SECTION 1731), (8) (a) (by SECTION 1737) and (b), and (10) (a) of the statutes and the repeal and recreation of section 49.33 (2) (by SECTION 1732) of the statutes first apply to contracts entered into, extended, modified, or renewed on the effective date of this subsection.

(7r) FOOD STAMP TRANSFER; INCOME MAINTENANCE CONTRACTS. The amendment of section 49.33 (1) (b) (by SECTION 1731gc) and (8) (a) (by SECTION 1737c) of the statutes and the repeal and recreation of section 49.33 (2) (by SECTION 1732c) of the statutes first apply to contracts entered into, extended, modified, or renewed on the effective date of this subsection.

(8c) WISCONSIN WORKS CONTRACTING PROCESS. The treatment of section 49.143 (1) (a), (ag), (am), (ar), and (ay) and (2g) of the statutes first applies to contracts entered into, extended, modified, or renewed on the effective date of this subsection.

(8ck) PERCENTAGE−EXPRESSED SUPPORT ORDERS AND ANNUAL ADJUSTMENTS.

(a) The treatment of sections 767.08 (2) (b), 767.10 (2) (am), 767.23 (1) (c), 767.25 (1) (a), 767.263 (1), 767.265 (3m), 767.33, and 814.04 (intro.) of the statutes first applies to judgments and orders, including revision orders under section 767.32 of the statutes, as affected by this act, and temporary orders, that are granted on the effective date of this paragraph.

(b) The treatment of section 767.32 (1) (a) and (d) of the statutes first applies to actions under section 767.32 of the statutes, as affected by this act, to revise a judgment or order with respect to child or family support that are commenced on the effective date of this paragraph.

Vetoed In Part

(c) The treatment of section 767.27 (2) and (2m) of the statutes first applies to actions in which a child or family support order under chapter 767 of the statutes, as affected by this act, including a revision order under section 767.32 of the statutes, as affected by this act, is granted on the effective date of this paragraph.

(8x) INCOME CALCULATION FOR WISCONSIN WORKS. The treatment of section 49.145 (3) (b) 1. of the statutes first applies to eligibility determinations for the Wisconsin works program that are made on the effective date of this subsection.

SECTION 9359. Initial applicability; other.

Vetoed In Part

(1) CRIMES RELATED TO COMPUTERS AND CRIMES RELATED TO RECORDINGS OF NUDITY, HARMFUL MATERIAL, OR OBSCENITY. The treatment of sections 943.70 (1) (a) and (ag) and (2) (a) (intro.) and 3., (b) (intro.), 1., 3., 3g., and 3r., and (c), 944.205 (title), (2) (a) and (b), (3), and (4), 944.21 (2) (am), (c) (intro.), and (dm), (3) (a), (4) (a) and (b), and (9), 948.01 (1d) and (3r), 948.05 (1) (a) and (b) and (1m), 948.07 (4), and 948.11 (1) (ar) 2., (bm), and (c) and (2) (c) of the statutes; the renumbering of section 948.12 of the statutes; the renumbering and amendment of sections 944.205 (1), 948.11 (2) (a), (am), and (b), and 948.12 of the statutes; and the creation of sections 944.205 (1) (a) and (c), 948.11 (2) (a) 1. and 2., (am) 1. and 2., and (b) 1. and 2., and 948.12 (2m) of the statutes first apply to offenses committed on the effective date of this subsection.

Vetoed In Part

(2) THEFT OF LEASED OR RENTED MOTOR VEHICLES. The treatment of section 943.20 (1) (e) of the statutes first applies to a lease or rental agreement that expires on the effective date of this subsection.

(3mk) JOINT PROVISION OF HEALTH CARE BENEFITS. The treatment of sections 59.52 (11) (c), 60.23 (25), 66.0137 (1) and (4m), 254,11 (13), 601.41 (1), and 632.895 (10) (a) of the statutes first applies to any city, village, town, or county whose employees are covered by a collective bargaining agreement that is in effect on the effective date of this subsection upon the expiration, extension, renewal, or modification of the agreement.

(4c) PENALTY ASSESSMENT. The treatment of section 757.05 (1) (a) (by SECTION 3774) and (2) (a) of the statutes first applies to penalty assessments imposed for violations that occur on the effective date of this subsection.

(5) TIME LIMITATIONS ON PROSECUTIONS IN CERTAIN SEXUAL ASSAULT CASES. The treatment of section 939.74 (1), (2) (c), and (2d) of the statutes first applies to offenses not barred from prosecution on the effective date of this subsection.

(6k) BIDDING THRESHOLD; TOWN SANITARY DISTRICT PUBLIC WORKS CONTRACTS. The treatment of section 60.77 (6) (a) of the statutes first applies to contracts that are let by a town sanitary district on the effective date of this subsection.

(8z) SPECIAL CHARGES FOR MUNICIPAL SERVICES. The treatment of sections 66.0627 (2) and (3) (a) and 66.0707 (2) of the statutes first applies to special charges that are imposed on the effective date of this subsection.

(9) REGISTER OF DEEDS; FEES TO CERTIFY COPIES. The treatment of section 59.43 (2) (b) of the statutes first applies to copies that are certified on the effective date of this subsection.

(9w) ANNEXATIONS INVOLVING TOWN ISLANDS. The renumbering and amendment of section 66.0221 of the statutes and the creation of section 66.0221 (2) of the statutes first apply retroactively to annexation ordinances enacted by a city or village before the effective date of this subsection that have not been overturned by a court order.

(10b) RETAINAGE AMOUNT ON PUBLIC WORKS CONTRACTS. The treatment of sections 16.855 (19) and 66.0901 (9) (b) of the statutes first applies with respect to contracts entered into on the effective date of this subsection.

(11bp) REGISTER OF DEEDS RECORDING FEES. The treatment of sections 59.43 (2) (ag) 1. (by SECTION 1999m) and (e) (by SECTION 2001m) and 59.72 (5) (a) and (b) (intro.) and 3. of the statutes first applies to filings that occur on the effective date of this subsection.

(11q) RECALL OF LOCAL OFFICERS. The treatment of sections 9.10 (2) (b) and (d) and (4) (a), (b), (c), and (d) and 808.04 (2) of the statutes first applies with respect to petitions for recall that are offered for filing on the effective date of this subsection.

(11r) PROPERTY CRIME PENALTIES. The treatment of sections 943.01 (2) (d) and (2g) (c), 943.017 (2) (d), 943.20 (3) (a) and (b), 943.21 (3) (a) and (b), 943.24 (1) and (2), 943.34 (1) (a) and (b), 943.395 (2) (a) and (b), 943.41 (8) (c), 943.50 (4) (a) and (b), 943.61 (5) (a) and (b), 943.62 (4) (a) and (b), 946.82 (4), and 973.075 (1) (b) 1m. e. and (2) (d) of the statutes first applies to offenses committed on the effective date of this subsection.

(12c) TIME LIMITATIONS ON PROSECUTIONS. The treatment of section 939.74 (1), (2) (c), and (2d) of the statutes first applies to offenses not barred from prosecution on the effective date of this subsection.

(12j) SUPERVISED RELEASE OF SEXUALLY VIOLENT PERSONS. The treatment of sections 980.08 (5) and 980.105 of the statutes first applies to petitions for supervised release filed on the effective date of this subsection.

SECTION 9400. Effective dates; general. Except as otherwise provided in SECTIONS 9401 to 9459 of this act, this act takes effect on July 1, 2001, or on the day after publication, whichever is later.

SECTION 9401. Effective dates; administration.

(1) TRANSFER OF INDIAN GAMING RECEIPTS. The repeal of section 20.505 (8) (hm) 21. of the statutes takes effect on July 1, 2003.

(2g) CLASS A RAFFLE LICENSES. The treatment of sections 563.04 (14), 563.92 (1m), and 563.93 (2) and (9) of the statutes takes effect on the first day of the 3rd month beginning after publication.

Vetoed In Part

(2q) DEPARTMENT OF ELECTRONIC GOVERNMENT. The treatment of section 20.505 (1) (ka) (by SECTION 813b) of the statutes takes effect on September 1, 2007.

(3k) GRANTS FOR COOPERATIVE COUNTY–TRIBAL LAW ENFORCEMENT. The repeal of sections 20.505 (6) (kr) and (8) (hm) 15r. of the statutes takes effect on July 1, 2003.

(3r) UNCLAIMED PRIZES. The treatment of sections 20.455 (2) (fm), 20.505 (8) (b), and 562.065 (4) of the statutes and SECTION 9301 (3q) of this act take effect on July 1, 2002.

SECTION 9404. Effective dates; agriculture, trade and consumer protection.

(1) AGRICULTURAL PRODUCER SECURITY. The treatment of sections 15.137 (1), 20.115 (1) (g), (gf), (gm), (jm), (q), (v), (w), and (wb), 25.17 (1) (ag), 25.463, 165.25 (4) (ar) (by SECTION 2856b), 221.0320 (2) (a) (intro.), and 348.27 (10) and chapter 126 of the statutes and SECTIONS 9104 (1) and 9204 (1) and (2) of this act take effect on January 1, 2002.

(2) VEGETABLE CONTRACTORS. The treatment of sections 93.135 (1) (rm), 93.50 (1) (g), 97.29 (4), 100.03 (by SECTION 2404), and 100.235 (1) (b) and (em), (2), (3), and (4) of the statutes takes effect on February 1, 2002.

(3) MILK CONTRACTORS. The treatment of sections 97.20 (2) (d) 2. and (3m), 97.22 (10), 100.06 (by SECTION 2405), and 100.26 (5) of the statutes takes effect on May 1, 2002.

(4) GRAIN DEALERS AND WAREHOUSE KEEPERS. The treatment of sections 93.06 (8), 93.135 (1) (s) and (sm), 93.20 (1), 93.21 (5) (a), and 221.0320 (2) (a) (intro.) and chapter 127 of the statutes takes effect on September 1, 2002.

(4k) PET DEALERS, PET BREEDERS, KENNELS, AND ANIMAL SHELTERS. The treatment of sections 20.115 (2) (j) and 173.40 of the statutes takes effect on the first day of the 30th month beginning after publication.

Vetoed In Part

SECTION 9409. Effective dates; circuit courts.

(1n) COURT INTERPRETERS. The treatment of sections 20.625 (1) (c), 48.315 (1) (h), 48.375 (7) (d) 1m., 758.19 (8), 814.67 (1) (am), (b) (intro.) and 2., 885.37 (title), (1) (a) and (b), (2), (4) (a), and (5) (a), 885.38, 905.015, and 938.315 (1) (h) of the statutes and SECTION 9309 (1n) of this act take effect on July 1, 2002.

(2) TAKING JUVENILES INTO CUSTODY. The treatment of sections 938.19 (1) (d) 6., 938.20 (2) (cm), (7) (c) 1m., and (8), 938.205 (1) (c), 938.208 (1) (intro.), 938.355 (6d) (a) 4., (b) 4., and (c) 4., 938.533 (3) (a), 938.534 (1) (b) 3m., 938.538 (4) (a), and 938.539 (3) of the statutes and SECTION 9309 (2) of this act take effect on the first day of the 4th month beginning after publication.

SECTION 9410. Effective dates; commerce.

(1gk) ENVIRONMENTAL IMPACT FEES. The treatment of section 101.9208 (1) (b) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(2q) CRANE OPERATORS. The treatment of sections 101.02 (15) (a), 101.19 (1) (ig), and 101.22 of the statutes and SECTION 9110 (9qr) of this act take effect on the first day of the 12th month beginning after publication.

(2xyf) MANUFACTURING EXTENSION GRANTS FROM REPAYMENTS. The treatment of section 560.25 (2) (intro.) (by SECTION 3692c) of the statutes takes effect on June 30, 2003.

Vetoed In Part

(3z) HORSE BOARDING AND HORSE TRAINING FACILITIES. The treatment of section 101.01 (11) (by SECTION 2446rb) and (12) (by SECTION 2447db) of the statutes takes effect on the first day of the 2nd month beginning after publication.

SECTION 9415. Effective dates; elections board.

(2x) ELIMINATION OF PUNCH CARD ELECTRONIC VOTING SYSTEMS. The treatment of sections 5.02 (1e) and (1m), 5.35 (2) and (6) (b), 5.54, 5.55, 5.66 (2), 5.68 (3), 5.79, 5.81 (1), (2), and (3), 5.82, 5.84 (1), 5.85 (2) and (3), 5.91 (14), 5.94, 6.15 (3) (a) 1. and (b), 6.22 (4) and (5), 6.24 (6) and (7), 6.82 (1) (a) and (2) (a) and (b), 6.87 (3) (d), (4), and (5), 6.875 (6), 7.15 (3) (b), 7.37 (4) and (8), 7.50 (1) (d) and (2) (a), (b), and (d), 10.01 (2) (b), 10.06 (3) (e), 12.13 (1) (f) and (3) (e) and (j), and 59.08 (9) of the statutes takes effect on January 1, 2002.

Vetoed In Part

(2y) VOTING SYSTEM TRANSITIONAL ASSISTANCE. The repeal of sections 7.08 (7) and 20.510 (1) (c) of the statutes takes effect on July 1, 2008.

SECTION 9416. Effective dates; employee trust funds.

(1mk) PROVISION OF BENEFITS.

(a) The repeal and recreation of section 20.515 (1) (v) of the statutes takes effect retroactively to July 1, 2001.

(b) The repeal of section 20.515 (1) (v) of the statutes takes effect on June 30, 2003.

SECTION 9420. Effective dates; financial institutions.

(1d) RENT–TO–OWN AGREEMENTS; OTHER THAN EMERGENCY RULES. The treatment of sections 220.02 (2) (b) and (3), 409.104 (12m), and 421.202 (7m), subchapter XI of chapter 218, and chapter 218 (title) of the statutes and SECTION 9320 (1d) of this act take effect

Vetoed In Part

on the first day of the 6th month beginning after publication.

SECTION 9423. Effective dates; health and family services.

(1) COMMUNITY SERVICES DEFICIT REDUCTION. The repeal and recreation of section 49.45 (6t) (intro.) and (a) of the statutes takes effect on July 1, 2003.

(2) RATE-BASED SERVICE CONTRACTS. The treatment of section 46.036 (5m) (a) 1., (b) 1. and 2., (e), and (em) of the statutes takes effect on the first January 1 after publication.

Vetoed In Part

(3) DEATH CERTIFICATE MEDICAL CERTIFICATION. The treatment of sections 69.01 (6g) and (16m), 69.11 (3) (b) 2., 69.18 (1) (bm) (intro.) and (2) (a) and (d) 1. and 2., 69.20 (2) (c), and 69.21 (1) (a) 2. b. of the statutes, the renumbering and amendment of section 69.20 (2) (a) of the statutes, and the creation of section 69.20 (2) (a) 2. of the statutes take effect on January 1, 2003.

Vetoed In Part

(4) VITAL RECORDS FEE INCREASES. The treatment of section 69.22 (1) (intro.), (a), (b), and (d), (2), (5) (a) 2. and 3. and (b) 1., and (6) of the statutes takes effect on the first day of the 2nd month beginning after publication.

Vetoed In Part

(6c) MEDICAL ASSISTANCE ELIGIBILITY. The treatment of sections 49.46 (1) (a) 1. (by SECTION 1797), 1m. (by SECTION 1798), 6. (by SECTION 1800), 9., 10., 11., and 12. (by SECTION 1804) and (e) (by SECTION 1805) and 49.47 (4) (a) 1. and 2., (ag) (intro.) and 1., and (b) 2m. a. and (6) (a) 7. of the statutes and SECTION 9323 (10c) of this act take effect on the first day of the 2nd month beginning after publication.

Vetoed In Part

(6d) INCREASE IN THE AID TO FAMILIES WITH DEPENDENT CHILDREN STANDARD. The treatment of sections 49.46 (1) (a) 1. (by SECTION 1797g), 1g. (by SECTION 1797j), 1m. (by SECTION 1798g), 6. (by SECTION 1800m), and 12. (by SECTION 1804g), (ar), and (e) (by SECTION 1805d) and 49.47 (4) (c) 1. and 1m. of the statutes and SECTION 9323 (10d) of this act take effect on January 1, 2003.

Vetoed In Part

(7) SUPPLEMENTAL MEDICAL ASSISTANCE PAYMENTS TO NURSING HOMES. The amendment of section 49.45 (6u) (intro.) of the statutes takes effect retroactively to July 1, 2000.

(11) MEDICAL ASSISTANCE FOR WOMEN WITH BREAST OR CERVICAL CANCER. The treatment of sections 49.43 (8) and 49.473 of the statutes takes effect on January 1, 2002.

(12mk) TOBACCO CONTROL BOARD MEMBERSHIP. The renumbering and amendment of section 15.195 (1) of the statutes and the creation of section 15.195 (1) (a) and (b) of the statutes take effect on the first day of the 3rd month beginning after publication.

(12p) CONTRACTS WITH HEALTH MAINTENANCE ORGANIZATIONS FOR MEDICAL ASSISTANCE. The renumbering and amendment of section 49.45 (22) of the statutes and the creation of section 49.45 (22) (c) of the statutes and SECTION 9323 (15k) of this act take effect on January 1, 2002.

Vetoed In Part

(12x) TOBACCO CONTROL BOARD REPORT. The treatment of section 255.15 (4) of the statutes takes effect on July 2, 2001, or on the day after publication, whichever is later.

(15d) TRANSFER FOR OUTPATIENT HOSPITAL REIMBURSEMENT UNDER BADGER CARE. The amendment of section 20.435 (4) (w) and (x) of the statutes takes effect on July 1, 2003.

(15r) HEALTH INSURANCE SUPPLEMENT. The repeal of section 20.435 (4) (bu) of the statutes takes effect on July 1, 2002.

(16f) FEES FOR PATIENT HEALTH CARE RECORDS; RULES. The treatment of sections 146.83 (1) (b) and (c) and 908.03 (6m) (d) (by SECTION 3872y) of the statutes takes effect on January 1, 2003.

(16g) INCOME AUGMENTATION SERVICE RECEIPTS. The treatment of section 20.435 (8) (mb) (by SECTION 732r) of the statutes takes effect on July 1, 2003.

(16zo) INCOME AUGMENTATION SERVICE RECEIPTS. The treatment of section 20.435 (8) (mb) (by SECTION 732r) of the statutes takes effect on July 1, 2003.

(17g) MEDICAL ASSISTANCE FOR INDEPENDENT FOSTER CARE ADOLESCENTS. The treatment of sections 49.46 (1) (a) 5m. and 51.42 (3) (ar) 4m. and 4p. of the statutes and SECTION 9323 (16f) of this act take effect on January 1, 2003.

(17k) ALCOHOL AND OTHER DRUG ABUSE TREATMENT OF MINORS. The repeal and recreation of section 51.35 (3) (c) of the statutes takes effect on December 1, 2001, or on the day after publication, whichever is later.

(18f) RESPITE FACILITIES. The treatment of sections 50.01 (1) (b), (1g) (h), and (3) (f), 50.065 (1) (c) (intro.), 50.50 (3) (a) 7., 50.85, 50.90 (intro.), 50.91, 50.92 (2) and (3), 50.925, 50.93 (3) and (4) (a), 50.97, 50.98 (1), and 50.981 and subchapter IV (title), of chapter 50 of the statutes takes effect on March 1, 2003.

Vetoed In Part

(18j) ASSISTIVE TECHNOLOGY AND ADAPTIVE EQUIPMENT. The treatment of section 20.435 (6) (a) (by SECTION 721s), (7) (bc) (by SECTION 725b), and (7) (c) (by SECTION 726q) of the statutes takes effect on July 1, 2003.

(18k) MEDICAL ASSISTANCE PROVIDER FRAUD AND ABUSE. The treatment of sections 49.45 (21) (title) and (b), 49.85 (2) (a) and (3) (a) 1., 50.03 13) (a), and 71.93 (1) (a) 3. of the statutes, the repeal of section 49.45 (3) (h) 1. and 2. of the statutes, the renumbering and amendment of section 49.45 (2) (a) 10., 11., and 12., (3) (g) and (h) 3., and (21) (a) of the statutes, and the creation of section 20.435 (4) (iL), 49.45 (2) (a) 10. b. and c., 11. b., and 12. b. and (b) 6m., 7., 8., and 9., (3) (g) 2. and (h) 1n., (21) (ag) and (e) of the statutes and SECTION 9323 (18k), (18m), (18n), (18p), (18pk), (18pm), and (18pn) of this act take effect on January 1, 2003.

Vetoed In Part

Vetoed In Part

(19h) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY. The treatment of section 20.435 (4) (bv) of the statutes takes effect on September 1, 2002.

SECTION 9426. Effective dates; Housing and Economic Development Authority.

(1) TECHNICAL CHANGE TO SUPPORT LIEN DOCKET LANGUAGE. The treatment of sections 234.65 (3) (f), 234.83 (2) (a) 3., and 234.90 (3) (d) and (3g) (c) of the statutes takes 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.

SECTION 9427. Effective dates; insurance.

(3q) SMALL EMPLOYER HEALTH INSURANCE RATES. The treatment of sections 635.02 (2), 635.05 (1) and (2) (a) 2., and 635.12 of the statutes takes effect on the first day of the 13th month beginning after the effective date of this subsection.

SECTION 9431. Effective dates; justice.

(1c) AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM GRANTS. The repeal of sections 20.455 (2) (kh) and 20.505 (6) (j) 16. of the statutes takes effect on July 1, 2002.

(2p) WEAPONS IN SCHOOLS HOTLINE. The treatment of section 165.72 (title), (1) (a) and (ad), (2) (intro.) and (c), (2g), (2m), and (7) of the statutes takes effect on the first day of the 4th month beginning after publication.

Vetoed In Part

SECTION 9432. Effective dates; legislature.

(1z) LEGISLATIVE HOTLINE. The treatment of sections 13.205 and 84.02 (5) (a) of the statutes takes effect on July 1, 2002.

SECTION 9436. Effective dates; military affairs.

(1gk) NATIONAL GUARD TUITION GRANTS. The treatment of section 21.49 (3) (a) of the statutes and SECTION 9336 (2gk) of this act take effect on September 1, 2001, or on the day after publication, whichever is later.

(2w) SELECTION SERVICE REGISTRATION. The treatment of sections 36.11 (27), 39.28 (6), 111.335 (1) (cv), 230.143, and 230.15 (1) of the statutes and SECTION 9336 (2w) of this act take effect on January 1, 2002, or on the first day of the 4th month beginning after the effective date of this subsection, whichever is later.

SECTION 9437. Effective dates; natural resources.

(1) DRY CLEANER POLLUTION PREVENTION. The treatment of section 292.65 (5) (c) (intro.) of the statutes and the renumbering of section 292.65 (5) (b) 1., 2., and 5. of the statutes take effect on first day of the 13th month beginning after publication.

(1z) DEPARTMENT OF FORESTRY. The repeal of sections 15.343, 20.370 (1) (er), 23.09 (2) (d) 1., 23.09 (2) (d) 5., 27.016 (1) (c), 70.114 (1) (a), and 106.215 (7) (c) of the statutes; the renumbering of sections 20.370 (1) (ct), 20.370 (1) (cu), 20.370 (1) (cv), 20.370 (1) (Lt), 20.370 (1) (mz), 20.370 (5) (at), 20.370 (5) (av), 20.370 (5) (ay), 20.370 (5) (bq), 20.370 (5) (br), 20.370 (5) (bs), 20.370 (5) (bt), 20.370 (5) (bu), 20.370 (5) (bv), 20.370 (5) (bw), 20.370 (5) (bx), 20.370 (5) (by), 20.370 (5) (dx), 23.09 (11) (a), 23.097 (1) (by SECTION 1037m), 25.29 (7) (intro.), 27.01 (7) (h), and 27.01 (7m) (a) of the statutes; the renumbering and amendment of sections 20.370 (1) (cq), 20.370 (1) (cr), 20.370 (1) (cs), 20.370 (5) (as), 20.370 (au), 23.09 (17m) (a), 25.29 (7) (a), 25.29 (7) (b), and 27.01 (7m) (b) of the statutes; the amendment of sections 1.055 (1), 1.056, 13.101 (6) (a) (by SECTION 99m), 15.225 (2) (c), 16.967 (6) (by SECTION 343p), 20.115 (7) (qc) (by SECTION 425c), 20.143 (1) (t), 20.285 (1) (qm), 20.285 (1) (rc), 20.370 (1) (eq), 20.370 (1) (mu), 20.370 (4) (aw), 20.370 (5) (da), 20.370 (5) (dq), 20.370 (7) (fa), 20.370 (7) (ft), 20.370 (7) (mc), 20.380 (2) (q), 20.445 (6) (u), 20.445 (6) (y), 20.866 (1) (u) (by SECTION 962b), 20.866 (2) (tu) (by SECTION 969eg), 23.09 (2p) (a), 23.09 (2p) (b), 23.09 (3) (a), 23.09 (17m) (b), 23.09 (18) (a), 23.09 (18) (b), 23.09 (18) (c), 23.09 (21m), 23.09 (26) (a), 23.09 (26) (am) 2., 23.0917 (1) (c), 23.0917 (3) (a) (by SECTION 1034hm), 23.092 (5) (a), 23.094 (4) (a), 23.095 (1m) (title), 23.095 (1m) (a), 23.0955 (2) (am), 23.0956 (1) (intro.), 23.0957 (2) (intro.) (by SECTION 1036f), 23.0957 (3) (d) (by SECTION 1036x), 23.096 (2) (a), 23.096 (3) (intro.), 23.096 (4) (a) 1., 23.096 (4) (a) 2., 23.096 (4) (b), 23.098 (1) (ag), 23.098 (2), 23.098 (3), 23.098 (4) (a), 23.098 (4) (am), 23.098 (4) (b), 23.11 (1), 23.113, 23.13, 23.14 (1), (1m), and (2), 23.15 (title), 23.15 (1), 23.15 (2), 23.15 (3), 23.15 (4), 23.15 (5) (a), 23.15 (5) (b), 23.175 (3m), 23.26 (3), 23.29 (2), 23.293 (4), 23.293 (5), 23.295 (2) (intro.), 23.295 (3) (f), 23.305 (title), 23.305 (2), 23.305 (3), 23.33 (1) (ig), 23.33 (5) (a), 23.33 (5m) (c) 4., 23.33 (5m) (c) 5., 23.33 (8) (c), 23.33 (9) (b) (intro.), 23.33 (12) (a), 24.39 (1), 24.39 (2), 25.29 (1) (a), 25.29 (6) (by SECTION 1119c), 25.295 (1) (b), 26.01, 26.06 (1), 26.08 (1), 26.08 (2) (a), 26.08 (3), 26.11 (6), 26.11 (7) (a) (by SECTION 1148c), 26.11 (7) (b), 26.12 (2), 26.14 (2), 26.20 (6) (b), 26.22, 26.30 (2), 26.30 (4), 26.37 (1) (intro.), 26.37 (1) (a), 26.37 (1) (b), 26.37 (1) (c), 26.37 (1) (d), 26.37 (1) (e), 26.37 (1) (f), 26.37 (1) (g), 26.39 (2) and (3), 27.01 (7) (a) 3., 27.01 (7) (gu), 27.01 (10) (b), 27.01 (10) (d) 1., 27.01 (10) (d) 2., 27.01 (10) (d) 3., 27.01 (10) (d) 4., 27.01 (10) (d) 5., 27.01 (10) (d) 6., 27.01 (10) (e), 27.01 (10) (f), 27.01 (10) (g) (intro.), 27.01 (10) (h), 27.01 (11) (a), 27.01 (11) (cm) 1., 27.01 (11) (cm) 2., 27.01 (11) (i), 27.019 (12), 28.005, 28.01, 28.02 (title), 28.02 (1), 28.02 (2), 28.03 (1), 28.03 (3), 28.035 (2), 28.035 (3) (b), 28.04 (2) (a), 28.04 (2) (b), 28.04 (2) (c), 28.04 (3) (a), 28.04 (3) (b), 28.05 (1), 28.06 (2m) (by SECTION 1153qc), 28.08, 28.11 (5m) (a) (intro.), 28.11 (5r) (b), 28.11 (8) (a), 28.11 (8) (b) 1., 28.11 (8) (b) 2., 28.11 (9) (am), 28.11 (9) (ar) 1., 28.11 (9) (ar) 2., 30.277 (1m) (a), 30.50 (4s), 30.54 (2), 30.544, 30.67 (2) (a), 30.92 (1) (b), 30.92 (3) (b) 7., 32.035 (3), 40.02 (48) (c), 42.09 (2) (b), 44.57 (1) (c), 59.01, 59.52 (6) (a), 59.74 (2) (g), 66.0217 (9) (b), 66.0221 (1) (by SECTION 2019mn), 66.0235 (5), 66.0307 (4) (a) 1., 66.0407 (5), 70.113 (1) (intro.), 70.113 (2) (a), 70.114 (1) (d), 70.114 (2), 70.114 (3), 70.114 (4) (a), 70.58, 71.59 (1m), 77.02 (1), 77.02 (2), 77.02 (3), 77.03,

Vetoed In Part

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77.04 (2), 77.05, 77.06 (1), 77.06 (2), 77.06 (3), 77.06 (4), 77.06 (5), 77.07 (2), 77.08, 77.09 (1), 77.10 (1) (a), 77.10 (1) (b), 77.10 (2) (a) 1., 77.10 (2) (a) 2., 77.10 (2) (b), 77.10 (4), 77.11, 77.13 (1), 77.13 (2), 77.14, 77.16 (1), 77.81 (1), 77.82 (2) (intro.), 77.82 (4), 77.82 (4m) (bn), 77.84 (3) (b), 77.85, 77.87 (3), 77.88 (2) (d), 77.88 (7), 77.89 (1), 77.89 (3), 77.91 (4), 77.91 (5), 80.05 (2) (b), 80.39 (2), 84.01 (17), 84.02 (3) (a), 84.28 (1), 84.28 (2), 86.315 (1), 118.025, 134.60, 165.25 (4) (a), 165.85 (4) (b) 1. (by SECTION 2858no), 227.46 (8), 230.08 (2) (e) 8., 230.36 (1m) (b) 1. (intro.), 230.36 (1m) (b) 2. (intro.) (by SECTION 3081d), 230.36 (2m) (a) 5., 303.04, 340.01 (3) (b), 341.65 (2) (b), 342.40 (3) (a), 347.06 (1), 350.01 (9g), 350.12 (4) (b) (intro.) (by SECTION 3483m), 350.12 (4) (bg) 1. (by SECTION 3484m), 350.12 (4) (bm) (intro.), 350.12 (4) (bm) 1., 350.12 (4) (bm) 2., 350.12 (4) (br), 350.12 (4) (c) 1., 350.14 (1), 350.145 (3) (a) 1., 350.15 (3) (a), 350.17 (1), 800.02 (2) (a) (intro.), 895.52 (2) (a) 2., 895.52 (3) (b), 895.53 (2), and 951.01 (4) of the statutes; and the creation of sections 15.45, 20.370 (1) (mv), 20.370 (1) (mx), 20.375 (intro.), 20.375 (2) (title), 20.375 (2) (h), 20.375 (2) (k), 20.375 (2) (q), 20.375 (2) (qf), 20.375 (2) (rq), 20.375 (2) (x), 20.375 (3) (title), 20.375 (3) (b), 20.375 (3) (c), 20.375 (3) (d), 20.375 (3) (r), 20.375 (3) (s), 20.375 (3) (sg), 20.375 (3) (sr), 20.375 (3) (t), 20.375 (3) (tm), 20.375 (3) (tn), 20.375 (3) (um), 20.375 (3) (v), 20.375 (3) (x), 20.923 (4) (f) 7y., 23.09 (11) (ag), 23.09 (17m) (ac), 23.09 (20) (ar), 23.0917 (4r), 23.0919, 23.0955 (2) (c), 23.0956 (3), 23.096 (2) (am), 23.096 (3m), 23.097 (1b), 23.098 (2m), 23.15 (1m), 23.15 (4m), 23.15 (5) (c), 23.30 (4), 23.33 (9m), 25.17 (1) (fs), 25.17 (1) (fv), 25.28, 25.294, 27.01 (7) (h) 2., 27.01 (7m) (a) 2., 27.01 (7m) (b) 2., 28.012 (title), 28.012 (1), 28.012 (2), 28.012 (3), 28.012 (4), 28.012 (5), 28.012 (6), 28.012 (7), 28.012 (8), 28.012 (9), 28.03 (4), 28.045, 28.90 (title), 28.90 (1), 28.92, 28.94, 28.98, 32.02 (15m), 40.02 (17) (n), 40.65 (4w), 70.113 (1m), 70.114 (4) (b), 227.43 (1) (bd), 227.43 (2) (am), 227.43 (3) (am), 227.43 (4) (am), 230.08 (2) (e) 4p., 347.06 (5), 895.53 (1) (am), and 990.01 (39) of the statutes and SECTION 9137 (9zw) of this act take effect on July 1, 2002.

Vetoed In Part

Vetoed In Part

Vetoed In Part

(2f) DUMP CLOSURE GRANTS. The treatment of section 20.370 (6) (ba) of the statutes and the repeal of section 289.83 of the statutes take effect on June 30, 2003.

(2ff) ISSUING AND TRANSACTION FEES. The treatment of sections 27.01 (7) (gu) and (h) and 29.566 (title) and (1m) of the statutes and SECTION 9337 (3cf) and (4f) of this act take effect on March 1, 2002.

(2q) RACINE MUSEUM. The treatment of section 20.370 (5) (cq) (by SECTION 605c) of the statutes takes effect on July 1, 2005.

Vetoed In Part

(2x) RECREATIONAL FISHING PIER; WAUSAU WHITEWATER COURSE. The treatment of section 20.370 (5) (cq) (by SECTION 605b) of the statutes takes effect on July 1, 2002.

(3) VEHICLE ADMISSION FEES. The treatment of section 27.01 (7) (f) 1., (g) 1. and 2., and (gm) 1. of the statutes takes effect on January 1, 2002, or on the day after publication, whichever is later.

(3mk) GREAT LAKES FORESTRY MUSEUM. The treatment of section 20.370 (5) (aw) (by SECTION 603r) of the statutes takes effect on July 1, 2002.

(3mkx) GREAT LAKES FORESTRY MUSEUM — FORESTRY. The treatment of section 20.375 (2) (rq) (by SECTION 629dom) of the statutes takes effect on July 1, 2003.

(4v) STURGEON FISHING SEASON. The treatment of section 29.569 (3) (b) and (bm) of the statutes takes effect on the September 1 after publication.

(5k) SOLID WASTE TIPPING FEE. The treatment of section 289.645 (3) (intro.) and (a) of the statutes and SECTION 9337 (1m) of this act take effect on January 1, 2002.

(5z) WISCONSIN CONSERVATION HALL OF FAME. The repeal of sections 20.370 (5) (ak) and 20.505 (8) (hm) 8e. of the statutes takes effect on July 1, 2002.

(6k) SPARTA OVERPASS. The repeal of section 20.370 (5) (cz) of the statutes takes effect on July 1, 2003.

(6p) AIR FILTRATION FOR RESIDENTIAL WELLS. The treatment of section 280.25 of the statutes takes effect on January 1, 2003.

(7k) VENISON PROCESSING DONATION PROGRAM. The treatment of section 29.89 (1) (intro.), (a), and (b) and (5) (b) 2. b. of the statutes takes effect on January 1, 2002.

SECTION 9440. Effective dates; public instruction.

(1) OPEN ENROLLMENT. The treatment of section 118.51 (3) (a) 2., (4) (a) 3., and (5) (a) (intro.) and 1. and (c) of the statutes takes effect on January 1, 2002.

(1f) MARRIAGE INSTRUCTION. The treatment of section 118.019 (2) (intro.), (e) and (2m) of the statutes takes effect on the first day of the 13th month beginning after publication.

(2m) MILWAUKEE PARENTAL CHOICE PROGRAM. The treatment of section 119.23 (4m) of the statutes takes effect on July 1, 2002.

(3f) SCHOOL COMMENCEMENT DATE. The treatment of sections 118.045 (3) and 118.38 (1) (a) 8. of the statutes takes effect on July 1, 2002.

SECTION 9442. Effective dates; public service commission.

(1x) OFFICE OF THE COMMISSIONER OF RAILROADS. The treatment of section 195.60 (2) of the statutes takes effect on July 1, 2002.

SECTION 9443. Effective dates; regulation and licensing.

(1k) IRREVOCABLE BURIAL TRUSTS. The treatment of section 445.125 (1) (a) 2. of the statutes and SECTION 9343 (1k) of this act take effect on July 1, 2003.

Vetoed In Part

(1m) DENTAL EXAMINING BOARD. The treatment of sections 15.405 (6) (a) and (b) of the statutes takes effect on December 31, 2002.

(2) INITIAL AND RENEWAL CREDENTIAL FEES. 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., 14f., 14g.,

14r., 15., 16., 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., 67v., 68., 68d., 68h., 68p., 68t., 68v., 69., 70., and 71. of the statutes takes effect on September 1, 2001, or on the first day of the 2nd month beginning after publication, whichever is later.

(2x) PHARMACY EXAMINING BOARD MEMBERSHIP. The renumbering and amendment of section 15.405 (9) of the statutes and the creation of section 15.405 (9) (b) of the statutes take effect on July 1, 2002.

(3f) PHARMACY INTERNSHIPS; PHARMACIST LICENSE EXEMPTIONS. The treatment of sections 15.915 (3), 19.42 (13) (d), 36.25 (20), 450.03 (1) (f) and (g), 450.04 (3) (b), and 450.045 of the statutes takes effect on December 31, 2001.

(3km) REAL ESTATE CLOSING AGENTS. The treatment of sections 440.08 (2) (a) 66m., 452.01 (3p), 452.035, 452.05 (1) (a), 452.11 (1), 452.12 (6) (a), 452.13 (1) (b), 452.13 (1) (c), 452.13 (2) (a), 452.13 (2) (b) (intro.), 452.13 (2) (c), 452.13 (2) (e) (intro.), 452.13 (2) (e) 2., 452.13 (2) (f) 1., 452.13 (3), 452.13 (4), 452.14 (1), 452.14 (3) (intro.), 452.14 (3) (b), 452.14 (3) (h), 452.14 (3) (i), 452.14 (3) (jm), 452.17 (2), 452.17 (4) (a) (intro.), 452.17 (4) (a) 1., 452.17 (4) (a) 2., 452.20, 452.21, and 452.22 (2) of the statutes takes effect on the first day of the 10th month beginning after publication.

SECTION 9444. Effective dates; revenue.

(1) SALES TAX ON REPAIRS AND SERVICES. The treatment of section 77.52 (2) (a) 10. (by SECTION 2245) of the statutes takes effect on the first day of the 2nd month beginning after publication. **Vetoed In Part**

(1m) SALES AND USE TAX EXEMPTION FOR FLAGS. The treatment of section 77.54 (46) of the statutes takes effect on the first day of the 2nd month beginning after publication. **Vetoed In Part**

(2p) WHOLESALE MERCHANT PLANTS. The treatment of sections 76.28 (2) (a), 76.29, 76.48 (1r), and 79.04 (1) (intro.) and (2) (a) of the statutes, the renumbering and amendment of section 76.28 (1) (gm) of the statutes, and the creation of section 76.28 (1) (gm) 2. of the statutes take effect on January 1, 2002.

(3c) LIQUOR AND WINE TAX EXEMPTION. The treatment of section 139.03 (5) (b) 2. of the statutes takes effect on the first day of the 2nd month beginning after publication.

(3f) STATE AID PAYMENTS FOR TAX EXEMPT PROPERTY. The treatment of section 20.835 (1) (e) (title) of the statutes takes effect on July 1, 2003. **Vetoed In Part**

(3w) SALES AND USE TAX EXEMPTION FOR WATER SLIDES. The treatment of section 77.54 (47) of the statutes takes effect on the first day of the 2nd month beginning after publication. **Vetoed In Part**

(5ak) ESTATE TAX. The treatment of sections 72.01 (11m) and (11n) and 72.02 of the statutes, the renumbering of section 72.30 (1) of the statutes, and the creation of section 72.30 (1) (b) of the statutes take effect on October 1, 2002.

(5am) OUT-OF-STATE WINE SHIPPERS. The treatment of sections 125.031, 125.52 (8), 125.53 (3), 125.58 (4), and 125.68 (10) (bm) of the statutes and the creation of s. 125.58 (4) (a) 2., 3., and 4. of the statutes take effect on January 1, 2003.

(5c) TOBACCO PRODUCTS TAX RATE. The treatment of sections 139.76 (1) and 139.78 (1) of the statutes takes effect on October 1, 2001. **Vetoed In Part**

(5e) CIGARETTE TAX RATE. The treatment of section 139.31 (1) (a) and (b) of the statutes takes effect on October 1, 2001.

SECTION 9448. Effective dates; technical college system.

(1e) TECHNICAL AND OCCUPATIONAL PROGRAM. The treatment of section 38.305 (2) of the statutes takes effect on July 1, 2002. **Vetoed In Part**

SECTION 9452. Effective dates; transportation.

(1) SPECIAL LICENSE PLATES FEES. The treatment of section 341.14 (2), (2m), (6) (d) and (e), (6m) (a), (6r) (b) 2., 3., 4., 6., 7., and 8. (intro.), and (8) of the statutes takes effect on the first day of the 7th month beginning after publication.

(1q) VETERANS LICENSE PLATES FOR MOTORCYCLES. The treatment of sections 341.14 (6w), 341.145 (1) (f) and (1g) (e), and 341.16 (1) (b) of the statutes takes effect on the first day of the 7th month beginning after publication.

(2f) OPERATING RECORD SEARCH FEES.

(a) The treatment of sections 343.24 (2) (a) (by SECTION 3410) , (b) (by SECTION 3411) , and (c) (by SECTION 3412) and (2m) (by SECTION 3413) and 343.245 (3m) (b) (by SECTION 3414) of the statutes takes effect on first day of the 6th month beginning after publication.

(b) The treatment of sections 343.24 (2) (a) (by SECTION 3410k), (b) (by SECTION 3411k), and (c) (by SECTION 3412k) and (2m) (by SECTION 3413k) and 343.245 (3m) (b) (by SECTION 3414k) of the statutes takes effect on July 1, 2002.

(3gk) ENVIRONMENTAL IMPACT FEES.

(a) The treatment of section 342.14 (1r) (by SECTION 3408g) of the statutes takes effect retroactively to June 30, 2001.

(b) The treatment of section 342.14 (1r) (by SECTION 3408r) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(3k) OVERSIZE AND OVERWEIGHT VEHICLE PERMIT FEES. The treatment of section 348.25 (8) (a) 1., 2., and 2m., (b) 1., 2., and 3. a., b., and c., and (bm) 2. of the statutes takes effect on January 1, 2002. **Vetoed In Part**

(5k) SUSPENSION OF JUVENILES' OPERATING PRIVILEGES. The treatment of sections 938.17 (2) (d), 938.34 (8), and 938.343 (2) of the statutes and SECTION 9352 (4k) of this act take effect on October 1, 2001, or on the first

day of the first month beginning after publication, whichever is later.

Vetoed In Part

(6) GRANTS TO LOCAL PROFESSIONAL FOOTBALL STADIUM DISTRICTS. The repeal of section 20.395 (1) (gr) of the statutes takes effect on July 1, 2002.

(8) OCCUPATIONAL LICENSE ELIGIBILITY. The treatment of sections 343.30 (1q) (b) 3. and 4., 343.305 (10) (b) 3. and 4., and 343.31 (3) (bm) 3. and 4. and (3m) (a) and (b) of the statutes and SECTION 9352 (6) of this act take effect on September 30, 2001.

(9kk) IMMOBILIZATION AND IGNITION INTERLOCK DEVICES.

(a) The treatment of sections 343.10 (5) (a) 3. (by SECTION 3409f), 343.301 (by SECTION 3417m), 343.305 (10m), 346.65 (2g) (d), 346.65 (6) (a) 1. and (m), 347.413 (1), and 347.417 (1) and (2) of the statutes, the renumbering and amendment of sections 940.09 (1d) and 940.25 (1d) of the statutes, and the creation of sections 940.09 (1d) (a) and 940.25 (1d) (a) of the statutes and SECTION 9352 (7kk) (a) of this act take effect on September 30, 2001.

(b) The treatment of sections 343.10 (5) (a) 3. (by SECTION 3409g), 346.65 (6) (a) 1. (by SECTION 3443k), 347.413 (1) (by SECTION 3445g), 347.417 (1) (by SECTION 3445j) and (2) (by SECTION 3445m), 940.09 (1d) (b) (by SECTION 3937p), and 940.25 (1d) (b) (by SECTION 3938p) of the statutes, the renumbering of sections 940.09 (1d) (a) (by SECTION 3937m) and 940.25 (1d) (a) (by SECTION 3938m) of the statutes, the renumbering and amendment of sections 343.301 (1) (a) (by SECTION 3418m) and (b) (by SECTION 3420m) and (2) (a) (by SECTION 3420p) and (b) (by SECTION 3420s) and 343.305 (10m) (by SECTION 3423h) of the statutes, and the creation of sections 343.301 (1) (a) 1. (by SECTION 3419m) and (b) 1. (by SECTION 3420n) and (2) (a) 1. (by SECTION 3420r) and (b) 1. (by SECTION 3420t), 343.305 (10m) (a) (by SECTION 3423j), 940.09 (1d) (a) 1. (by SECTION 3937n), and 940.25 (1d) (a) 1. (by SECTION 3938n) of the statutes and SECTION 9352 (7kk) (b) of this act take effect on January 1, 2002.

(10q) CORRECTION OF TRANSPORTATION AID PAYMENTS. The treatment of section 20.395 (1) (ar) (by SECTION 632n) of the statutes takes effect on January 1, 2003.

SECTION 9456. Effective dates; University of Wisconsin System.

(1w) STRAY VOLTAGE RESEARCH PROGRAM. The treatment of section 36.25 (45) of the statutes and the repeal of section 20.285 (1) (kv) of the statutes take effect on July 1, 2003.

SECTION 9457. Effective dates; veterans affairs.

(1) EDUCATION CENTER GRANT. The repeal of section 20.485 (2) (vj) of the statutes takes effect on July 1, 2003.

(2pp) TUITION AND FEE REIMBURSEMENT. The treatment of sections 45.25 (1), (3) (a), and (4) (a) and 45.396 (2), (3) (intro.), and (5) of the statutes and SECTION 9357 (1) of this act take effect on September 1, 2001, or on the day after publication, whichever is later.

(3c) VETERANS EMERGENCY AID PILOT PROGRAM. The treatment of section 20.485 (2) (rm) (by SECTION 788sf) of the statutes takes effect on June 30, 2003.

SECTION 9458. Effective dates; workforce development.

(1) FEDERAL BLOCK GRANT OPERATIONS APPROPRIATION. The treatment of section 20.445 (3) (mc) (by SECTION 742) of the statutes takes effect on January 6, 2003.

(2q) FOOD STAMP TRANSFER. The repeal of sections 49.124 (1p) and (4) and 49.129 (2) (a), (3) (title), and (5m) of the statutes, the renumbering of sections 49.124 (title), (1) (intro.), (ag), (am), (b), (c), (d), (df), and (e), (1g), (1m) (title) and (a) to (d), (2), (5), (6), and (7), 49.125 (by SECTION 1656ty), 49.127, and 49.129 (title), (1), (2) (title) and (b) 2., (4) (a), (b), (c), and (d), (5), (6), (7), and (8) of the statutes, the renumbering and amendment of sections 49.124 (1n) (intro.), (a), (b), and (c), (3), and (8) and 49.129 (2) (b) 1., (3) (a) and (b), and (4) (intro.) of the statutes, the amendment of sections 20.435 (4) (title), (bn) (by SECTION 707am), and (nn) (by SECTION 714am), 20.445 (3) (dz) (by SECTION 737am), (L) (by SECTION 740am), (Lm), (pm), (ps), and (pv), 49.155 (1m) (a) 3m., 49.175 (1) (h) (by SECTION 1686b), 49.197 (1m), (3) (by SECTION 1724m), and (4) (by SECTION 1725am), 49.22 (6), 49.32 (7) (b), (c), and (d), 49.33 (1) (b) (by SECTION 1731gc), (8) (a) (by SECTION 1737c), and (10) (a) (by SECTION 1740am) and (b) (by SECTION 1740bq), 49.45 (40), 49.85 (1) (by SECTION 1838v), (2) (b), and (3) (b) 1., 71.93 (1) (a) 4., and 102.29 (8r) and subchapter V (title) of chapter 49 of the statutes, the repeal and recreation of section 49.33 (2) (by SECTION 1732c) of the statutes, and the creation of sections 20.435 (4) (L) and (pv), 49.13 (1) (intro.) and (a), 49.131 (title) and (3), 49.197 (5), 49.45 (2) (a) 3m., and 49.79 (9) of the statutes and SECTION 9358 (7r) of this act take effect on July 1, 2002.

Vetoed In Part

(2w) COMMUNITY REINVESTMENT IN CERTAIN WISCONSIN WORKS CONTRACTS. The repeal of section 49.175 (1) (d) 1. and 2. (title) of the statutes and the renumbering of section 49.175 (1) (d) 2. of the statutes take effect on January 1, 2002.

Vetoed In Part

(3z) PREVAILING WAGE RATES; JOB CLASSIFICATIONS. The treatment of sections 66.0903 (3) (ap) and 103.49 (3) (ag) of the statutes takes effect on January 1, 2002, or on the day after publication, whichever is later.

SECTION 9459. Effective dates; other.

(1) SALE OF TOBACCO SETTLEMENT REVENUES. The amendment of section 25.69 of the statutes and the repeal of section 20.855 (4) (rc), (rp), and (rv) of the statutes take effect on July 1, 2003.

(4) SUPPLEMENTAL APPROPRIATIONS. The repeal of section 20.865 (1) (cc), (id), (mb), (sb), and (xb) of the statutes takes effect on June 30, 2003.

(5q) SMOKING ON GROUNDS OF JUVENILE SECURED CORRECTIONAL FACILITIES. The treatment of sections 77.52 (2) (a) 10. (by SECTION 2245d), 101.123 (title), (1) (i) and (j), (2) (br), (4) (a) 2., (am) 3., and (bm), and (8) (a), 165.755 (1) (b), 302.46 (1) (a), 757.05 (1) (a) (by SECTION 3774c), and 814.63 (1) (c) of the statutes takes effect on the first day of the 12th month beginning after publication.

(5r) REGISTER OF DEEDS RECORDING FEES. The treatment of section 59.43 (2) (ag) 1. (by SECTION 1999n) and (e) (by SECTION 2001n) of the statutes takes effect on September 1, 2007.

Vetoed In Part

(5s) SALE OF RESIDUAL STATE PROPERTY. The treatment of section 13.48 (14) (am) (by SECTION 107mm), (b) (by SECTION 107nm), and (d) 4. (by SECTION 107pm) of the statutes and the repeal of sections 20.9145 (by SECTION 983mn) and 84.09 (9) (by SECTION 2307jp) of the statutes take effect on March 1, 2004.

Vetoed In Part