

**SENATE AMENDMENT 2,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2001 SENATE BILL 55**

June 19, 2001 – Offered by Senators CHVALA, RISSER, MOEN and BURKE.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 2, line 25: after that line insert:

3 “**SECTION 76m.** 7.085 of the statutes is created to read:

4 **7.085 Elections board grant programs. (1)** ELECTION RAPID RESPONSE TEAM
5 GRANT PROGRAM. (a) *Generally.* The board shall administer a grant program to assist
6 eligible cities in establishing teams of reserve inspectors under s. 7.30 (1) to ensure
7 that no qualified electors in the eligible cities are required to wait more than 15
8 minutes at a polling place in order to vote in a general election.

9 (b) *Application and eligibility.* Any city in this state with a population of 40,000
10 or more may apply for a grant under this subsection on a form prescribed by the
11 board. Each application shall include a statement of the amount requested, a
12 detailed statement demonstrating the need for the grant in the city and the manner

1 in which the city will allocate the grant, if the application is approved, and a
2 statement indicating whether any firefighters are currently serving as reserve
3 inspectors under s. 7.30 (1) in the city. The board may, by rule, establish a reasonable
4 time period during which applications must be submitted. The board shall allocate
5 grant moneys distributed under this subsection based on need and shall give
6 preference to any city in which firefighters are serving as reserve inspectors under
7 s. 7.30 (1).

8 (c) *Payment and use of grant amounts; enforcement of eligibility requirements.*

9 The board shall pay grants under this subsection from the appropriation under s.
10 20.510 (1) (cd). The maximum grant amount for any city is \$50,000 annually. A city
11 shall reimburse this state for any grant amounts the city expends for a purpose not
12 identified in the city's application. A city shall reimburse this state for any grant
13 amounts the city receives based on an application that contains false information.
14 The board shall enforce all requirements under this subsection.

15 (2) ELECTION ASSISTANCE GRANT PROGRAM. (a) *Generally.* The board shall
16 administer a grant program to assist eligible municipalities in recruiting and
17 training inspectors, conducting voter education campaigns, or upgrading voting
18 equipment.

19 (b) *Application and eligibility.* Any municipality in this state may apply for a
20 grant under this subsection on a form prescribed by the board. Each application shall
21 include a statement of the amount requested and a detailed statement
22 demonstrating the need for the grant in the municipality, the purpose for which the
23 municipality requests the grant, and the manner in which the municipality will
24 allocate the grant, if the application is approved. Each application shall include a
25 statement that, upon receiving any grant amount, the municipality agrees to

1 appropriate from other available funds an amount at least equal to the grant for the
2 same purpose or purposes for which the grant was requested. The board may, by rule,
3 establish a reasonable time period during which applications must be submitted.
4 The board shall allocate grant moneys under this subsection based on need and shall
5 ensure, to the extent possible, that grants are provided to a representative group of
6 municipalities in this state.

7 (c) *Payment and use of grant amounts; enforcement of eligibility requirements.*

8 The board shall enforce all requirements under this subsection. The board shall pay
9 grants under this subsection from the appropriation under s. 20.510 (1) (ce). The
10 minimum grant amount for any municipality is \$5,000 annually and the maximum
11 grant amount for any municipality is \$20,000 annually. A municipality shall
12 reimburse this state for all of the following:

13 1. Any grant amounts the municipality expends for a purpose not identified in
14 the municipality's application.

15 2. Any grant amounts the municipality receives based on an application that
16 contains false information.

17 3. Any grant amounts the municipality receives, if the municipality fails to
18 appropriate and expend funds in substantial compliance with the agreement
19 contained in the municipality's application.

20 **SECTION 83d.** 7.30 (1) of the statutes is amended to read:

21 7.30 (1) NUMBER. ~~There~~ Except as authorized or required under this subsection
22 and ss. 7.15 (1) (k) and 7.32, there shall be 7 inspectors for each polling place at each
23 election. In municipalities where voting machines are or any electronic voting
24 system is used, the municipal governing body may reduce the number of inspectors
25 to 5. A municipal governing body may provide for the appointment of additional

1 inspectors whenever more than one voting machine is used or wards are combined
2 under s. 5.15 (6) (b). A municipal governing body may provide for the appointment
3 of reserve inspectors who may be called by the municipal clerk or board of election
4 commissioners to serve at a polling place for any election in addition to the regularly
5 appointed inspectors whenever the number of regularly appointed inspectors
6 serving that polling place is insufficient to adequately serve the number of electors
7 reasonably expected to vote at an election at that polling place. A municipal
8 governing body may provide by ordinance for the selection of alternate officials or the
9 selection of 2 or more sets of officials to work at different times on election day, and
10 may permit the municipal clerk or board of election commissioners to establish
11 different working hours for different officials assigned to the same polling place.
12 Unless officials are appointed without regard to party affiliation under sub. (4) (c)
13 or reserve inspectors are appointed under this subsection, additional officials shall
14 be appointed in such a manner that the total number of officials is an odd number
15 and the predominant party under sub. (2) is represented by one more official than
16 the other party.

17 **SECTION 84d.** 7.30 (2) (a) and (b) of the statutes are amended to read:

18 7.30 (2) (a) Only election officials appointed under this section may conduct an
19 election. Except as ~~authorized in~~ otherwise provided in this paragraph and s. 7.15
20 (1) (k), each ~~inspector~~ election official shall be a qualified elector ~~in~~ of the ward for
21 which the polling place is established, ~~or of one of the wards for which the polling~~
22 place is established whenever a polling place serves more than one ward. Special
23 registration deputies appointed under s. 6.55 (6) ~~and~~, election officials ~~serving more~~
24 ~~than one ward or when necessary~~ who are appointed to fill a vacancy under par. (b),
25 and reserve inspectors appointed under sub. (1) shall be qualified electors of the

1 state, but need not be ~~a resident of that ward, but shall be a resident~~ qualified
2 electors of the municipality. Special registration deputies may be appointed to serve
3 more than one polling place. All officials shall be able to read and write the English
4 language, be capable, and be of good understanding, and may not be a candidate for
5 any office to be voted for at an election at which they serve. In 1st class cities, they
6 may hold no public office other than notary public. Except as otherwise provided
7 under this paragraph and except as authorized under sub. (4) (c), all inspectors shall
8 be affiliated with one of the 2 recognized political parties which received the largest
9 number of votes for president, or governor in nonpresidential general election years,
10 in the ward or combination of wards served by the polling place at the last election.
11 The Except as otherwise provided under this paragraph, the party which received
12 the largest number of votes is entitled to one more inspector than the party receiving
13 the next largest number of votes at each polling place. Reserve inspectors under sub.
14 (1) shall be appointed in consultation with the party committeemen or
15 committeewomen or the party committees submitting nominations under sub. (4)
16 (b), if they submit nominations. To the extent possible, an equal number of reserve
17 inspectors shall be affiliated with each of the parties. The same election officials may
18 serve the electors of more than one ward where wards are combined under s. 5.15 (6)
19 (b). If a municipality is not divided into wards, the ward requirements in this
20 paragraph apply to the municipality at large.

21 (b) When a vacancy occurs, the vacancy shall be filled by appointment of the
22 municipal clerk. The Except for a reserve inspector appointed under sub. (1), a
23 vacancy shall be filled from the remaining names on the lists submitted under sub.
24 (4) or from additional names submitted by the chairperson of the county party
25 committee of the appropriate party under sub. (4) whenever names are submitted

1 under sub. (4) (d). If the vacancy is due to candidacy, sickness or any other temporary
2 cause, the appointment shall be a temporary appointment and effective only for the
3 election at which the temporary vacancy occurs. The same qualifications that
4 applied to original appointees shall be required of persons who fill vacancies.
5 ~~Vacancies, except that a vacancy may be filled in cases of emergency or because of~~
6 ~~time limitations by a person from another aldermanic district or ward within the~~
7 ~~municipality by any qualified elector of this state without regard to the elector's~~
8 ~~municipality of residence, if the elector meets the other qualifications.~~

9 **SECTION 84f.** 7.30 (4) (a) of the statutes is amended to read:

10 7.30 (4) (a) Except in cities where there is a board of election commissioners,
11 the mayor, president, or board chairperson of each municipality shall nominate to
12 the governing body no later than their last regular meeting in December of each
13 even-numbered year the necessary, regularly appointed election officials for each
14 polling place. In addition, if authorized by the governing body, the mayor, president,
15 or board chairperson may nominate electors to serve as reserve inspectors. If no
16 regular meeting is scheduled, the mayor, president, or chairperson shall call a special
17 meeting for the purpose of considering nominations no later than December 31.

18 **SECTION 84h.** 7.30 (4) (b) 1. and 2. of the statutes are amended to read:

19 7.30 (4) (b) 1. In cities where there is a board of election commissioners, the
20 aldermanic district committeemen or committeewomen under s. 8.17 of each of the
21 2 dominant recognized political parties shall submit a certified list no later than
22 November 30 of each even-numbered year containing the names of at least as many
23 electors as there are regularly appointed inspectors from that party for each of the
24 voting wards in the aldermanic district. The chairperson may designate any
25 individual whose name is submitted as a first choice nominee. The board of election

1 commissioners shall appoint, no later than December 31 of even-numbered years,
2 at least 5 regularly appointed inspectors for each ward. The board of election
3 commissioners shall appoint all first choice nominees for so long as positions are
4 available, unless nonappointment is authorized under par. (e), and shall appoint
5 other individuals in its discretion. The board of election commissioners may
6 designate such alternates as it deems advisable. In addition, if authorized by the
7 governing body, the board of election commissioners may appoint electors to serve as
8 reserve inspectors as provided under sub (2) (a).

9 2. In municipalities other than cities and villages located in counties having a
10 population of more than 500,000, the committees organized under s. 8.17 from each
11 of the 2 dominant parties under sub. (2) shall submit a list containing at least as
12 many names as there are needed appointees for regularly appointed inspector
13 positions from that party. The list shall be submitted by the chairperson of each of
14 the 2 committees to the mayor, president, or chairperson of the municipality. If
15 committees are organized in subdivisions of a city, the list shall be submitted through
16 the chairperson of the city committee. If there is no municipal committee, the list
17 shall be submitted by the chairperson of the county or legislative district committee.
18 Except as provided in par. (c) and except for reserve inspectors appointed under sub.
19 (1), only those persons submitted by the chairperson of each committee under s. 8.17
20 may act as election officials. The chairperson may designate any individual whose
21 name is submitted as a first choice nominee. The list shall contain the signature of
22 the chairperson and secretary of the submitting committee. In cities or villages
23 located in counties having a population of more than 500,000, other than cities where
24 there is a board of election commissioners, the aldermanic district or village
25 committeeman or committeewoman for the ward or wards where each polling place

1 is located, if there is one, shall submit a list containing at least as many names as
2 there are needed appointees for regularly appointed inspector positions from the
3 party represented by the committeeman or committeewoman. For appointments of
4 inspectors in cities and villages where there is no aldermanic district or village
5 committeeman or committeewoman, nominations shall proceed in the same manner
6 as in municipalities located in counties having a population of 500,000 or less. The
7 list shall be submitted to the mayor or president. Except as provided in par. (c) and
8 except for reserve inspectors appointed under sub. (1), only those persons whose
9 names are submitted as provided in this paragraph may act as election officials. The
10 committeeman or committeewoman may designate any individual whose name is
11 submitted as a first choice nominee. The list shall contain the signature of the
12 aldermanic district or village committeeman or committeewoman or the chairperson
13 of the appropriate committee. Upon submission of each nominee's name, the
14 governing body shall appoint each first choice nominee for so long as positions are
15 available, unless nonappointment is authorized under par. (e), and shall appoint
16 other nominees in its discretion. If any nominee is not appointed, the mayor,
17 president, or chairperson of the municipality shall immediately nominate another
18 person from the appropriate lists submitted and continue until the necessary
19 number of election officials from each party is achieved at that meeting. In addition,
20 except in municipalities where there is a board of election commissioners, if the
21 governing body has provided for the appointment of reserve inspectors under sub.
22 (1), the body may appoint those inspectors from nominations submitted under par.
23 (a) as provided under sub (2) (a).

24 **SECTION 85f.** 7.30 (4) (c) of the statutes is amended to read:

1 7.30 (4) (c) For so long as nominees are made available by the political parties
2 under this section, appointments of regularly appointed inspectors may be made
3 only from the lists of submitted nominees. If the lists are not submitted by November
4 30 of the year in which appointments are to be made, the board of election
5 commissioners shall appoint, or the mayor, president, or chairperson of a
6 municipality shall nominate, qualified persons whose names have not been
7 submitted. If an insufficient number of nominees appears on the lists as of
8 November 30, the board of election commissioners shall similarly appoint, or the
9 mayor, president, or chairperson shall similarly nominate, sufficient individuals to
10 fill the remaining vacancies. Any appointment which is made due to the lack of
11 availability of names submitted under par. (b) may be made without regard to party
12 affiliation.

13 **SECTION 85h.** 7.30 (5) of the statutes is amended to read:

14 7.30 (5) OATH OF OFFICE. Within 5 days after appointment of the an election
15 officials official under this section, the municipal clerk shall give each appointee
16 notice. The appointees shall file the official oath with the municipal clerk within 10
17 days after the mailing of the notice. Appointees to fill vacancies or any other election
18 official who has not filed the oath, before receiving any ballots, shall sign the oath
19 and return it to the municipal clerk. An inspector, after taking the oath, may
20 administer any oath required to conduct an election.

21 **SECTION 85j.** 7.30 (6) (a) of the statutes is amended to read:

22 7.30 (6) (a) ~~The appointed election officials~~ An election official appointed under
23 this section shall hold office for 2 years and until ~~their successors are~~ a successor is
24 appointed and qualified. ~~They shall serve at every election held in their ward during~~
25 ~~their term of office.~~

1 **SECTION 85L.** 7.30 (6) (c) of the statutes is amended to read:

2 7.30 **(6)** (c) If any election official appointed under this section lacks the
3 qualifications set forth in this section, fails to attend training sessions required
4 under s. 7.15 (1) (e) unless excused therefrom, is guilty of neglecting his or her official
5 duties, or commits official misconduct, the municipal clerk or board of election
6 commissioners shall summarily remove the official from office and the vacancy shall
7 be filled under sub. (2) (b).”.

8 **2.** Page 3, line 1: delete lines 1 to 3.

9 **3.** Page 3, line 3: after that line insert:

10 **“SECTION 87d.** 7.33 (2) of the statutes is amended to read:

11 7.33 **(2)** Service as an election official under this chapter ~~shall be~~ is mandatory
12 ~~upon all qualified electors for every elector appointed under s. 7.30, for every election~~
13 ~~held during the full 2-year term, after which they shall be~~ of office in the ward or
14 election district for which the elector is appointed to serve or to which the elector is
15 assigned. Upon completion of a 2-year term of service, an elector is exempt from
16 further service as an election official, under this chapter, until 3 terms of 2 years each
17 have elapsed. Municipal clerks may grant exemptions from service at any time. This
18 subsection does not apply to reserve inspectors appointed under s. 7.30 (1).”.

19 **4.** Page 3, line 3: after that line insert:

20 **“SECTION 93m.** 8.11 (2) of the statutes is amended to read:

21 8.11 **(2)** ~~MILWAUKEE COUNTY~~ POPULOUS COUNTIES. A primary shall be held in
22 counties having a population of 500,000 or more whenever there are more than twice
23 the number of candidates to be elected ~~to any judicial office within the county or to~~
24 the county board of supervisors from any one district or to any judicial office within

1 the county, except that in Milwaukee County a primary shall be held whenever there
2 are more than twice the number of candidates to be elected to the office of circuit court
3 judge from any one judicial subdistrict under s. 753.015 (2).”.

4 **5.** Page 7, line 4: after that line insert:

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

6 **13.0975 Prison impact assessments. (1)** In this section, “prison” means a
7 state prison described under s. 302.01.

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

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

18 (b) An estimate of the fiscal impact of population changes under par. (a) on state
19 expenditures, including expenditures for the construction and operation of state
20 prisons for the current fiscal year and the 5 succeeding fiscal years.

21 (c) An analysis of any significant factor, not covered in complying with pars. (a)
22 and (b), affecting the cost of the bill or bill draft and the factor’s impact on
23 prosecutors, the state public defender, and courts.

1 (d) A statement of the methodologies and assumptions that the director used
2 in preparing the assessment.

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

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

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

12 **(6)** Annually, by March 1, the director of state courts shall submit to the
13 legislature under s. 13.172 (2) a prison impact assessment reflecting the cumulative
14 effect of all relevant changes in the statutes taking effect during the preceding
15 calendar year.

16 **(7)** The department of corrections shall provide the director of state courts with
17 information on current and past admissions and on length of time served as needed
18 by the director in order to prepare assessments under subs. (2) and (6).

19 **(8)** The circuit courts and the office of justice assistance in the department of
20 administration shall provide the director of state courts with information to assist
21 the director in preparing assessments under subs. (2) and (6).

22 **(9)** This section applies to bills introduced or requests for assessments for bill
23 drafts made on or after July 1, 2002.”.

24 **6.** Page 7, line 4: after that line insert:

1 **“SECTION 94w.** 13.093 (2) (c) of the statutes is repealed.”.

2 **7.** Page 8, line 16: delete lines 16 to 20.

3 **8.** Page 9, line 20: delete the material beginning with that line and ending with
4 page 11, line 17.

5 **9.** Page 11, line 10: delete lines 10 and 11.

6 **10.** Page 12, line 12: delete lines 12 to 14.

7 **11.** Page 12, line 18: delete the material beginning with that line and ending
8 with page 13, line 8.

9 **12.** Page 13, line 9: delete lines 9 to 15.

10 **13.** Page 16, line 16: after that line insert:

11 **“SECTION 108m.** 13.489 (2) of the statutes is amended to read:

12 13.489 (2) DEPARTMENT TO REPORT PROPOSED PROJECTS. Subject to s. 85.05, the
13 department of transportation shall report to the commission not later than
14 September 15 of each even-numbered year and at such other times as required under
15 s. 84.013 (6) concerning its recommendations for adjustments in the major highway
16 projects program under s. 84.013. If the report under this subsection includes a
17 recommendation to enumerate one or more major highway projects under s. 84.013
18 (3), the department of transportation shall provide a life cycle cost statement for each
19 proposed project to the governor, the transportation projects commission, the
20 building commission, and the joint committee on finance. The life cycle cost
21 statement shall include an estimate of the costs of constructing, maintaining,
22 resurfacing, minor and major reconditioning, policing, plowing, painting, signing,

1 and reconstructing the major highway project until the first reconstruction of the
2 project is completed.”

3 **14.** Page 16, line 16: after that line insert:

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

5 13.48 (35) HR ACADEMY, INC., YOUTH AND FAMILY CENTER. (a) The building
6 commission may authorize up to \$1,500,000 in general fund supported borrowing to
7 aid in the construction of a youth and family center for HR Academy, Inc., in the city
8 of Milwaukee. The state funding commitment under this paragraph shall be in the
9 form of a grant to HR Academy, Inc. Before approving any such state funding
10 commitment, the building commission shall determine that HR Academy, Inc., has
11 secured additional funding at least equal to \$3,500,000 from nonstate donations for
12 the purpose of constructing a youth and family center.

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

17 **15.** Page 16, line 16: after that line insert:

18 “**SECTION 108j.** 13.48 (35) of the statutes is created to read:

19 13.48 (35) DEBT INCREASE FOR THE CONSTRUCTION OF A MILWAUKEE CHILDREN’S
20 VILLAGE. (a) The legislature finds and determines that providing good substitute
21 parental care for children in foster care and helping those children grow up to be
22 self-sufficient and productive adults are statewide responsibilities of statewide
23 dimension. The legislature also finds and determines that the children of the city of
24 Milwaukee are disproportionately represented in the state’s foster care system and

1 that, because those youth are so disproportionately represented, the state has a
2 specific concern in providing good substitute parental care for those children and in
3 helping those children grow up to be self-sufficient and productive adults. In
4 addition, the legislature finds and determines that the children's village model of
5 substitute care provided by SOS Children's Villages provides good substitute
6 parental care for children and helps children grow up to be self-sufficient and
7 productive adults by keeping together sibling groups that would otherwise be
8 separated, providing one foster home for a child until the child is reunified with his
9 or her family or achieves some other permanent placement, providing professionally
10 trained caregivers for children, especially children with special needs, and providing
11 not just a home but an entire community in which a child may grow. The legislature,
12 therefore, finds and determines that assisting SOS Children's Villages of Wisconsin
13 — Milwaukee Chapter in the construction of a children's village will have a direct
14 and immediate effect on that specific statewide concern and on those state
15 responsibilities of statewide dimension.

16 (b) The building commission may authorize up to \$550,000 in general fund
17 supported borrowing to aid in the construction of a children's village by SOS
18 Children's Villages of Wisconsin — Milwaukee Chapter at a location on the near
19 north side in the city of Milwaukee. The state funding commitment for construction
20 of the children's village shall be in the form of a grant to SOS Children's Villages of
21 Wisconsin — Milwaukee Chapter. Before approving any state funding commitment
22 for the children's village, the building commission shall determine that SOS
23 Children's Villages of Wisconsin — Milwaukee Chapter has secured additional
24 funding at least equal to \$3,270,000 from nonstate donations for the purpose of
25 constructing the children's village.

1 (c) If the building commission authorizes a grant to SOS Children's Villages of
2 Wisconsin — Milwaukee Chapter under par. (b) and if, for any reason, the facility
3 that is constructed with funds from the grant is not used as a children's village, the
4 state shall retain an ownership interest in the facility equal to the amount of the
5 state's grant.”.

6 **16.** Page 16, line 16: after that line insert:

7 “**SECTION 108h.** 13.48 (32m) of the statutes is created to read:

8 **13.48 (32m)** DEBT INCREASE FOR CONSTRUCTION OF KENOSHA CIVIL WAR MUSEUM.

9 (a) Subject to par. (b), the building commission may authorize \$1,000,000 of general
10 fund supported borrowing to aid in the construction of a Civil War museum in the city
11 of Kenosha. The state funding commitment for the construction of the museum shall
12 be in the form of a construction grant to the city of Kenosha. Before approving any
13 state funding commitment for the museum and before awarding the construction
14 grant under this paragraph, the building commission shall determine that the city
15 of Kenosha has secured additional funding commitments of at least \$1,000,000 from
16 nonstate revenue sources.

17 (b) If the building commission authorizes a grant to the city of Kenosha under
18 par. (a) and if, for any reason, the facility that is constructed with funds from the
19 grant is not used as a Civil War museum, the state shall retain an ownership interest
20 in the facility equal to the amount of the state's grant.

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

22 **13.48 (32r)** DEBT INCREASE FOR CONSTRUCTION OF THE DISCOVERY PLACE MUSEUM.

23 (a) Subject to par. (b), the building commission may authorize \$1,000,000 of general
24 fund supported borrowing to aid in the construction of the Discovery Place museum

1 as part of the Heritage museum in the city of Racine. The state funding commitment
2 for the construction of the museum shall be in the form of a construction grant to the
3 city of Racine. Before approving any state funding commitment for the museum and
4 before awarding the construction grant under this paragraph, the building
5 commission shall determine that the city of Racine has secured additional funding
6 commitments of at least \$1,000,000 from nonstate revenue sources.

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

12 **17.** Page 16, line 16: after that line insert:

13 “**SECTION 108h.** 13.48 (36) of the statutes is created to read:

14 13.48 **(36)** MILWAUKEE PUBLIC SCHOOLS ALUMNI CENTER. (a) The building
15 commission may authorize up to \$2,000,000 in general fund supported borrowing to
16 aid in the construction of a Milwaukee Public Schools alumni center for Milwaukee
17 Public Schools Foundation, Inc., to be located on land purchased by the department
18 of administration under s. 16.514. The state funding commitment under this
19 paragraph shall be in the form of a grant to Milwaukee Public Schools Foundation,
20 Inc.

21 (b) If the building commission authorizes a grant to Milwaukee Public Schools
22 Foundation, Inc., under par. (a) and if, for any reason, the facility that is constructed
23 with funds from the grant is not used as an alumni center, the state shall retain an
24 ownership interest in the facility equal to the amount of the state's grant.”.

1 **18.** Page 16, line 17: delete lines 17 to 24.

2 **19.** Page 17, line 1: delete lines 1 to 10.

3 **20.** Page 17, line 11: delete lines 11 to 15.

4 **21.** Page 17, line 16: delete lines 16 to 25.

5 **22.** Page 18, line 1: delete lines 1 to 7.

6 **23.** Page 18, line 8: delete lines 8 to 23 and substitute:

7 “**SECTION 114h.** 13.94 (4) (a) 1. of the statutes is amended to read:

8 13.94 **(4)** (a) 1. Every state department, board, examining board, affiliated
9 credentialing board, commission, independent agency, council, or office in the
10 executive branch of state government; all bodies created by the legislature in the
11 legislative or judicial branch of state government; any public body corporate and
12 politic created by the legislature including specifically the Fox River Navigational
13 System Authority, a professional baseball park district, a local professional football
14 stadium district, a local cultural arts district ~~and~~, a family care district ~~created under~~
15 s. 46.2895, and the Milwaukee County child welfare district under s. 48.562; every
16 Wisconsin works agency under subch. III of ch. 49; every provider of medical
17 assistance under subch. IV of ch. 49; technical college district boards; development
18 zones designated under s. 560.71; every county department under s. 51.42 or 51.437;
19 every nonprofit corporation or cooperative to which moneys are specifically
20 appropriated by state law; and every corporation, institution, association, or other
21 organization ~~which~~ that receives more than 50% of its annual budget from
22 appropriations made by state law, including subgrantee or subcontractor recipients
23 of such funds.

24 **SECTION 114i.** 13.94 (4) (b) of the statutes is amended to read:

1 13.94 (4) (b) In performing audits of family care districts under s. 46.2895, the
2 Milwaukee County child welfare district under s. 48.562, Wisconsin works agencies
3 under subch. III of ch. 49, providers of medical assistance under subch. IV of ch. 49,
4 corporations, institutions, associations, or other organizations, and their
5 subgrantees or subcontractors, the legislative audit bureau shall audit only the
6 records and operations of such providers and organizations which pertain to the
7 receipt, disbursement, or other handling of appropriations made by state law.”.

8 **24.** Page 18, line 8: delete the material beginning with that line and ending
9 with page 19, line 11.

10 **25.** Page 22, line 19: delete lines 19 to 21.

11 **26.** Page 24, line 21: after that line insert:

12 “**SECTION 130q.** 15.05 (1) (b) of the statutes is amended to read:

13 15.05 (1) (b) Except as provided in ~~pars. (c) and par.~~ (d), if a department is under
14 the direction and supervision of a board, the board shall appoint a secretary to serve
15 at the pleasure of the board outside the classified service. In such departments, the
16 powers and duties of the board shall be regulatory, advisory, and policy-making, and
17 not administrative. All of the administrative powers and duties of the department
18 are vested in the secretary, to be administered by him or her under the direction of
19 the board. The secretary, with the approval of the board, shall promulgate rules for
20 administering the department and performing the duties assigned to the
21 department.

22 **SECTION 130r.** 15.05 (1) (c) of the statutes is repealed.”.

23 **27.** Page 24, line 22: delete lines 22 and 23.

24 **28.** Page 24, line 23: after that line insert:

1 **“SECTION 133m.** 15.06 (4m) of the statutes is amended to read:

2 15.06 **(4m)** EXECUTIVE ASSISTANT. Each ~~commission chairperson under s. 230.08~~
3 ~~(2) (m) and each~~ commissioner of the public service commission may appoint an
4 executive assistant to serve at his or her pleasure outside the classified service. The
5 executive assistant shall perform duties as the ~~chairperson or~~ commissioner
6 prescribes.”.

7 **29.** Page 24, line 24: delete that line.

8 **30.** Page 25, line 1: delete lines 1 to 3.

9 **31.** Page 25, line 3: after that line insert:

10 **“SECTION 134e.** 15.07 (1) (b) 23. of the statutes is created to read:

11 15.07 **(1)** (b) 23. Cemetery board.

12 **SECTION 134m.** 15.07 (1) (cm) of the statutes is amended to read:

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

1 representative members of the cemetery board shall expire on May 1 in an
2 even-numbered year.

3 **SECTION 134s.** 15.07 (1) (cs) of the statutes is amended to read:

4 15.07 (1) (cs) No member of the auctioneer board, cemetery board, real estate
5 appraisers board, or real estate board may be an officer, director, or employee of a
6 private organization that promotes or furthers any profession or occupation
7 regulated by that board.”.

8 **32.** Page 25, line 4: delete lines 4 to 12.

9 **33.** Page 25, line 7: after that line insert:

10 **“SECTION 135m.** 15.07 (3) (b) of the statutes is amended to read:

11 15.07 (3) (b) Except as provided in par. (bm), each board not covered under par.
12 (a) shall meet annually, and may meet at other times on the call of the chairperson
13 or a majority of its members. The auctioneer board, the cemetery board, the real
14 estate board, and the real estate appraisers board shall also meet on the call of the
15 secretary of regulation and licensing or his or her designee within the department.”.

16 **34.** Page 25, line 10: after that line insert:

17 **“SECTION 136b.** 15.07 (3) (bm) 5. of the statutes is created to read:

18 15.07 (3) (bm) 5. The cemetery board shall meet at least 4 times each year.

19 **SECTION 136r.** 15.07 (5) (z) of the statutes is created to read:

20 15.07 (5) (z) Members of the cemetery board, \$25 per day.”.

21 **35.** Page 25, line 19: delete lines 19 to 24.

22 **36.** Page 26, line 1: delete lines 1 to 9.

23 **37.** Page 26, line 10: delete lines 10 to 12.

24 **38.** Page 28, line 5: after that line insert:

1 **“SECTION 173m.** 15.193 of the statutes is created to read:

2 **15.193 Same; specified divisions. (1)** DIVISION OF CHILDREN AND FAMILY
3 SERVICES. There is created in the department of health and family services a division
4 of children and family services. The administrator of the division shall be appointed
5 outside the classified service by the secretary of health and family services.”.

6 **39.** Page 29, line 9: delete lines 9 to 25.

7 **40.** Page 30, line 10: after that line insert:

8 **“SECTION 179g.** 15.227 (14) of the statutes is created to read:

9 **15.227 (14)** APPRENTICESHIP MARKETING COUNCIL. There is created in the
10 department of workforce development an apprenticeship marketing council
11 appointed by the secretary of workforce development. The council shall consist of 4
12 members appointed for 3–year terms who represent the interests of employees, 4
13 members appointed for 3–year terms who represent the interests of employers, and
14 2 employees of the department of workforce development to serve at the pleasure of
15 the secretary.”.

16 **41.** Page 31, line 10: delete lines 10 to 15.

17 **42.** Page 31, line 15: after that line insert:

18 **“SECTION 182g.** 15.405 (3m) of the statutes is created to read:

19 **15.405 (3m)** CEMETERY BOARD. (a) In this subsection:

20 1. “Business representative” has the meaning given in s. 452.01 (3k).

21 2. “Licensed cemetery authority” has the meaning given in s. 157.061 (8r).

22 3. “Religious cemetery authority” has the meaning given s. 157.061 (15m).

1 (b) There is created a cemetery board, attached to the department of regulation
2 and licensing under s. 15.03, consisting of the following members appointed for
3 4-year terms:

4 1. Four members, each of whom is a business representative of a licensed
5 cemetery authority.

6 2. A representative of the department of justice designated by the attorney
7 general.

8 3. Two public members.

9 (c) Of the members appointed under par. (b) 1., one member shall be a business
10 representative of a licensed cemetery authority organized or conducted for pecuniary
11 profit, one member shall be a business representative of a licensed cemetery
12 authority not organized or conducted for pecuniary profit, one member shall be a
13 business representative of a licensed cemetery authority that is a city, village, town,
14 or county, and no member may be a business representative of a religious cemetery
15 authority.

16 (d) No member of the cemetery board may serve more than 2 terms.”.

17 **43.** Page 32, line 5: delete lines 5 to 12.

18 **44.** Page 32, line 12: after that line insert:

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

20 **45.** Page 32, line 17: delete lines 17 to 25.

21 **46.** Page 33, line 1: delete lines 1 to 18.

22 **47.** Page 33, line 19: delete the material beginning with that line and ending
23 with page 34, line 18.

24 **48.** Page 35, line 3: delete lines 3 to 20.

1 **49.** Page 36, line 9: delete lines 9 to 14.

2 **50.** Page 36, line 15: delete lines 15 to 25.

3 **51.** Page 37, line 1: delete lines 1 to 22.

4 **52.** Page 40, line 12: after that line insert:

5 “**SECTION 227q.** 16.40 (24) of the statutes is created to read:

6 16.40 **(24)** GRANTS TO WISCONSIN PATIENT SAFETY INSTITUTE, INC. Annually,
7 provide grants to the Wisconsin Patient Safety Institute, Inc., for collection, analysis,
8 and dissemination of information about patient safety and training of health care
9 providers and their employees directed toward improving patient safety. In this
10 subsection, “health care provider” means any of the following:

11 (a) A nurse licensed under ch. 441.

12 (b) A chiropractor licensed under ch. 446.

13 (c) A dentist licensed under ch. 447.

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

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

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

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

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

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

22 (j) An optometrist licensed under ch. 449.

23 (k) A pharmacist licensed under ch. 450.

24 (L) An acupuncturist certified under ch. 451.

1 (m) A psychologist licensed under ch. 455.

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

4 **53.** Page 40, line 13: delete lines 13 to 18.

5 **54.** Page 40, line 19: delete lines 19 to 25.

6 **55.** Page 41, line 1: delete lines 1 to 3.

7 **56.** Page 44, line 3: delete lines 3 and 4.

8 **57.** Page 46, line 3: after that line insert:

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

10 16.505 (**2m**) The board of regents of the University of Wisconsin System may
11 create or abolish a full-time equivalent position or portion thereof from revenues
12 appropriated under s. 20.285 (1) (h), (ip), (iz), (j), (m), (n), or (u) or (3) (iz) or (n) and
13 may create or abolish a full-time equivalent position or portion thereof from
14 revenues appropriated under s. 20.285 (1) (im) that are generated from increased
15 enrollment and from courses for which the academic fees or tuition charged equals
16 the full cost of offering the courses. No later than the last day of the month following
17 completion of each calendar quarter, the board of regents shall report to the
18 department and the cochairpersons of the joint committee on finance concerning the
19 number of full-time equivalent positions created or abolished by the board under
20 this subsection during the preceding calendar quarter and the source of funding for
21 each such position.”.

22 **58.** Page 47, line 2: after that line insert:

23 “**SECTION 244p.** 16.514 of the statutes is created to read:

1 **16.514 Pabst university research park. (1)** The department shall offer to
2 purchase land on which land was sited the former Pabst Brewing Company, Inc.,
3 headquarters in the city of Milwaukee and any structures on that land. For the
4 purpose of making this purchase, the department may apply for a loan from the
5 board of commissioners in an amount not to exceed \$25,000,000.

6 **(2)** The department shall organize a nonstock corporation under ch. 181 that
7 shall be known as the “Pabst University Research Foundation.” The initial directors
8 of the Pabst University Research Foundation are the following:

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

10 (b) A representative of the University of Wisconsin–Milwaukee, selected by the
11 board of regents of the University of Wisconsin System.

12 (c) A representative of Marquette University, selected by the governing body
13 of that university.

14 (d) A representative of Alverno College, selected by the governing body of that
15 college.

16 (e) A representative of Cardinal Stritch College, selected by the governing body
17 of that college.

18 (f) A representative of Concordia University located in this state, selected by
19 the governing body of that university.

20 (g) A representative of the Milwaukee School of Engineering, selected by the
21 governing body of that institution.

22 (h) A representative of the Milwaukee Area Technical College, selected by the
23 governing body of that technical college.

24 (i) A representative of the Milwaukee Public Schools Foundation, Inc., selected
25 by the governing body of that foundation.

1 **(3)** If the department purchases land on which land was sited the former Pabst
2 Brewing Company, Inc., headquarters in the city of Milwaukee and any structures
3 on that land, the department shall enter into a contract with the Pabst University
4 Research Foundation to develop the land for commercial lease. After the Pabst
5 University Research Foundation has developed the land and any structures on the
6 land, the department shall enter into a contract with Pabst University Research
7 Foundation to sell the land and the structures on the land to Pabst University
8 Research Foundation.”.

9 **59.** Page 47, line 4: delete “**tax relief**” and substitute “**cash building**
10 **projects**”.

11 **60.** Page 48, line 1: after “**(4)**” insert “(a)”.

12 **61.** Page 48, line 6: delete lines 6 to 8 and substitute “sub. (3).”.

13 **62.** Page 48, line 8: after that line insert:

14 “(b) If the amount calculated under par. (a) is at least \$115,000,000, the
15 secretary shall calculate the difference between the amount that exceeds
16 \$115,000,000 and the amount that is necessary to maintain a required general fund
17 balance under s. 20.003 (4) of 2%, less the amount designated as “Less Required
18 Statutory Balance” in the summary for that fiscal year.

19 (c) The secretary shall transfer from the general fund to the cash building
20 projects fund the amount that exceeds the sum of \$115,000,000 and the amount
21 calculated under par. (b).”.

22 **63.** Page 48, line 19: delete lines 19 and 20 and substitute:

23 “(4) If the state has not received in fiscal year 2002–03 at least \$15,345,100
24 under the tobacco”.

1 **64.** Page 48, line 23: delete the material beginning with “in” and ending with
2 “agreement” on line 25.

3 **65.** Page 49, line 2: after that line insert:

4 “(5m) The secretary shall transfer from the permanent endowment fund to the
5 Thomas T. Melvin tobacco control endowment fund an amount that equals
6 \$313,000,000, but only if the state has received from the sale of the state’s right to
7 receive any of the payments under the tobacco settlement agreement the amount
8 that is required to fund the transfer under s. 20.855 (4) (rc).

9 **(6)** (a) 1. Subject to subd. 2., annually, beginning in the 2003–04 fiscal year, the
10 secretary shall transfer from the Thomas T. Melvin tobacco control endowment fund
11 to the tobacco control fund an amount that equals \$31,000,000.

12 2. If the transfer under subd. 1. would cause the balance in the Thomas T.
13 Melvin tobacco control endowment fund to be less than \$313,000,000, the secretary
14 shall reduce the amount of the transfer in subd. 1. to an amount that would cause
15 the balance in the Thomas T. Melvin tobacco control endowment fund to equal
16 \$313,000,000.

17 (b) If the amount transferred under par. (a) is \$31,000,000 and if the remaining
18 balance in the Thomas T. Melvin tobacco control endowment fund after the transfer
19 is greater than \$500,000,000, the secretary shall transfer the amount that exceeds
20 \$500,000,000 to the general fund.”.

21 **66.** Page 49, line 2: delete “the” and substitute “that”.

22 **67.** Page 49, line 16: delete the material beginning with that line and ending
23 with page 50, line 2.

24 **68.** Page 50, line 8: delete lines 8 to 22.

1 **69.** Page 51, line 24: delete the material beginning with that line and ending
2 with page 52, line 5.

3 **70.** Page 53, line 6: delete lines 6 to 10.

4 **71.** Page 53, line 22: after that line insert:

5 “(ah) “Minority financial adviser” and “minority investment firm” mean a
6 financial adviser and investment firm, respectively, certified by the department of
7 commerce under s. 560.036 (2).”.

8 **72.** Page 53, line 23: delete “(a)” and substitute “(am)”.

9 **73.** Page 54, line 6: delete “The secretary” and substitute “Subject to sub. (2m),
10 the secretary”.

11 **74.** Page 54, line 7: after that line insert:

12 “(2m) The secretary may not enter into a contract with a nonstock corporation
13 or limited liability company described in sub. (3) or s. 231.215 to sell for cash or other
14 consideration the state’s right to receive any of the payments under the tobacco
15 settlement agreement unless the contract provides that the nonstock corporation or
16 limited liability company complies with the all of following requirements:

17 (a) If the nonstock corporation or limited liability company issues bonds
18 secured by the tobacco settlement revenues, the nonstock corporation or limited
19 liability company shall ensure that at least 6% of the total of bonds contracted in each
20 year is underwritten by minority investment firms.

21 (b) If the nonstock corporation or limited liability company issues bonds
22 secured by the tobacco settlement revenues, the nonstock corporation or limited
23 liability company shall ensure that at least 6% of the total moneys expended in each

1 year for the services of financial advisors are expended for the services of minority
2 financial advisors.”.

3 **75.** Page 58, line 21: delete lines 21 to 23.

4 **76.** Page 58, line 22: delete “, 235”.

5 **77.** Page 59, line 5: delete lines 5 to 25.

6 **78.** Page 60, line 1: delete lines 1 to 9.

7 **79.** Page 60, line 13: delete lines 13 to 18.

8 **80.** Page 60, line 25: after “department.” insert “The department shall
9 prescribe by rule a methodology for determination of assessment amounts under this
10 subsection.”.

11 **81.** Page 61, line 1: delete lines 1 to 25.

12 **82.** Page 62, line 1: delete lines 1 to 25.

13 **83.** Page 63, line 10: after that line insert:

14 “**SECTION 290m.** 16.75 (3m) (c) 4. of the statutes is amended to read:

15 16.75 (**3m**) (c) 4. The department shall annually prepare and submit a report
16 to the governor and to the chief clerk of each house of the legislature, for distribution
17 to the appropriate standing committees under s. 13.172 (3), on the total amount of
18 money paid to and of indebtedness or other obligations underwritten by minority
19 businesses, minority financial advisers, and minority investment firms under the
20 requirements of this subsection and ss. 16.855 (10m), 16.87 (2), 25.185, 84.014 (7r),
21 84.075, and 565.25 (2) (a) 3. and on this state’s progress toward achieving compliance
22 with par. (b) and ss. 16.855 (10m) (a) and (10n), 16.87 (2), 25.185, 84.014 (7r), and
23 84.075 (1).

1 **SECTION 290p.** 16.75 (3m) (c) 5. of the statutes is amended to read:

2 16.75 (**3m**) (c) 5. In determining whether a purchase, contract, or subcontract
3 complies with the goal established under par. (b) or s. 16.855 (10m), 16.87 (2) or
4 25.185, or 84.014 (7r), the department shall include only amounts paid to minority
5 businesses, minority financial advisers, and minority investment firms certified by
6 the department of commerce under s. 560.036 (2).”.

7 **84.** Page 63, line 11: delete lines 11 to 25.

8 **85.** Page 64, line 1: delete lines 1 to 25.

9 **86.** Page 65, line 1: delete the material beginning with that line and ending
10 with page 68, line 5.

11 **87.** Page 68, line 6: delete lines 6 to 24.

12 **88.** Page 69, line 1: delete lines 1 to 5.

13 **89.** Page 69, line 6: delete lines 6 to 8.

14 **90.** Page 69, line 8: after that line insert:

15 “**SECTION 310m.** 16.839 of the statutes is created to read:

16 **16.839 State office buildings named.** The state office building located at 17
17 West Main Street in the city of Madison is name the “Fred A. Risser Justice Center.””.

18 **91.** Page 69, line 13: delete the material beginning with that line and ending
19 with page 70, line 6.

20 **92.** Page 71, line 21: delete the material beginning with that line and ending
21 with page 72, line 6.

22 **93.** Page 72, line 11: after that line insert:

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

1 16.85 (10m) In connection with the planning process for the long-range state
2 building program under sub. (10), to investigate the potential to incorporate and use
3 distributed generation units in any state building project that is expected to involve
4 an expenditure of \$5,000,000 or more. In conducting its investigation, the
5 department shall consider the cost effectiveness of such use, the potential for such
6 use to increase statewide power generation capacity, and the potential for cost
7 savings to be realized by the state from such use. The department shall report the
8 results of its investigation, together with its recommendations and the reasons
9 therefor, to the building commission prior to consideration of the project by the
10 commission. In this subsection, “distributed generation unit” means any form of
11 energy generation that may be used by electric consumers for the generation of
12 electric power.”.

13 **94.** Page 72, line 12: delete lines 12 to 17.

14 **95.** Page 72, line 17: after that line insert:

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

16 16.854 (1) (a) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~
17 means a business that is certified by the department of commerce under s. 560.036
18 (2).”.

19 **96.** Page 73, line 11: delete lines 11 to 25.

20 **97.** Page 75, line 19: after that line insert:

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

22 16.964 (1) (i) From the appropriations under s. 20.505 (6) (kp) and (p), allocate
23 \$250,000 annually to the department of transportation for the purpose of awarding
24 grants under s. 85.53.”.

- 1 **98.** Page 76, line 23: delete the material beginning with that line and ending
2 with page 78, line 23.
- 3 **99.** Page 80, line 6: delete lines 6 to 24.
- 4 **100.** Page 81, line 1: delete lines 1 to 25.
- 5 **101.** Page 82, line 1: delete lines 1 to 24.
- 6 **102.** Page 83, line 1: delete lines 1 to 10.
- 7 **103.** Page 83, line 11: delete lines 11 and 12 and substitute:
8 “**SECTION 335mb.** 16.971 (2) (n) of the statutes is amended to read:”.
- 9 **104.** Page 83, line 13: delete “22.03” and substitute “16.971”.
- 10 **105.** Page 83, line 18: delete lines 18 to 25.
- 11 **106.** Page 84, line 1: delete lines 1 to 25.
- 12 **107.** Page 85, line 1: delete lines 1 to 15.
- 13 **108.** Page 85, line 16: delete lines 16 to 21 and substitute:
14 “**SECTION 364b.** 16.973 (2) (b) of the statutes is amended to read:”.
- 15 **109.** Page 85, line 22: before “(b)” insert “16.973 (2)”.
- 16 **110.** Page 85, line 25: delete “~~division~~ department” and substitute “division”.
- 17 **111.** Page 86, line 2: on lines 2 and 5 delete “~~division~~ department” and
18 substitute “division”.
- 19 **112.** Page 86, line 8: delete “secretary” and substitute “secretary”.
- 20 **113.** Page 86, line 9: delete “chief information officer”.
- 21 **114.** Page 86, line 11: delete “~~division~~ department” and substitute “division”.
- 22 **115.** Page 86, line 14: delete lines 14 to 25.

1 **116.** Page 87, line 1: delete lines 1 to 24.

2 **117.** Page 88, line 1: delete lines 1 to 7.

3 **118.** Page 88, line 8: delete lines 8 and 9 and substitute:

4 “**SECTION 370b.** 16.974 (7) (a) of the statutes is amended to read:”.

5 **119.** Page 88, line 10: delete “(1)” and substitute “(7) (a)”.

6 **120.** Page 88, line 15: delete lines 15 to 25.

7 **121.** Page 89, line 1: delete lines 1 to 24.

8 **122.** Page 90, line 1: delete lines 1 to 6.

9 **123.** Page 90, line 6: after that line insert:

10 “**SECTION 380s.** 17.13 (intro.) of the statutes is amended to read:

11 **17.13 Removal of village, town, town sanitary district, school district,**
12 **technical college and, family care district, and Milwaukee County child**
13 **welfare district officers.** (intro.) Officers of towns, town sanitary districts,
14 villages, school districts, technical college districts and, family care districts, and the
15 Milwaukee County child welfare district may be removed as follows:

16 **SECTION 380t.** 17.13 (5) of the statutes is created to read:

17 **17.13 (5)** APPOINTIVE OFFICERS OF THE MILWAUKEE COUNTY CHILD WELFARE
18 DISTRICT. Any member of the Milwaukee County child welfare district board
19 appointed under s. 48.562 (3) (a), by the appointing authority for cause.”.

20 **124.** Page 90, line 7: delete lines 7 and 8.

21 **125.** Page 90, line 8: after that line insert:

22 “**SECTION 382aq.** 18.13 (4g) of the statutes is created to read:

1 18.13 **(4g)** PUBLIC INTERVENOR. Notwithstanding s. 165.075, the public
2 intervenor does not have authority to initiate any action or proceeding concerning
3 the issuance of obligations by the building commission under this chapter.”.

4 **126.** Page 90, line 8: after that line insert:

5 “**SECTION 382c.** 17.27 (3p) of the statutes is created to read:

6 17.27 **(3p)** MILWAUKEE COUNTY CHILD WELFARE DISTRICT BOARD. If a vacancy
7 occurs in the position of any appointed member of the Milwaukee County child
8 welfare district board, the appointing authority shall appoint to serve for the residue
9 of the unexpired term a person who meets the applicable requirements under s.
10 48.562 (3) (b).”.

11 **127.** Page 90, line 9: delete “**SECTION 382b**” and substitute “**SECTION 382d**”.

12 **128.** Page 93, line 3: after that line insert:

13 “**SECTION 382x.** 19.32 (1) of the statutes is amended to read:

14 19.32 **(1)** “Authority” means any of the following having custody of a record: a
15 state or local office, elected official, agency, board, commission, committee, council,
16 department or public body corporate and politic created by constitution, law,
17 ordinance, rule or order; a governmental or quasi-governmental corporation except
18 for the Bradley center sports and entertainment corporation; a local exposition
19 district under subch. II of ch. 229; a family care district under s. 46.2895; the
20 Milwaukee County child welfare district under s. 48.562; any court of law; the
21 assembly or senate; a nonprofit corporation ~~which~~ that receives more than 50% of its
22 funds from a county or a municipality, as defined in s. 59.001 (3), and ~~which~~ that
23 provides services related to public health or safety to the county or municipality; a

1 nonprofit corporation operating the Olympic ice training center under s. 42.11 (3);
2 or a formally constituted subunit of any of the foregoing.”.

3 **129.** Page 93, line 4: delete lines 4 to 9.

4 **130.** Page 93, line 10: delete lines 10 to 12.

5 **131.** Page 93, line 13: delete lines 13 to 15.

6 **132.** Page 93, line 15: after that line insert:

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

8 **133.** Page 93, line 16: delete lines 16 to 18.

9 **134.** Page 93, line 19: delete lines 19 to 21.

10 **135.** Page 93, line 21: after that line insert:

11 “SECTION 389t. 19.82 (1) of the statutes is amended to read:

12 19.82 (1) “Governmental body” means a state or local agency, board,
13 commission, committee, council, department, or public body corporate and politic
14 created by constitution, statute, ordinance, rule, or order; a governmental or
15 quasi-governmental corporation except for the Bradley center sports and
16 entertainment corporation; a local exposition district under subch. II of ch. 229; a
17 family care district under s. 46.2895; the Milwaukee County child welfare district
18 under s. 48.562; a nonprofit corporation operating the Olympic ice training center
19 under s. 42.11 (3); or a formally constituted subunit of any of the foregoing, but
20 excludes any such body or committee or subunit of such body ~~which~~ that is formed
21 for or meeting for the purpose of collective bargaining under subch. I, IV, or V of ch.
22 111.”.

1 **136.** Page 107, line 17: decrease the dollar amount for fiscal year 2001–02 by
2 \$2,106,100 and decrease the dollar amount for fiscal year 2002–03 by \$2,106,100,
3 and adjust the NET APPROPRIATION totals accordingly, to reflect the transfer of
4 certain consumer information programs, functions, and enforcement activities to the
5 department of justice and to decrease the authorized FTE positions of the
6 department of agriculture, trade and consumer protection by 37.25 GPR positions
7 related to those consumer information programs, functions, and enforcement
8 activities.

9 **137.** Page 107, line 17: increase the dollar amount for fiscal year 2001–02 by
10 \$57,200 and increase the dollar amount for fiscal year 2002–03 by \$57,200, and
11 adjust the NET APPROPRIATION totals accordingly, to transfer funding for 1.0 FTE
12 GPR position of the department of agriculture, trade and consumer protection that
13 is related to the enforcement of chapter 98 of the statutes.

14 **138.** Page 107, line 18: delete that line.

15 **139.** Page 107, line 19: delete that line.

16 **140.** Page 109, line 12: decrease the dollar amount for fiscal year 2001–02 by
17 \$135,500 and decrease the dollar amount for fiscal year 2002–03 by \$271,100 to
18 reflect the elimination of pet regulation provisions and to decrease the authorized
19 FTE positions by 7.0 PR positions.

20 **141.** Page 111, line 1: decrease the dollar amount for fiscal year 2001–02 by
21 \$904,800 and decrease the dollar amount for fiscal year 2002–03 by \$904,800 for the
22 purpose of reflecting the transfer of funding for nonpoint source water pollution
23 control to the environmental fund and to decrease the authorized FTE positions by
24 11.0 GPR positions.

1 “(dm) Principal repayment, interest
2 and rebates GPR S –0– –0–
3 (dp) Heritage trust program GPR S –0– –0–”.

4 **149.** Page 115, line 6: after that line insert:

5 “(hr) High-volume industrial waste
6 loans; repayments PR C –0– –0–”.

7 **150.** Page 116, line 9: after that line insert:

8 “(kd) Development assistance; gaming
9 transfer PR-S A –0– 500,000”.

10 **151.** Page 116, line 18: increase the dollar amount for fiscal year 2002–03 by
11 \$250,000 to increase funding for the purposes for which the appropriation is made.

12 **152.** Page 117, line 14: after that line insert:

13 “(rm) Heritage trust fund grants GPR S –0– –0–”.

14 **153.** Page 117, line 14: after that line insert:

15 “(rr) High-volume industrial waste
16 grants and loans SEG B 106,300 425,000”.

17 **154.** Page 120, line 12: increase the dollar amount for fiscal year 2001–02 by
18 \$120,000 and increase the dollar amount for fiscal year 2002–03 by \$120,000 for the
19 purpose of funding public education on financial matters.

20 **155.** Page 127, line 9: delete lines 9 to 12.

21 **156.** Page 129, line 3: increase the dollar amount for fiscal year 2001–02 by
22 \$631,200 and increase the dollar amount for fiscal year 2002–03 by \$1,281,300 to
23 increase funding for the purpose for which the appropriation is made.

1 **157.** Page 129, line 4: increase the dollar amount for fiscal year 2002–03 by
2 \$25,000 to increase funding for the purpose for which the appropriation is made.

3 **158.** Page 129, line 4: after that line insert:

4 “(cm) Nursing degree loan program GPR A –0– 450,000”.

5 **159.** Page 129, line 5: increase the dollar amount for fiscal year 2001–02 by
6 \$19,200 and increase the dollar amount for fiscal year 2002–03 by \$39,900 to
7 increase funding for the purpose for which the appropriation is made.

8 **160.** Page 129, line 6: increase the dollar amount for fiscal year 2002–03 by
9 \$225,000 to increase funding for the purpose for which the appropriation is made.

10 **161.** Page 129, line 10: decrease the dollar amount for fiscal year 2001–02 by
11 \$175,100 and increase the dollar amount for fiscal year 2002–03 by \$144,700 to
12 decrease funding for the purpose for which the appropriation is made.

13 **162.** Page 129, line 18: increase the dollar amount for fiscal year 2001–02 by
14 \$1,323,000 and increase the dollar amount for fiscal year 2002–03 by \$2,738,600 to
15 increase funding for the purpose for which the appropriation is made.

16 **163.** Page 129, line 20: increase the dollar amount for fiscal year 2001–02 by
17 \$594,100 and increase the dollar amount for fiscal year 2002–03 by \$1,215,000 to
18 increase funding for the purpose for which the appropriation is made.

19 **164.** Page 130, line 2: increase the dollar amount for fiscal year 2001–02 by
20 \$55,400 and increase the dollar amount for fiscal year 2002–03 by \$115,300 to
21 increase funding for the purpose for which the appropriation is made.

22 **165.** Page 130, line 4: delete “Governor Thompson” and substitute “Academic
23 excellence higher education”.

1 **174.** Page 136, line 9: increase the dollar amount for fiscal year 2001–02 by
2 \$116,000 and increase the dollar amount for fiscal year 2002–03 by \$214,800 to
3 increase funding for the purpose for which the appropriation is made.

4 **175.** Page 136, line 15: increase the dollar amount for fiscal year 2001–02 by
5 \$163,300 and increase the dollar amount for fiscal year 2002–03 by \$163,300 to
6 increase funding for the purpose for which the appropriation is made.

7 **176.** Page 136, line 18: increase the dollar amount for fiscal year 2001–02 by
8 \$570,000 and increase the dollar amount for fiscal year 2002–03 by \$570,000 to
9 increase funding for the purpose for which the appropriation is made.

10 **177.** Page 137, line 22: after that line insert:

11 “(kj) Grant to Beloit College PR A 50,000 50,000”.

12 **178.** Page 138, line 2: after that line insert:

13 “(kn) Federal funds transferred from
14 the department of workforce
15 development; after-school care
16 grant program PR–S C –0– –0–”.

17 **179.** Page 138, line 11: increase the dollar amount for fiscal year 2002–03 by
18 \$250,000 to increase funding for the purpose for which the appropriation is made.

19 **180.** Page 138, line 12: increase the dollar amount for fiscal year 2001–02 by
20 \$97,300 and increase the dollar amount for fiscal year 2002–03 by \$125,300 to
21 increase funding for the purposes for which the appropriation is made.

1 **181.** Page 138, line 16: increase the dollar amount for fiscal year 2001–02 by
2 \$900,000 and increase the dollar amount for fiscal year 2002–03 by \$900,000 to
3 increase funding for the purpose for which the appropriation is made.

4 **182.** Page 139, line 4: increase the dollar amount for fiscal year 2001–02 by
5 \$73,500 and increase the dollar amount for fiscal year 2002–03 by \$150,200 to
6 increase funding for the purpose for which the appropriation is made.

7 **183.** Page 141, line 11: increase the dollar amount for fiscal year 2001–02 by
8 \$66,900 and increase the dollar amount for fiscal year 2002–03 by \$671,300 to
9 increase the authorized FTE positions of the board of regents of the University of
10 Wisconsin System by 1.5 GPR positions and to increase funding for the science,
11 technology, and engineering preview summer camps operated by the University of
12 Wisconsin–Stout.

13 **184.** Page 141, line 11: increase the dollar amount for fiscal year 2001–02 by
14 \$1,551,000 and increase the dollar amount for fiscal year 2002–03 by \$3,149,000 to
15 increase funding for University of Wisconsin System libraries acquisitions.

16 **185.** Page 141, line 11: increase the dollar amount for fiscal year 2001–02 by
17 \$287,400 and increase the dollar amount for fiscal year 2002–03 by \$570,100 to
18 increase funding for the purpose for which the appropriation is made.

19 **186.** Page 141, line 11: increase the dollar amount for fiscal year 2002–03 by
20 \$1,300,000 to increase the authorized FTE positions for the board of regents of the
21 University of Wisconsin System by 29.5 GPR positions for academic and career
22 counseling services.

1 **187.** Page 141, line 11: increase the dollar amount for fiscal year 2001–02 by
2 \$4,282,900 and increase the dollar amount for fiscal year 2002–03 by \$6,941,200 to
3 increase the authorized FTE positions by 120.30 GPR positions for information
4 technology and biotechnology courses.

5 **188.** Page 141, line 11: increase the dollar amount for fiscal year 2001–02 by
6 \$162,500 and increase the dollar amount for fiscal year 2002–03 by \$325,000 to
7 increase the authorized FTE positions by 8.0 GPR positions for University of
8 Wisconsin–Green Bay first–year programs.

9 **189.** Page 141, line 11: increase the dollar amount for fiscal year 2001–02 by
10 \$328,600 and increase the dollar amount for fiscal year 2002–03 by \$612,200 to
11 increase the authorized FTE positions by 6.0 GPR positions for the University of
12 Wisconsin–Extension regional technology centers.

13 **190.** Page 141, line 11: increase the dollar amount for fiscal year 2001–02 by
14 \$4,200,000 and increase the dollar amount for fiscal year 2002–03 by \$12,000,000 to
15 increase the authorized FTE positions by 45.0 GPR positions for faculty and staff at
16 the University of Wisconsin–Madison and to increase funding for the University of
17 Wisconsin–Madison.

18 **191.** Page 141, line 11: increase the dollar amount for fiscal year 2001–02 by
19 \$5,920,000 and increase the dollar amount for fiscal year 2002–03 by \$11,350,000 to
20 increase the authorized FTE positions for the board of regents of the University of
21 Wisconsin System by 120.0 GPR positions for the purpose of faculty and staff at the
22 University of Wisconsin–Milwaukee.

1 **192.** Page 141, line 11: decrease the dollar amount for fiscal year 2001–02 by
2 \$110,000 and decrease the dollar amount for fiscal year 2002–03 by \$110,000 to
3 decrease funding for the purpose for which the appropriation is made.

4 **193.** Page 141, line 11: increase the dollar amount for fiscal year 2001–02 by
5 \$300,000 to fund an economic development study of the Fond du Lac Avenue corridor
6 from North Avenue to Capitol Drive in Milwaukee, Wisconsin, conducted by the
7 Center for Economic Development at the University of Wisconsin–Milwaukee.

8 **194.** Page 141, line 11: increase the dollar amount for fiscal year 2002–03 by
9 \$1,105,000 to increase the authorized FTE positions for the University of Wisconsin
10 System by 22.5 GPR positions for technical college system and University of
11 Wisconsin System student transfers.

12 **195.** Page 141, line 11: increase the dollar amount for fiscal year 2001–02 by
13 \$250,000 for the purpose for which the appropriation is made.

14 **196.** Page 142, line 11: increase the dollar amount for fiscal year 2001–02 by
15 \$500,000 and increase the dollar amount for fiscal year 2002–03 by \$1,000,000 to
16 increase funding for the purpose for which the appropriation in made.

17 **197.** Page 143, line 8: delete lines 8 and 9.

18 **198.** Page 144, line 11: delete “Land and water” and substitute “Grazing”.

19 **199.** Page 145, line 10: increase the dollar amount for fiscal year 2001–02 by
20 \$336,900 and increase the dollar amount for fiscal year 2002–03 by \$336,900 to
21 increase funding for the purpose for which the appropriation is made and to increase
22 the authorized FTE positions by 4.0 SEG positions.

1 “(kd) Job retention skills development
2 programs PR–S C 200,000 –0–”.

3 **208.** Page 153, line 9: increase the dollar amount for fiscal year 2001–02 by
4 \$74,500 and increase the dollar amount for fiscal year 2002–03 by \$157,000 to
5 increase funding for the purposes for which the appropriation is made.

6 **209.** Page 154, line 23: after that line insert:

7 “(Lu) Wild animals and plants SEG A –0– –0–”.

8 **210.** Page 155, line 21: increase the dollar amount for fiscal year 2001–02 by
9 \$368,900 and increase the dollar amount for fiscal year 2002–03 by \$338,400, and
10 adjust the NET APPROPRIATION totals accordingly, to increase the authorized
11 FTE positions for the department of natural resources by 6.0 SEG wildlife
12 management positions.

13 **211.** Page 155, line 22: increase the dollar amount for fiscal year 2001–02 by
14 \$46,000 and increase the dollar amount for fiscal year 2002–03 by \$55,000, and
15 adjust the NET APPROPRIATION totals accordingly, to increase the authorized
16 FTE positions for the department of natural resources by 1.0 SEG manager position
17 for the Willow Flowage.

18 **212.** Page 156, line 14: increase the dollar amount for fiscal year 2001–02 by
19 \$458,600 and increase the dollar amount for fiscal year 2002–03 by \$458,600 for the
20 purpose of increasing the authorized FTE positions by 8.0 PR positions for the
21 purposes for which the appropriation is made.

22 **213.** Page 161, line 2: decrease the dollar amount for fiscal year 2001–02 by
23 \$386,900 and decrease the dollar amount for fiscal year 2002–03 by \$386,900 for the

1 “(as) Water resources – trading water
2 pollution credits SEG C 50,000 50,000
3 (at) Watershed – nonpoint source
4 contracts SEG B 1,079,300 1,079,300”.

5 **221.** Page 162, line 18: delete lines 18 to 20.

6 **222.** Page 162, line 20: after that line insert:

7 “(ax) Water resources management —
8 computer accessible information. SEG A 150,000 150,000”.

9 **223.** Page 163, line 16: decrease the dollar amount for fiscal year 2001–02 by
10 \$732,700 and decrease the dollar amount for fiscal year 2002–03 by \$732,700, and
11 adjust the NET APPROPRIATION totals accordingly, for the purpose of reflecting
12 the transfer of funding for nonpoint source water pollution control to the
13 environmental fund and to decrease the authorized FTE positions by 9.5 GPR
14 positions.

15 **224.** Page 164, line 11: increase the dollar amount for fiscal year 2001–02 by
16 \$128,900 and increase the dollar amount for fiscal year 2002–03 by \$128,900, and
17 adjust the NET APPROPRIATION totals accordingly, for the purpose of reflecting
18 the transfer of funding for nonpoint source water pollution control to the
19 environmental fund and to increase the authorized FTE positions by 1.5 SEG
20 positions.

21 **225.** Page 164, line 15: before that line insert:

22 “(mr) General program operations –
23 nonpoint source SEG A 603,800 603,800”.

1 **226.** Page 164, line 19: increase the dollar amount for fiscal year 2001–02 by
2 \$30,000 and increase the dollar amount for fiscal year 2002–03 by \$40,000, and
3 adjust the net appropriation totals accordingly, to increase the authorized FTE
4 positions for the department of natural resources by 1.0 SEG fisheries biologist
5 position for conducting water quality and fish management activities in Lake
6 Superior.

7 **227.** Page 164, line 19: increase the dollar amount for fiscal year 2001–02 by
8 \$663,100 and increase the dollar amount for fiscal year 2002–03 by \$684,300, to
9 increase the authorized FTE positions for the department of natural resources by 6.0
10 SEG fisheries management positions.

11 **228.** Page 166, line 2: increase the dollar amount for fiscal year 2001–02 by
12 \$50,000 for the purpose of providing funding for the recreational area on Keyes Lake
13 in Florence County.

14 **229.** Page 166, line 11: increase the dollar amount for fiscal year 2001–02 by
15 \$75,000 and increase the dollar amount for fiscal year 2002–03 by \$75,000 for the
16 purpose for which the appropriation is made.

17 **230.** Page 167, line 2: increase the dollar amount for fiscal year 2001–02 by
18 \$100,000 and increase the dollar amount for fiscal year 2002–03 by \$100,000 to
19 increase funding for the urban forestry grant program.

20 **231.** Page 168, line 4: after that line insert:

21 “(cz) Recreation aids — snowmobile–
22 bicycle–pedestrian overpass SEG B 124,000 –0–”.

23 **232.** Page 169, line 4: delete lines 4 and 5.

1 **233.** Page 169, line 9: after that line insert:

2 “(au) Environmental aids – river

3 protection; environmental fund SEG A 150,000 150,000”.

4 **234.** Page 169, line 16: after that line insert:

5 “(bc) Recycling efficiency planning

6 grants GPR A 3,000,000 –0–”.

7 **235.** Page 170, line 9: increase the dollar amount for fiscal year 2001–02 by

8 \$4,400,000 and increase the dollar amount for fiscal year 2002–03 by \$31,500,000 to

9 increase funding for the purpose for which the appropriation is made.

10 **236.** Page 170, line 9: after that line insert:

11 “(bv) Recycling efficiency planning

12 grants SEG A –0– 7,600,000”.

13 **237.** Page 170, line 17: delete lines 17 and 18.

14 **238.** Page 170, line 18: after that line insert:

15 “(dc) Land spreading reduction pilot

16 program GPR A 25,000 25,000”.

17 **239.** Page 170, line 20: after that line insert:

18 “(dq) Environmental aids – urban

19 nonpoint source SEG A 2,000,000 2,000,000”.

20 **240.** Page 175, line 1: decrease the dollar amount for fiscal year 2001–02 by

21 \$43,600 and decrease the dollar amount for fiscal year 2002–03 by \$43,600 to

22 decrease funding for the purpose for which the appropriation is made and to decrease

23 the authorized FTE positions by 0.5 SEG auditor position.

1 **241.** Page 175, line 3: decrease the dollar amount for fiscal year 2001–02 by
2 \$693,000 and decrease the dollar amount for fiscal year 2002–03 by \$694,000 for the
3 purpose of reflecting the transfer of funding for nonpoint source water pollution
4 control to the environmental fund.

5 **242.** Page 175, line 18: increase the dollar amount for fiscal year 2001–02 by
6 \$693,000 and increase the dollar amount for fiscal year 2002–03 by \$694,000 for the
7 purpose of reflecting the transfer of funding for nonpoint source water pollution
8 control to the environmental fund.

9 **243.** Page 177, line 2: increase the dollar amount for fiscal year 2001–02 by
10 \$90,000 and increase the dollar amount for fiscal year 2002–03 by \$126,700 for the
11 purpose for which the appropriation is made.

12 **244.** Page 177, line 4: decrease the dollar amount for fiscal year 2001–02 by
13 \$75,800 and decrease the dollar amount for fiscal year 2002–03 by \$75,800 for the
14 purpose of reflecting the transfer of funding for nonpoint source water pollution
15 control to the environmental fund and to decrease the authorized FTE positions by
16 1.5 GPR positions.

17 **245.** Page 177, line 24: increase the dollar amount for fiscal year 2001–02 by
18 \$375,000 and increase the dollar amount for fiscal year 2002–03 by \$375,000 to
19 increase funding for limited term employee staffing.

20 **246.** Page 178, line 2: increase the dollar amount for fiscal year 2001–02 by
21 \$75,800 and increase the dollar amount for fiscal year 2002–03 by \$75,800 for the
22 purpose of reflecting the transfer of funding for nonpoint source water pollution
23 control to the environmental fund and to increase the authorized FTE positions by
24 1.5 SEG positions.

1 **247.** Page 179, line 1: delete lines 1 to 3.

2 **248.** Page 181, line 14: increase the dollar amount for fiscal year 2002–03 by
3 \$865,900 to increase funding for the purpose for which the appropriation is made.

4 **249.** Page 182, line 2: increase the dollar amount for fiscal year 2002–03 by
5 \$2,723,900 to increase funding for the purpose for which the appropriation is made.

6 **250.** Page 183, line 9: decrease the dollar amount for fiscal year 2001–02 by
7 \$9,100,000 to decrease funding for the purpose for which the appropriation is made
8 and increase the dollar amount for fiscal year 2002–03 by \$9,100,000 to increase
9 funding for the purpose for which the appropriation is made.

10 **251.** Page 183, line 9: after that line insert:

11 “(gs) Grants to Brown County and
12 municipalities, state funds SEG A –0– 410,000”.

13 **252.** Page 183, line 11: increase the dollar amount for fiscal year 2002–03 by
14 \$51,500 to increase funding for the purpose for which the appropriation is made.

15 **253.** Page 183, line 13: increase the dollar amount for fiscal year 2002–03 by
16 \$13,900 to increase funding for the purpose for which the appropriation is made.

17 **254.** Page 183, line 15: increase the dollar amount for fiscal year 2002–03 by
18 \$139,200 to increase funding for the purpose for which the appropriation is made.

19 **255.** Page 183, line 17: increase the dollar amount for fiscal year 2002–03 by
20 \$37,100 to increase funding for the purpose for which the appropriation is made.

21 **256.** Page 195, line 3: increase the dollar amount for fiscal year 2001–02 by
22 \$29,500 and increase the dollar amount for fiscal year 2002–03 by \$64,100 for the
23 purpose of expanding the intensive sanctions program.

1 **257.** Page 195, line 3: decrease the dollar amount for fiscal year 2001–02 by
2 \$171,500 and decrease the dollar amount for fiscal year 2002–03 by \$171,500 to
3 decrease the authorized FTE positions for the department of corrections by 3.0 GPR
4 positions for the secure inmate work program.

5 **258.** Page 195, line 3: increase the dollar amount for fiscal year 2001–02 by
6 \$2,500 and increase the dollar amount for fiscal year 2002–03 by \$83,100 for the
7 purpose of delaying the opening of certain correctional facilities.

8 **259.** Page 195, line 3: decrease the dollar amount for fiscal year 2002–03 by
9 \$10,254,600 to decrease the authorized FTE positions for the department of
10 corrections by 276.6 GPR positions for the correctional institution in New Lisbon.

11 **260.** Page 195, line 3: decrease the dollar amount for fiscal year 2002–03 by
12 \$515,500 for the purpose of delaying the opening of the correctional institution in
13 New Lisbon until January 1, 2004.

14 **261.** Page 195, line 3: decrease the dollar amount for fiscal year 2001–02 by
15 \$276,900 to decrease the authorized FTE positions for the department of corrections
16 by 5.0 GPR positions for the correctional institution in Chippewa Falls and decrease
17 the dollar amount for fiscal year 2002–03 by \$9,601,600 to decrease the authorized
18 FTE positions for the department of corrections by 215.43 GPR positions for the
19 correctional institution in Chippewa Falls.

20 **262.** Page 195, line 3: decrease the dollar amount for fiscal year 2002–03 by
21 \$364,000 for the purpose of delaying the opening of the correctional institution in
22 Chippewa Falls until January 1, 2004.

1 **263.** Page 195, line 3: decrease the dollar amount for fiscal year 2002–03 by
2 \$377,100 to decrease the authorized FTE positions for the department of corrections
3 by 10.0 GPR positions for the segregation unit at the Oshkosh Correctional
4 Institution.

5 **264.** Page 195, line 3: decrease the dollar amount for fiscal year 2001–02 by
6 \$229,900 and decrease the dollar amount for fiscal year 2002–03 by \$776,100 for the
7 purpose of delaying the opening of the workhouse at the Winnebago Correctional
8 Center until January 1, 2004.

9 **265.** Page 195, line 3: increase the dollar amount for fiscal year 2001–02 by
10 \$10,400 and increase the dollar amount for fiscal year 2002–03 by \$10,700 to
11 increase the authorized FTE positions for the department of corrections by 3.0 GPR
12 teaching positions at the Robert E. Ellsworth Correctional Center located in the
13 village of Union Grove in Racine County.

14 **266.** Page 195, line 3: decrease the dollar amount for fiscal year 2001–02 by
15 \$384,100 and decrease the dollar amount for fiscal year 2002–03 by \$384,100 for the
16 purpose for which the appropriation is made.

17 **267.** Page 195, line 5: decrease the dollar amount for fiscal year 2002–03 by
18 \$6,700 for the purpose of delaying the opening of the segregation unit at the Oshkosh
19 Correctional Institution until January 1, 2004.

20 **268.** Page 195, line 5: decrease the dollar amount for fiscal year 2001–02 by
21 \$4,700 and decrease the dollar amount for fiscal year 2002–03 by \$14,000 for the
22 purpose of delaying the opening of the workhouse at the Winnebago Correctional
23 Center until January 1, 2004.

1 **269.** Page 195, line 5: decrease the dollar amount for fiscal year 2002–03 by
2 \$88,300 for the purpose of delaying the opening of the correctional institution in New
3 Lisbon until January 1, 2004.

4 **270.** Page 195, line 5: decrease the dollar amount for fiscal year 2002–03 by
5 \$17,000 for the purpose of delaying the opening of the correctional institution in
6 Chippewa Falls until January 1, 2004.

7 **271.** Page 195, line 7: decrease the dollar amount for fiscal year 2001–02 by
8 \$566,300 and decrease the dollar amount for fiscal year 2002–03 by \$4,421,400 for
9 the purpose of reducing the number of prisoners confined in out-of-state prisons.

10 **272.** Page 195, line 7: increase the dollar amount for fiscal year 2002–03 by
11 \$3,950,800 for the purpose of delaying the opening of the correctional institution in
12 New Lisbon until January 1, 2004.

13 **273.** Page 195, line 7: increase the dollar amount for fiscal year 2002–03 by
14 \$2,409,000 for the purpose of delaying the opening of the correctional institution in
15 Chippewa Falls until January 1, 2004.

16 **274.** Page 195, line 7: increase the dollar amount for fiscal year 2001–02 by
17 \$273,000 and increase the dollar amount for fiscal year 2002–03 by \$2,409,000 for
18 the purpose of delaying the opening of the workhouse at the Winnebago Correctional
19 Center until January 1, 2004.

20 **275.** Page 195, line 8: increase the dollar amount for fiscal year 2001–02 by
21 \$355,800 to increase the authorized FTE positions for the department of corrections
22 by 9.25 GPR positions for expanding the intensive sanctions program.

1 **282.** Page 196, line 4: decrease the dollar amount for fiscal year 2002–03 by
2 \$25,000 for the purpose of delaying the opening of the correctional institution in New
3 Lisbon until January 1, 2004.

4 **283.** Page 196, line 4: decrease the dollar amount for fiscal year 2002–03 by
5 \$20,000 for the purpose of delaying the opening of the correctional institution in
6 Chippewa Falls until January 1, 2004.

7 **284.** Page 196, line 4: decrease the dollar amount for fiscal year 2001–02 by
8 \$20,600 and decrease the dollar amount for fiscal year 2002–03 by \$123,600 for the
9 purpose of delaying the opening of the workhouse at the Winnebago Correctional
10 Center until January 1, 2004.

11 **285.** Page 196, line 10: decrease the dollar amount for fiscal year 2002–03 by
12 \$191,200 for the purpose of delaying the opening of the correctional institution in
13 New Lisbon until January 1, 2004.

14 **286.** Page 196, line 10: decrease the dollar amount for fiscal year 2002–03 by
15 \$152,300 for the purpose of delaying the opening of the correctional institution in
16 Chippewa Falls until January 1, 2004.

17 **287.** Page 196, line 10: decrease the dollar amount for fiscal year 2002–03 by
18 \$8,800 for the purpose of delaying the opening of the segregation unit at the Oshkosh
19 Correctional Institution until January 1, 2004.

20 **288.** Page 196, line 10: decrease the dollar amount for fiscal year 2001–02 by
21 \$9,700 and decrease the dollar amount for fiscal year 2002–03 by \$29,100 for the
22 purpose of delaying the opening of the workhouse at the Winnebago Correctional
23 Center until January 1, 2004.

1 **289.** Page 197, line 14: decrease the dollar amount for fiscal year 2002–03 by
2 \$11,100 to decrease the authorized FTE positions for the department of corrections
3 by 0.4 PR positions for the correctional institution in New Lisbon.

4 **290.** Page 197, line 14: decrease the dollar amount for fiscal year 2002–03 by
5 \$13,300 to decrease the authorized FTE positions for the department of corrections
6 by 0.4 PR positions for the correctional institution in Chippewa Falls.

7 **291.** Page 197, line 15: decrease the dollar amount for fiscal year 2002–03 by
8 \$98,100 to decrease the authorized FTE positions for the department of corrections
9 by 3.0 PR positions for the correctional institution in New Lisbon.

10 **292.** Page 197, line 15: decrease the dollar amount for fiscal year 2001–02 by
11 \$172,900 and decrease the dollar amount for fiscal year 2002–03 by \$230,500 to
12 decrease the authorized FTE positions for the department of corrections by 4.0 PR
13 positions.

14 **293.** Page 198, line 14: increase the dollar amount for fiscal year 2001–02 by
15 \$2,093,400 and increase the dollar amount for fiscal year 2002–03 by \$4,239,100 for
16 the purposes for which the appropriation is made.

17 **294.** Page 200, line 4: increase the dollar amount for fiscal year 2001–02 by
18 \$24,800 and increase the dollar amount for fiscal year 2002–03 by \$24,800 to
19 increase the authorized FTE positions for the employment relations commission by
20 0.25 GPR position for the performance of duties related to collective bargaining
21 training.

22 **295.** Page 200, line 4: decrease the dollar amount for fiscal year 2001–02 by
23 \$128,800 and decrease the dollar amount for fiscal year 2002–03 by \$128,800 to
24 decrease the authorized FTE positions for the employment relations commission by

1 1.0 GPR attorney position, for the performance of legal duties assigned to the general
2 counsel.

3 **296.** Page 200, line 6: decrease the dollar amount for fiscal year 2001–02 by
4 \$24,800 and decrease the dollar amount for fiscal year 2002–03 by \$24,800 to
5 decrease the authorized FTE positions for the employment relations commission by
6 0.25 GPR position for the performance of duties related to collective bargaining
7 training.

8 **297.** Page 200, line 6: decrease the dollar amount for fiscal year 2001–02 by
9 \$29,800 for the purpose of contracting with the department of employment relations
10 to deliver labor and management cooperative training to supervisors and labor
11 organization members in state agencies.

12 **298.** Page 201, line 1: delete that line.

13 **299.** Page 201, line 5: after that line insert:

14 “(kc) Volunteer coordination PR–S A 35,300 40,200”.

15 **300.** Page 205, line 4: increase the dollar amount for fiscal year 2001–02 by
16 \$50,000 and increase the dollar amount for fiscal year 2002–03 by \$50,000 to
17 increase funding for the purposes for which the appropriation is made.

18 **301.** Page 205, line 21: after that line insert:

19 “(fp) Food pantry grants and adminis-
20 tration GPR A 1,500,000 1,500,000”.

21 **302.** Page 206, line 2: delete lines 2 and 3.

1 **303.** Page 207, line 19: increase the dollar amount for fiscal year 2001–02 by
2 \$1,000,000 to increase funding for administration of the prescription drug assistance
3 for elderly program.

4 **304.** Page 208, line 1: increase the dollar amount for fiscal year 2001–02 by
5 \$1,900,000 and increase the dollar amount for fiscal year 2002–03 by \$1,900,000 to
6 increase funding for the purpose for which the appropriation is made.

7 **305.** Page 208, line 6: increase the dollar amount for fiscal year 2002–03 by
8 \$54,900 for the purpose of increasing funding to provide medical assistance to
9 independent foster care adolescents.

10 **306.** Page 208, line 6: increase the dollar amount for fiscal year 2001–02 by
11 \$183,800 and increase the dollar amount for fiscal year 2002–03 by \$183,800 to
12 increase funding for the purposes for which the appropriation is made.

13 **307.** Page 208, line 6: increase the dollar amount for fiscal year 2001–02 by
14 \$412,500 and increase the dollar amount for fiscal year 2002–03 by \$415,000 to
15 increase funding for reimbursements to disproportionate share hospitals.

16 **308.** Page 208, line 6: increase the dollar amount for fiscal year 2002–03 by
17 \$1,051,200 to increase the medical assistance reimbursement rate for speech
18 therapy services to the same level as medical assistance rates for occupational and
19 physical therapy services beginning on July 1, 2002.

20 **309.** Page 208, line 6: increase the dollar amount for fiscal year 2001–02 by
21 \$1,558,000 and increase the dollar amount for fiscal year 2002–03 by \$1,558,000 to
22 increase funding for supplemental medical assistance grants to nursing homes in the
23 city of Milwaukee.

1 **310.** Page 208, line 6: increase the dollar amount for fiscal year 2002–03 by
2 \$8,614,000 to increase funding for medical assistance reimbursement rates for
3 dental services to equal the fee at which 75% of dentists in the east north central
4 region charge equal or lesser amounts, as specified in the annual Survey of Dental
5 Fees of the American Dental Association.

6 **311.** Page 208, line 6: increase the dollar amount for fiscal year 2002–03 by
7 \$378,500 to increase funding for medical assistance coverage for 2 dental cleanings
8 per year for adults.

9 **312.** Page 208, line 6: increase the dollar amount for fiscal year 2002–03 by
10 \$162,930 to increase funding for medical assistance coverage of fluoride varnish
11 treatments.

12 **313.** Page 208, line 7: increase the dollar amount for fiscal year 2002–03 by
13 \$15,000 to increase the medical reimbursement rate for speech therapy services to
14 the same level as medical assistance rates for occupational and physical therapy
15 services beginning on July 1, 2002.

16 **314.** Page 208, line 10: increase the dollar amount for fiscal year 2002–03 by
17 \$132,000 to increase the authorized FTE positions for the department of health and
18 family services by 5.0 GPR positions on July 1, 2002, for a licensed dental health
19 professional in each of the 5 administrative regions of the state, as prescribed by the
20 department.

21 **315.** Page 208, line 12: after that line insert:

22 “(bu) Health insurance supplement GPR A 500,000 –0–”.

23 **316.** Page 208, line 12: after that line insert:

1 “(bv) Prescription drug assistance for
2 elderly; aids GPR S –0– –0–”.

3 **317.** Page 208, line 22: increase the dollar amount for fiscal year 2001–02 by
4 \$2,160,000 and increase the dollar amount for fiscal year 2002–03 by \$2,160,000 to
5 increase funding for the purpose for which the appropriation is made.

6 **318.** Page 209, line 8: after that line insert:

7 “(j) Prescription drug assistance for
8 elderly; manufacturer rebates PR C –0– –0–

9 (jb) Prescription drug assistance for
10 elderly; enrollment fees PR C –0– –0–”.

11 **319.** Page 210, line 15: increase the dollar amount for fiscal year 2001–02 by
12 \$125,000 and increase the dollar amount for fiscal year 2002–03 by \$125,000 to
13 increase funding for development and implementation of an African–American
14 family resource center in the city of Milwaukee.

15 **320.** Page 211, line 7: increase the dollar amount for fiscal year 2001–02 by
16 \$294,500 and increase the dollar amount for fiscal year 2002–03 by \$355,600 to
17 increase funding for the rural health dental clinic in Menomonie.

18 **321.** Page 211, line 7: delete “clinic” and substitute “clinics”.

19 **322.** Page 211, line 17: increase the dollar amount for fiscal year 2001–02 by
20 \$12,000 and increase the dollar amount for fiscal year 2002–03 by \$12,000 to
21 increase funding for the supplemental food program for women, infants, and
22 children to include Vernon and Monroe counties in the farmer’s market nutrition
23 program.

1 **323.** Page 211, line 21: increase the dollar amount for fiscal year 2001–02 by
2 \$750,000 to increase funding for grants to the Milwaukee Immediate Care Center
3 and the Martin Luther King Heritage Health Center.

4 **324.** Page 211, line 21: increase the dollar amount for fiscal year 2002–03 by
5 \$1,600,000 to increase funding for grants for provision or expanded provision of
6 dental care services.

7 **325.** Page 211, line 21: after that line insert:

8 “(fL) Community water fluoridation GPR A –0– 25,000”.

9 **326.** Page 212, line 15: delete “council on”.

10 **327.** Page 212, line 16: increase the dollar amount for fiscal year 2001–02 by
11 \$30,000 and increase the dollar amount for fiscal year 2002–03 by \$30,000 to
12 increase funding for assistive technology and adaptive equipment for persons with
13 physical disabilities.

14 **328.** Page 213, line 15: decrease the dollar amount for fiscal year 2001–02 by
15 \$26,600 and decrease the dollar amount for fiscal year 2002–03 by \$26,600 to
16 decrease funding for certification of adult day care centers as providers of medical
17 assistance.

18 **329.** Page 214, line 3: increase the dollar amount for fiscal year 2001–02 by
19 \$30,000 and increase the dollar amount for fiscal year 2002–03 by \$30,000 for the
20 purpose of distributing a grant for community programs to the Career Youth
21 Development Center in the city of Milwaukee for drug prevention and intervention
22 programs for middle school and high school athletes in the Milwaukee public schools
23 system.

1 **330.** Page 214, line 3: increase the dollar amount for fiscal year 2001–02 by
2 \$60,000 and increase the dollar amount for fiscal year 2002–03 by \$60,000 to
3 increase funding for the provision of statewide systemic advocacy on assistive
4 technology issues by the protection and advocacy agency.

5 **331.** Page 214, line 3: increase the dollar amount for fiscal year 2001–02 by
6 \$30,000 and increase the dollar amount for fiscal year 2002–03 by \$30,000 to
7 increase funding for provision of specialized assistance to persons with disabilities
8 in the agricultural industry.

9 **332.** Page 214, line 3: increase the dollar amount for fiscal year 2001–02 by
10 \$40,000 and increase the dollar amount for fiscal year 2002–03 by \$40,000 to
11 increase funding for provision of recycled medical equipment, equipment parts,
12 maintenance, and distribution costs to persons with disabilities.

13 **333.** Page 214, line 3: increase the dollar amount for fiscal year 2001–02 by
14 \$60,000 to increase funding for start–up costs to expand to Racine County a
15 community options program of all–inclusive care for persons authorized under 42
16 USC 1395 to 1395gg.

17 **334.** Page 214, line 5: decrease the dollar amount for fiscal year 2001–02 by
18 \$1,212,600 and decrease the dollar amount for fiscal year 2002–03 by \$2,425,000 to
19 decrease funding for assessments, case planning, and services under the long–term
20 support community options program under section 46.27 (7) (am) of the statutes.

21 **335.** Page 214, line 16: increase the dollar amount for fiscal year 2001–02 by
22 \$240,000 and increase the dollar amount for fiscal year 2002–03 by \$240,000 to
23 increase funding for independent living centers to provide for the assistive
24 technology and adaptive equipment needs of independent living center residents.

1 **363.** Page 246, line 21: after that line insert:

2 “(is) Information technology process-
3 ing services to nonstate entities PR C 12,666,600 12,666,600
4 ”.

5 **364.** Page 246, line 24: after that line insert:

6 “(ja) Justice information systems PR A 1,653,400 1,653,400”.

7 **365.** Page 247, line 2: increase the dollar amount for fiscal year 2001–02 by
8 \$420,100 and increase the dollar amount for fiscal year 2002–03 by \$414,100 to
9 increase the authorized FTE positions for the department of administration by 8.0
10 PR positions to reflect the deletion of the department of electronic government.

11 **366.** Page 247, line 6: after that line insert:

12 “(ke) Telecommunications and data
13 processing services PR A 37,102,300 37,102,300
14 ”.

15 **367.** Page 247, line 7: decrease the dollar amount for fiscal year 2001–02 by
16 \$671,500 and decrease the dollar amount for fiscal year 2002–03 by \$1,284,100 to
17 decrease funding for the purpose for which the appropriation is made.

18 **368.** Page 247, line 8: after that line insert:

19 “(kL) Information technology process-
20 ing services to agencies PR C 73,325,100 72,371,000
21 ”.

22 **369.** Page 247, line 10: after that line insert:

1	“(kp) Interagency assistance; justice					
2	information systems	PR	A	2,157,400	2,157,400	
3	(kq) Justice information systems					
4	development, operation and					
5	maintenance	PR	A	857,500	857,500	
6	(kr) Information technology develop-					
7	ment and management services	PR	A	-0-	-0-”.	

8 **370.** Page 249, line 9: decrease the dollar amount for fiscal year 2001–02 by
9 \$50,000 for the purpose of eliminating funding for a proposed task force on
10 technology and electoral participation.

11 **371.** Page 249, line 18: after that line insert:

12	“(is) Relay service	PR	A	5,013,500	5,013,500”.
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13 **372.** Page 250, line 17: delete lines 17 and 18.

14 **373.** Page 250, line 18: after that line insert:

15	“(d) Principal repayment, interest, and				
16	rebates; Pabst university				
17	research park	GPR	S	-0-	-0-”.

18 **374.** Page 251, line 13: increase the dollar amount for fiscal year 2001–02 by
19 \$30,000 and increase the dollar amount for fiscal year 2002–03 by \$30,000 for the
20 purpose of contracting with an organization that is located in ward 1 in the city of
21 Racine to provide services in Racine County for the diversion of youths from gang
22 activities into productive activities.

1 **375.** Page 252, line 2: increase the dollar amount for fiscal year 2001–02 by
2 \$47,500 and increase the dollar amount for fiscal year 2002–03 by \$47,500 for the
3 purpose of funding pretrial intoxicated driver intervention grants and community
4 justice center planning grants.

5 **376.** Page 252, line 6: decrease the dollar amount for fiscal year 2002–03 by
6 \$95,000 for the purpose for which the appropriation is made.

7 **377.** Page 253, line 8: after that line insert:

8 “(b) General program operations GPR A –0– 328,100”.

9 **378.** Page 253, line 16: delete that line.

10 **379.** Page 254, line 1: delete lines 1 to 11.

11 **380.** Page 254, line 15: increase the dollar amount for fiscal year 2001–02 by
12 \$13,100 and increase the dollar amount for fiscal year 2002–03 by \$10,400 for the
13 purpose for which the appropriation is made.

14 **381.** Page 254, line 15: increase the dollar amount for fiscal year 2001–02 by
15 \$41,700 and increase the dollar amount for fiscal year 2002–03 by \$41,700 to
16 increase the authorized FTE positions for the board of commissioners by 1.0 PR
17 project position for the purpose of carrying out forestry activities relating to the
18 purchase of land adjacent to the Peshtigo River.

19 **382.** Page 254, line 15: decrease the dollar amount for fiscal year 2001–02 by
20 \$63,100 and decrease the dollar amount for fiscal year 2002–03 by \$84,100 to
21 decrease the authorized positions for the board of commissioners of public lands by
22 2.0 PR positions for the purpose for which the appropriation is made.

1 **383.** Page 254, line 15: increase the dollar amount for fiscal year 2001–02 by
2 \$62,100 and increase the dollar amount for fiscal year 2002–03 by \$62,100 for the
3 purpose of funding continuing salary and fringe benefit costs.

4 **384.** Page 254, line 15: increase the dollar amount for fiscal year 2001–02 by
5 \$5,000 and increase the dollar amount for fiscal year 2002–03 by \$5,000 for the
6 purpose of funding position reclassifications.

7 **385.** Page 254, line 15: increase the dollar amount for fiscal year 2001–02 by
8 \$2,200 and increase the dollar amount for fiscal year 2002–03 by \$2,200 for the
9 purpose of funding increased costs related to BadgerNet.

10 **386.** Page 254, line 15: increase the dollar amount for fiscal year 2001–02 by
11 \$2,600 and increase the dollar amount for fiscal year 2002–03 by \$2,600 for the
12 purpose of paying the fifth week of an employee’s earned annual leave as cash.

13 **387.** Page 254, line 15: increase the dollar amount for fiscal year 2001–02 by
14 \$3,400 and increase the dollar amount for fiscal year 2002–03 by \$3,400 for the
15 purpose of fully funding certain lease costs.

16 **388.** Page 254, line 15: increase the dollar amount for fiscal year 2001–02 by
17 \$179,000 for the purpose of reimbursing the department of administration for the
18 cost of certain administrative expenses provided to the board of commissioners of
19 public lands.

20 **389.** Page 254, line 15: increase the dollar amount for fiscal year 2001–02 by
21 \$29,800 and increase the dollar amount for fiscal year 2002–03 by \$29,800 for the
22 purpose of paying the costs of basic desktop information technology support under
23 the small agency support infrastructure program.

1 **390.** Page 255, line 11: after that line insert:

2 “(cd) Election rapid response team

3 grant program GPR A –0– 500,000

4 “(ce) Election assistance grant pro-

5 gram GPR A 114,600 114,600”.

6 **391.** Page 258, line 3: increase the dollar amount for fiscal year 2001–02 by
7 \$264,800 to increase the authorized FTE positions for the department of employee
8 trust funds by 3.5 GPR positions to perform services relating to the purpose for which
9 the appropriation is made.

10 **392.** Page 258, line 4: after that line insert:

11 “(c) Payment of certain costs GPR B 1,000,000 –0–”.

12 **393.** Page 260, line 1: delete lines 1 to 18.

13 **394.** Page 261, line 1: delete lines 1 to 7.

14 **395.** Page 263, line 8: after that line insert:

15 “(ko) Interest on real estate trust

16 accounts; closing agents PR–S C –0– –0–”.

17 **396.** Page 270, line 3: increase the dollar amount for fiscal year 2002–03 by
18 \$250,600 to increase funding for the purpose for which the appropriation is made.

19 **397.** Page 271, line 13: increase the dollar amount for fiscal year 2001–02 by
20 \$101,500 and increase the dollar amount for fiscal year 2002–03 by \$113,300 to
21 increase the authorized FTE positions for the supreme court by 2.25 GPR positions
22 for the purpose of providing prison impact assessments of bills.

1 **405.** Page 288, line 2: increase the dollar amount for fiscal year 2001–02 by
 2 \$1,000,000 to increase funding for administration of the prescription drug assistance
 3 for elderly program.

4 **406.** Page 290, line 9: after that line insert:
 5 “(bm) Principal repayment, interest,
 6 and rebates; HR Academy, Inc. GPR S –0– –0–”.

7 **407.** Page 290, line 9: after that line insert:
 8 “(bc) Principal repayment, interest,
 9 and rebates; Milwaukee Public
 10 Schools Foundation, Inc. GPR S –0– –0–”.

11 **408.** Page 290, line 13: after that line insert:
 12 “(bt) Principal repayment, interest,
 13 and rebates; Milwaukee chil-
 14 dren’s village GPR S –0– –0–”.

15 **409.** Page 290, line 13: after that line insert:
 16 “(bs) Principal repayment, interest,
 17 and rebates; Kenosha Civil War
 18 museum GPR S –0– –0–

19 (bt) Principal repayment, interest, and
 20 rebates; Racine Discovery Place
 21 museum GPR S –0– –0–”.

22 **410.** Page 292, line 1: before that line insert:

1 “(4m) CASH BUILDING PROJECTS FUND

2 (q) Payment of cash in lien of bor-

3 rowing SEG S –0– –0–”.

4 **411.** Page 293, line 1: delete lines 1 to 5.

5 **412.** Page 294, line 2: before that line insert:

6 “**SECTION 395m.** 20.115 (1) (c) of the statutes is repealed.

7 **SECTION 400m.** 20.115 (1) (hm) of the statutes is amended to read:

8 20.115 (1) (hm) *Ozone-depleting refrigerants and products regulation.* The
9 amounts in the schedule for administration of the mobile air conditioner servicing
10 and refrigerant recycling programs and for responsibilities under ~~ss. s.~~ 100.45 and
11 100.50 relating to sales and labeling of products containing or made with
12 ozone-depleting substances. All moneys received from fees under s. 100.45 (5) (a)
13 3. and (5m) shall be credited to this appropriation.”.

14 **413.** Page 294, line 6: delete “100.261 3 (c)” and substitute “100.261 (3) (c)”.

15 **414.** Page 294, line 14: delete lines 14 to 21.

16 **415.** Page 295, line 1: delete that line and substitute:

17 “**SECTION 415b.** 20.115 (3) (d) of the statutes is repealed.”.

18 **416.** Page 295, line 9: delete lines 9 to 13.

19 **417.** Page 295, line 20: delete that line.

20 **418.** Page 296, line 15: after that line insert:

21 “**SECTION 434m.** 20.115 (8) (jm) of the statutes is created to read:

22 20.115 (8) (jm) *Telephone solicitation regulation.* All moneys received from
23 telephone solicitor registration and registration renewal fees paid under the rules

1 promulgated under s. 100.52 (3) (a) for establishing and maintaining the
2 nonsolicitation directory under s. 100.52 (2).”.

3 **419.** Page 296, line 24: after that line insert:

4 “**SECTION 438c.** 20.143 (1) (dm) of the statutes is created to read:

5 20.143 (1) (dm) *Principal repayment, interest and rebates.* A sum sufficient to
6 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
7 in financing the grants under s. 560.28, and to make the payments determined by
8 the building commission under s. 13.488 (1) (m) that are attributable to the proceeds
9 of obligations incurred in financing the grants under s. 560.28.

10 **SECTION 438h.** 20.143 (1) (dp) of the statutes is created to read:

11 20.143 (1) (dp) *Heritage trust program.* A sum sufficient equal to amount of
12 grants that are awarded under s. 560.28 (2) and the amount of moneys that are
13 required to be deposited in the heritage trust fund under s. 560.28 (3). No moneys
14 may be encumbered under this paragraph before July 1, 2003, or after June 30,
15 2012.”.

16 **420.** Page 296, line 24: after that line insert:

17 “**SECTION 438r.** 20.143 (1) (c) of the statutes is amended to read:

18 20.143 (1) (c) *Wisconsin development fund; grants, loans, reimbursements and*
19 *assistance.* Biennially, the amounts in the schedule for grants under ss. 560.145,
20 560.16, 560.175 and 560.26; for grants and loans under ss. 560.62, 560.63 and 560.66;
21 for loans under s. 560.147; for reimbursements under s. 560.167; for providing
22 assistance under s. 560.06; for the costs specified in s. 560.607; for the loan under
23 1999 Wisconsin Act 9, section 9110 (4); and for the grants under 1995 Wisconsin Act
24 27, section 9116 (7gg), 1995 Wisconsin Act 119, section 2 (1), 1997 Wisconsin Act 27,

1 section 9110 (6g), and 1999 Wisconsin Act 9, section 9110 (5), and 2001 Wisconsin Act
2 ... (this act), section 9110 (10e). Of the amounts in the schedule, \$50,000 shall be
3 allocated in each of fiscal years 1997–98 and 1998–99 for providing the assistance
4 under s. 560.06 (1). Notwithstanding s. 560.607, of the amounts in the schedule,
5 \$125,000 shall be allocated in each of 4 consecutive fiscal years, beginning with fiscal
6 year 1998–99, for grants and loans under s. 560.62 (1) (a).”.

7 **421.** Page 296, line 24: after that line insert:

8 “**SECTION 438m.** 20.143 (1) (c) of the statutes is amended to read:

9 20.143 (1) (c) *Wisconsin development fund; grants, loans, reimbursements and*
10 *assistance.* Biennially, the amounts in the schedule for grants under ss. 560.145,
11 560.16, 560.175, and 560.26; for grants and loans under ss. 560.62, 560.63, and
12 560.66; for loans under s. 560.147; for reimbursements under s. 560.167; for
13 providing assistance under s. 560.06; for the costs specified in s. 560.607; for the loan
14 under 1999 Wisconsin Act 9, section 9110 (4); and for the grants under 1995
15 Wisconsin Act 27, section 9116 (7gg), 1995 Wisconsin Act 119, section 2 (1), 1997
16 Wisconsin Act 27, section 9110 (6g), and 1999 Wisconsin Act 9, section 9110 (5). Of
17 the amounts in the schedule, \$50,000 shall be allocated in each of fiscal years
18 1997–98 and 1998–99 for providing the assistance under s. 560.06 (1).
19 Notwithstanding s. 560.607, of the amounts in the schedule, \$125,000 shall be
20 allocated in each of 4 consecutive fiscal years, beginning with fiscal year 1998–99,
21 for grants and loans under s. 560.62 (1) (a). Of the amounts in the schedule, \$500,000
22 shall be allocated in fiscal year 2001–02 for an economic development project for the
23 Menominee tribe.”.

24 **422.** Page 296, line 24: after that line insert:

1 **“SECTION 438m.** 20.143 (1) (c) of the statutes is amended to read:

2 20.143 (1) (c) *Wisconsin development fund; grants, loans, reimbursements and*
3 *assistance.* Biennially, the amounts in the schedule for grants under ss. 560.145,
4 560.16, 560.175, and 560.26; for grants and loans under ss. 560.62, 560.63, and
5 560.66; for loans under s. 560.147; for reimbursements under s. 560.167; for
6 providing assistance under s. 560.06; for the costs specified in s. 560.607; for the loan
7 under 1999 Wisconsin Act 9, section 9110 (4); and for the grants under 1995
8 Wisconsin Act 27, section 9116 (7gg), 1995 Wisconsin Act 119, section 2 (1), 1997
9 Wisconsin Act 27, section 9110 (6g), and 1999 Wisconsin Act 9, section 9110 (5); and
10 for providing up to \$100,000 annually for the continued development of a
11 manufacturing and advanced technology training center in Racine. Of the amounts
12 in the schedule, \$50,000 shall be allocated in each of fiscal years 1997–98 and
13 1998–99 for providing the assistance under s. 560.06 (1). Notwithstanding s.
14 560.607, of the amounts in the schedule, \$125,000 shall be allocated in each of 4
15 consecutive fiscal years, beginning with fiscal year 1998–99, for grants and loans
16 under s. 560.62 (1) (a).”.

17 **423.** Page 297, line 4: after that line insert:

18 **“SECTION 439c.** 20.143 (1) (fm) of the statutes is amended to read:

19 20.143 (1) (fm) *Minority business projects; grants and loans.* Biennially, the
20 amounts in the schedule for grants under ss. 560.038, 560.039, 560.82, and 560.837,
21 grants and loans under s. 560.83, the grant under 1993 Wisconsin Act 110, section
22 3, and the loans under 1997 Wisconsin Act 9, section 3. Of the amounts in the
23 schedule, \$50,000 shall be allocated in each fiscal year for grants to the Multicultural

1 Center of Greater Green Bay for programming to educate community businesses and
2 nonprofit organizations in recruiting and retaining a multicultural workforce.”.

3 **424.** Page 297, line 9: after that line insert:

4 “**SECTION 442m.** 20.143 (1) (hr) of the statutes is created to read:

5 20.143 (1) (hr) *High-volume industrial waste loans; repayments.* All moneys
6 received in repayment of loans under s. 560.031 (4m), for grants and loans under s.
7 560.031 (4m).”.

8 **425.** Page 298, line 15: after that line insert:

9 “**SECTION 447m.** 20.143 (1) (kd) of the statutes is created to read:

10 20.143 (1) (kd) *Development assistance; gaming transfer.* The amounts in the
11 schedule for grants under ss. 560.145, 560.16, 560.175, and 560.26; for grants and
12 loans under ss. 560.62, 560.63, and 560.66; for loans under s. 560.147; and for
13 reimbursements under s. 560.167. All moneys transferred from the appropriation
14 account under par. (kj) shall be credited to this appropriation account.”.

15 **426.** Page 299, line 23: after “(2),” insert “for the transfer to the appropriation
16 account under par. (kd) in fiscal year 2002–03 the amount in the schedule under par.
17 (kd).”.

18 **427.** Page 299, line 23: delete “grant” and substitute “grants”.

19 **428.** Page 299, line 23: delete “grant” and substitute “grants”.

20 **429.** Page 299, line 24: after “(1)” insert “and (2k)”.

21 **430.** Page 299, line 24: after “(1)” insert “and (10p)”.

22 **431.** Page 299, line 25: after “(3m)” insert “and \$500,000 shall be allocated in
23 fiscal year 2001–02 for an economic development project for the Menominee tribe”.

1 **432.** Page 301, line 14: delete “and for” and substitute “and, for”.

2 **433.** Page 301, line 14: delete “and for” and substitute “and, for”.

3 **434.** Page 301, line 15: after that line insert:

4 “**SECTION 459c.** 20.143 (1) (rm) of the statutes is created to read:

5 20.143 (1) (rm) *Heritage trust fund grants.* From the heritage trust fund a sum
6 sufficient to make the grants under s. 560.28 (4).”.

7 **435.** Page 301, line 15: after that line insert:

8 “**SECTION 459c.** 20.143 (1) (rr) of the statutes is created to read:

9 20.143 (1) (rr) *High-volume industrial waste grants and loans.* Biennially,
10 from the recycling fund, the amounts in the schedule for financial assistance under
11 s. 560.031 (4m).”.

12 **436.** Page 301, line 15: after “(8gm)” insert “, and for the grant under 2001
13 Wisconsin Act (this act), section 9110 (9d)”.

14 **437.** Page 301, line 15: after “(8gm)” insert “, and for the grant under 2001
15 Wisconsin Act (this act), section 9110 (9c)”.

16 **438.** Page 302, line 24: after that line insert:

17 “**SECTION 465p.** 20.165 (1) (q) of the statutes is created to read:

18 20.165 (1) (q) *Cemetery and mausoleum trustee disbursements.* From the
19 cemetery management insurance fund, a sum sufficient to make disbursements to
20 trustees under the rules promulgated under s. 157.117 (4) (a).”.

21 **439.** Page 303, line 13: delete lines 13 to 19.

22 **440.** Page 304, line 10: delete lines 10 to 17.

- 1 **441.** Page 304, line 22: delete the material beginning with “If the” and ending
2 with “paragraph” on page 305, line 2.
- 3 **442.** Page 305, line 3: delete lines 3 to 25.
- 4 **443.** Page 306, line 1: delete lines 1 to 20.
- 5 **444.** Page 306, line 24: delete the material beginning with “If the” and ending
6 with “paragraph.” on page 307, line 4.
- 7 **445.** Page 307, line 5: delete lines 5 to 14.
- 8 **446.** Page 307, line 23: delete the material beginning with “If the” and ending
9 with “paragraph.” on page 308, line 3.
- 10 **447.** Page 308, line 4: delete lines 4 to 11.
- 11 **448.** Page 308, line 14: delete “administration electronic government” and
12 substitute “administration”.
- 13 **449.** Page 308, line 18: delete the material beginning with “If the” and ending
14 with “paragraph.” on line 23.
- 15 **450.** Page 308, line 24: delete that line.
- 16 **451.** Page 309, line 1: delete lines 1 to 8.
- 17 **452.** Page 309, line 12: after that line insert:
18 “**SECTION 481e.** 20.235 (1) (cm) of the statutes is created to read:
19 20.235 (1) (cm) *Nursing degree loan program.* The amounts in the schedule for
20 the nursing degree loan program under s. 39.393.”.
- 21 **453.** Page 309, line 16: delete lines 16 and 17 and substitute “a doctor of
22 dental surgery (D.D.S.) degree. An amount of \$11,330 in the 1993–94 fiscal year and
23 \$11,670 in the 1994–95 \$14,450 in each fiscal year and annually thereafter shall be”.

1 **454.** Page 309, line 20: after that line insert:

2 “**SECTION 481p.** 20.235 (1) (fe) of the statutes is amended to read:

3 20.235 (1) (fe) *Wisconsin higher education grants; University of Wisconsin*
4 *System students. Biennially, the amounts in the schedule A sum sufficient equal to*
5 *the amount determined under s. 39.435 (7) for the Wisconsin higher education grant*
6 *program under s. 39.435 for University of Wisconsin System students, except for*
7 *grants awarded under s. 39.435 (2) or (5).*

8 **SECTION 481r.** 20.235 (1) (ff) of the statutes is amended to read:

9 20.235 (1) (ff) *Wisconsin higher education grants; technical college students.*
10 *Biennially, the amounts in the schedule A sum sufficient equal to the amount*
11 *determined under s. 39.435 (7) for the Wisconsin higher education grant program*
12 *under s. 39.435 for technical college students, except for grants awarded under s.*
13 *39.435 (2) or (5).*

14 **SECTION 481s.** 20.235 (1) (fg) of the statutes is amended to read:

15 20.235 (1) (fg) *Minority undergraduate retention grants program. Biennially,*
16 *the amounts in the schedule A sum sufficient equal to the amount determined under*
17 *s. 39.44 (2m) for the minority undergraduate retention grant program under s.*
18 *39.44.”.*

19 **455.** Page 309, line 20: delete “2001–02” and substitute “2002–03”.

20 **456.** Page 309, line 21: delete lines 21 to 23.

21 **457.** Page 310, line 15: delete lines 15 to 17.

22 **458.** Page 311, line 8: after that line insert:

23 “**SECTION 490m.** 20.245 (1) (d) of the statutes is created to read:

1 20.245 (1) (d) *City stadium commemorative project*. The amounts in the
2 schedule for a grant to the Greater Green Bay Area Foundation for the city stadium
3 commemorative project in Green Bay. No moneys may be encumbered from this
4 appropriation after June 30, 2002.”.

5 **459.** Page 313, line 15: delete “par. (g)” and substitute “~~par.~~ pars. (g) and (h)”.

6 **460.** Page 316, line 22: after that line insert:

7 “**SECTION 546r.** 20.255 (2) (b) of the statutes is amended to read:

8 20.255 (2) (b) *Aids for special education and school age parents programs*. The
9 amounts in the schedule for the payment of aids for special education and school age
10 parents programs under ss. 115.88, other than s. 115.88 (8m), 115.93, and 118.255.

11 **SECTION 546t.** 20.255 (2) (bb) of the statutes is created to read:

12 20.255 (2) (bb) *Supplemental aid for special education*. The amounts in the
13 schedule for supplemental aid for special education under s. 115.88 (8m).”.

14 **461.** Page 317, line 18: after that line insert:

15 “**SECTION 558m.** 20.255 (2) (kj) of the statutes is created to read:

16 20.255 (2) (kj) *Grant to Beloit College*. The amounts in the schedule for a grant
17 to Beloit College under s. 115.28 (47). All moneys transferred from the appropriation
18 account under s. 20.505 (8) (hm) 10t. shall be credited to this appropriation account.
19 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
20 reverts to the appropriation account under s. 20.505 (8) (hm).”.

21 **462.** Page 318, line 8: after that line insert:

22 “**SECTION 560d.** 20.255 (2) (kn) of the statutes is created to read:

23 20.255 (2) (kn) *Federal funds transferred from the department of workforce*
24 *development; after-school care grant program*. All moneys transferred from the

1 appropriation account under s. 20.445 (3) (md) for after-school care grants under
2 2001 Wisconsin Act (this act), section 9140 (6w). No moneys may be encumbered
3 under this paragraph after June 30, 2003.”.

4 **463.** Page 319, line 2: after “(jm),” insert “(js)”.

5 **464.** Page 320, line 4: after that line insert:

6 “**SECTION 569q.** 20.275 (1) (js) of the statutes is created to read:

7 20.275 (1) (js) *Educational technology block grants; Wisconsin Advanced*
8 *Telecommunications Foundation assessments.* All moneys received from
9 assessments paid under 2001 Wisconsin Act (this act), section 9142 (3mk), to
10 make payments to school districts under s. 44.72 (2) (b) 2.”.

11 **465.** Page 320, line 25: delete “(7)(a) (1)” and substitute “(7) (a)”.

12 **466.** Page 321, line 1: delete “~~20.505~~ 20.530” and substitute “20.505”.

13 **467.** Page 321, line 5: delete lines 5 to 10.

14 **468.** Page 321, line 15: delete “(7)(c) (3)” and substitute “(7) (c)”.

15 **469.** Page 321, line 16: delete “~~20.505~~ 20.530” and substitute “20.505”.

16 **470.** Page 321, line 18: delete lines 18 to 23.

17 **471.** Page 322, line 4: delete “(1)” and substitute “(7) (a)”.

18 **472.** Page 322, line 5: delete “20.530” and substitute “20.505”.

19 **473.** Page 322, line 14: delete lines 14 to 17.

20 **474.** Page 323, line 13: delete “*Land and water*” and substitute “*Grazing*”.

21 **475.** Page 324, line 23: after that line insert:

22 “**SECTION 582s.** 20.285 (4) (b) of the statutes is amended to read:

1 20.285 (4) (b) *Graduate student financial aid.* ~~The amounts in the schedule A~~
2 sum sufficient equal to the amount determined under s. 36.25 (14) (b) for grants to
3 minority and disadvantaged graduate students under s. 36.25 (14).

4 **SECTION 582w.** 20.285 (4) (dd) of the statutes is amended to read:

5 20.285 (4) (dd) *Lawton minority undergraduate grants program.* ~~The amounts~~
6 in the schedule A sum sufficient equal to the amount determined under s. 36.34 (1)
7 (c) for the Lawton minority undergraduate grant program under s. 36.34 (1).”.

8 **476.** Page 324, line 23: after that line insert:

9 “**SECTION 582w.** 20.292 (1) (cs) of the statutes is created to read:

10 20.292 (1) (cs) *Assistive technology.* The amounts in the schedule to expand the
11 availability of technical assistance, assistive technology, and services for technical
12 college students, and technical college graduates, who have disabilities.”.

13 **477.** Page 325, line 3: after that line insert:

14 “**SECTION 583r.** 20.292 (1) (kd) of the statutes is created to read:

15 20.292 (1) (kd) *Job retention skills development programs.* The amounts in the
16 schedule for job retention skills development programs under s. 38.34. All moneys
17 transferred from the appropriation account under s. 20.445 (3) (md) to this
18 appropriation account under 2001 Wisconsin Act (this act), section 9258 (3z) shall
19 be credited to this appropriation account. No moneys may be encumbered from this
20 appropriation after June 30, 2003.”.

21 **478.** Page 327, line 14: after that line insert:

22 “**SECTION 589d.** 20.370 (1) (Lu) of the statutes is created to read:

23 20.370 (1) (Lu) *Wild animals and plants.* From the Wisconsin outdoor wildlife
24 heritage trust fund, a sum sufficient for activities and programs under ch. 29.”.

1 **479.** Page 329, line 6: delete the material beginning with that line and ending
2 with page 330, line 3.

3 **480.** Page 330, line 3: after that line insert:

4 “**SECTION 600d.** 20.370 (4) (aq) of the statutes is amended to read:

5 20.370 **(4)** (aq) *Water resources management — ~~lake and river management~~*
6 *activities*. The amounts in the schedule for lake and river management and other
7 water resource management activities.”.

8 **481.** Page 330, line 4: delete lines 4 to 8.

9 **482.** Page 330, line 8: after that line insert:

10 “**SECTION 600p.** 20.370 (4) (ax) of the statutes is created to read:

11 20.370 **(4)** (ax) *Water resources management — computer accessible*
12 *information*. From the environmental fund, the amounts in the schedule for
13 providing computer accessible water resource management information under s.
14 23.322.”.

15 **483.** Page 330, line 24: delete that line.

16 **484.** Page 332, line 13: substitute “~~for the grant for Black Point Estate under~~
17 ~~s. 23.0962,~~” for “for the grant for Black Point Estate under s. 23.0962,”.

18 **485.** Page 332, line 15: delete the material beginning with “for funding” and
19 ending with “237.08 (2).” on line 16.

20 **486.** Page 332, line 19: after “(5e).” insert “for funding for museums in
21 Kenosha and Racine under s. 23.0963.”.

22 **487.** Page 332, line 22: after “act),” insert “section 605,”.

1 **488.** Page 332, line 25: delete “for the grant for Black Point Estate under s.
2 23.0962,”.

3 **489.** Page 333, line 2: delete the material beginning with “for funding” and
4 ending with “237.08 (2),” on line 3.

5 **490.** Page 333, line 6: after “(5e),” insert “for funding for museums in Kenosha
6 and a museum in Racine under s. 23.0963,”.

7 **491.** Page 333, line 7: after that line insert:

8 “**SECTION 605c.** 20.370 (5) (cq) of the statutes, as affected by 2001 Wisconsin
9 Act (this act), section 605b, is amended to read:

10 20.370 (5) (cq) *Recreation aid — recreational boating and other projects.* As a
11 continuing appropriation, the amounts in the schedule for recreational boating aids
12 under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the Portage
13 levee system and the Portage canal under s. 31.309, for development of a state park
14 under s. 23.198, for funding for the Fox River Navigational System Authority under
15 s. 237.08 (2), ~~for funding for a museum in Racine under s. 23.0963,~~ and for the
16 engineering and environmental study under s. 31.307.”.

17 **492.** Page 333, line 21: after that line insert:

18 “**SECTION 607q.** 20.370 (5) (cz) of the statutes is created to read:

19 20.370 (5) (cz) *Recreation aids — snowmobile–bicycle–pedestrian overpass.*
20 Biennially, from the snowmobile account in the conservation fund, the amounts in
21 the schedule for the payment required under 2001 Wisconsin Act (this act), section
22 9137 (4p) for a snowmobile–bicycle–pedestrian overpass.”.

23 **SECTION 607s.** 20.370 (5) (cz) of the statutes, as created by 2001 Wisconsin Act
24 (this act), is repealed.”.

1 **493.** Page 334, line 8: delete lines 8 to 14.

2 **494.** Page 334, line 15: after that line insert:

3 “**SECTION 613g.** 20.370 (6) (bc) of the statutes is created to read:

4 20.370 **(6)** (bc) *Recycling efficiency planning grants.* The amounts in the
5 schedule for recycling efficiency planning grants under 2001 Wisconsin Act (this
6 act), section 9137 (1k).”.

7 **495.** Page 334, line 19: delete “2001 Wisconsin Act (this act), section 9137
8 (4k)” and substitute “s. 281.73”.

9 **496.** Page 334, line 24: delete “2003” and substitute “2005”.

10 **497.** Page 334, line 25: after that line insert:

11 “**SECTION 615e.** 20.370 (6) (bv) of the statutes is created to read:

12 20.370 **(6)** (bv) *Recycling efficiency incentive grants.* From the recycling fund,
13 the amounts in the schedule for recycling efficiency incentive grants under s.
14 287.235.”.

15 **498.** Page 334, line 25: after that line insert:

16 “**SECTION 615t.** 20.370 (6) (dc) of the statutes is created to read:

17 20.370 **(6)** (dc) *Land spreading reduction pilot program.* The amounts in the
18 schedule for the land spreading reduction pilot program under s. 281.74.”.

19 **499.** Page 335, line 2: delete lines 2 to 8.

20 **500.** Page 337, line 14: after that line insert:

21 “**SECTION 624m.** 20.370 (9) (iq) of the statutes is amended to read:

22 20.370 **(9)** (iq) *Natural resources magazine.* All moneys received from
23 subscriptions and other revenues generated by Wisconsin natural resources

1 magazine, to be used for its production, handling and distribution and all moneys
2 transferred under 2001 Wisconsin Act (this act), section 9237 (5c).”.

3 **501.** Page 337, line 15: delete the material beginning with that line and
4 ending with page 338, line 17.

5 **502.** Page 338, line 22: delete the material beginning with that line and
6 ending with page 339, line 4.

7 **503.** Page 340, line 5: after “grants” insert “under s. 41.11 (7) and”.

8 **504.** Page 341, line 15: after that line insert:

9 “**SECTION 632m.** 20.395 (1) (ar) of the statutes is amended to read:

10 20.395 (1) (ar) *Corrections of transportation aid payments.* A sum sufficient
11 to make the corrections of transportation aid payments under s. 86.30 (2) (f) 1. and
12 to make the payment specified in 2001 Wisconsin Act (this act), section 9159 (3q).

13 **SECTION 632n.** 20.395 (1) (ar) of the statutes, as affected by 2001 Wisconsin Act
14 (this act), is amended to read:

15 20.395 (1) (ar) *Corrections of transportation aid payments.* A sum sufficient
16 to make the corrections of transportation aid payments under s. 86.30 (2) (f) 1. and
17 to make the payment specified in 2001 Wisconsin Act (this act), section 9159 (3q).”.

18 **505.** Page 342, line 17: after that line insert:

19 “**SECTION 645m.** 20.395 (2) (dq) of the statutes is amended to read:

20 20.395 (2) (dq) *Aeronautics assistance, state funds.* As a continuing
21 appropriation, the amounts in the schedule for the state’s share of airport projects
22 under ss. 114.34 and 114.35; for developing air marking and other air navigational
23 facilities; for administration of the powers and duties of the secretary of
24 transportation under s. 114.31; for costs associated with aeronautical activities

1 under s. 114.31, except for the program under s. 114.31 (3) (b); for the small business
2 demonstration and training program under s. 84.077; and for the administration of
3 other aeronautical activities, except aircraft registration under s. 114.20, authorized
4 by law.

5 **SECTION 645mg.** 20.395 (2) (dv) of the statutes is amended to read:

6 20.395 (2) (dv) *Aeronautics assistance, local funds.* All moneys received by the
7 state from any local unit of government or other source for airports or other
8 aeronautical activities under s. 114.33 or 114.37_;; for administration of the powers
9 and duties of the secretary of the department of transportation under s. 114.31_;; for
10 costs associated with aeronautical activities under s. 114.31; for the small business
11 demonstration and training program under s. 84.077; and for the administration of
12 other aeronautical activities authorized by law, for such purposes.

13 **SECTION 645mm.** 20.395 (2) (dx) of the statutes is amended to read:

14 20.395 (2) (dx) *Aeronautics assistance, federal funds.* All moneys received from
15 the federal government for airports or other aeronautical activities under s. 114.32
16 or 114.33_;; for administration of the powers and duties of the secretary of
17 transportation under s. 114.31_;; for costs associated with aeronautical activities
18 under s. 114.31; for the small business demonstration and training program under
19 s. 84.077; and for the administration of other aeronautical activities authorized by
20 law, for such purposes.”.

21 **506.** Page 342, line 17: after that line insert:

22 “**SECTION 637b.** 20.395 (1) (gs) of the statutes is created to read:

1 20.395 (1) (gs) *Grants to Brown County and municipalities, state funds.* The
2 amounts in the schedule for the purpose of awarding grants under 2001 Wisconsin
3 Act (this act), section 9152 (4b).

4 **SECTION 637bd.** 20.395 (1) (gs) of the statutes, as created by 2001 Wisconsin
5 Act (this act), is repealed.”.

6 **507.** Page 343, line 1: after “84.28,” insert “for the small business
7 demonstration and training program under s. 84.077,”.

8 **508.** Page 343, line 7: delete “payment” and substitute “payment payments”.

9 **509.** Page 343, line 8: after “(4x)” insert “. (4y), and (4z)”.

10 **510.** Page 343, line 13: after “84.28,” insert “for the small business
11 demonstration and training program under s. 84.077.”.

12 **511.** Page 343, line 20: after “84.28,” insert “for the small business
13 demonstration and training program under s. 84.077.”.

14 **512.** Page 343, line 22: after that line insert:

15 “**SECTION 654m.** 20.395 (3) (bq) of the statutes is amended to read:

16 20.395 (3) (bq) *Major highway development, state funds.* As a continuing
17 appropriation, the amounts in the schedule for major development of state trunk and
18 connecting highways ~~and~~, for the disadvantaged business demonstration and
19 training program under s. 84.076, and for the small business demonstration and
20 training program under s. 84.077.

21 **SECTION 654mg.** 20.395 (3) (bv) of the statutes is amended to read:

22 20.395 (3) (bv) *Major highway development, local funds.* All moneys received
23 from any local unit of government or other source for major development of state
24 trunk and connecting highways, including the railroad and utility alteration and

1 relocation loan program under s. 84.065, ~~and~~ the disadvantaged business
2 demonstration and training program under s. 84.076, and the small business
3 demonstration and training program under s. 84.077, for such purposes.

4 **SECTION 654mm.** 20.395 (3) (bx) of the statutes is amended to read:

5 20.395 (3) (bx) *Major highway development, federal funds.* All moneys received
6 from the federal government for major development of state trunk and connecting
7 highways ~~and~~, the disadvantaged business demonstration and training program
8 under s. 84.076, and the small business demonstration and training program under
9 s. 84.077, for such purposes.”.

10 **513.** Page 343, line 22: after that line insert:

11 “**SECTION 654p.** 20.395 (2) (gr) of the statutes is amended to read:

12 20.395 (2) (gr) *Railroad crossing improvement and protection installation,*
13 *state funds.* As a continuing appropriation, the amounts in the schedule to pay the
14 costs for railroad crossing protection improvements under s. 195.28 (2) ~~and~~, for the
15 installation of railroad crossing gates under 1999 Wisconsin Act 9, section 9150 (9g),
16 and for the purposes specified under 2001 Wisconsin Act (this act), section 9152
17 (5g).

18 **SECTION 654r.** 20.395 (2) (gx) of the statutes is amended to read:

19 20.395 (2) (gx) *Railroad crossing improvement, federal funds.* All moneys
20 received from the federal government for the purposes of railroad crossing protection
21 under s. 195.28 ~~and~~, for the purposes of railroad crossing gates under 1999 Wisconsin
22 Act 9, section 9150 (9g), and for the purposes specified under 2001 Wisconsin Act
23 (this act), section 9152 (5g) for such purposes.”.

1 **514.** Page 344, line 14: after “84.076;” insert “for the small business
2 demonstration and training program under s. 84.077;”.

3 **515.** Page 344, line 16: delete “(8g).” and substitute “(8g). and 2001 Wisconsin
4 Act (this act), section 9152 (4e).”.

5 **516.** Page 345, line 13: delete “and for” and substitute “and; for”.

6 **517.** Page 345, line 14: delete “84.076,” and substitute “84.076; and for the
7 small business demonstration and training program under s. 84.077.”.

8 **518.** Page 346, line 10: delete “and for” and substitute “and; for”.

9 **519.** Page 346, line 11: delete “84.076,” and substitute “84.076; and for the
10 small business demonstration and training program under s. 84.077.”.

11 **520.** Page 347, line 4: on lines 4 and 16, delete “and for” and substitute “and;
12 for”.

13 **521.** Page 347, line 5: after “84.076” insert “; and for the small business
14 demonstration and training program under s. 84.077”.

15 **522.** Page 347, line 17: after “84.076;” insert “and for the small business
16 demonstration and training program under s. 84.077;”.

17 **523.** Page 348, line 1: delete “and for” and substitute “and; for”.

18 **524.** Page 348, line 2: after “84.076;” insert “and for the small business
19 demonstration and training program under s. 84.077;”.

20 **525.** Page 350, line 11: after that line insert:

21 “**SECTION 672L.** 20.395 (5) (jt) of the statutes is created to read:

1 20.395 (5) (jt) *Pretrial intoxicated driver intervention programs, service funds.*
2 All moneys received from the office of justice assistance in the department of
3 administration for the purpose of awarding grants under s. 85.53.”.

4 **526.** Page 350, line 16: after that line insert:

5 “**SECTION 676r.** 20.410 (1) (be) of the statutes is created to read:

6 20.410 (1) (be) *Postconviction evidence testing costs.* The amounts in the
7 schedule for the costs of performing forensic deoxyribonucleic acid testing for
8 indigent persons under s. 974.07, pursuant to a court order issued under s. 974.07
9 (12).”.

10 **527.** Page 350, line 24: after that line insert:

11 “**SECTION 679g.** 20.410 (1) (gi) of the statutes is amended to read:

12 20.410 (1) (gi) *General operations.* The amounts in the schedule to operate
13 institutions and provide field services and administrative services. All moneys
14 received under s. 303.01 (8) that are attributable to moneys collected from earnings
15 of inmates and residents under s. 303.01 (2) (em) and all moneys received under ss.
16 302.386 (2m) and (3) (d) and 303.065 (6) shall be credited to this appropriation
17 account.”.

18 **528.** Page 351, line 6: after that line insert:

19 “**SECTION 680r.** 20.410 (1) (hm) of the statutes is repealed.”.

20 **529.** Page 351, line 11: after that line insert:

21 “**SECTION 682m.** 20.410 (1) (km) of the statutes is amended to read:

22 20.410 (1) (km) *Prison industries.* The amounts in the schedule for the
23 establishment and operation of prison industries, ~~but not including the program~~
24 ~~under s. 303.01 (2) (em).~~ All moneys received from prison industries sales shall be

1 credited to this appropriation. All moneys credited to this appropriation shall be
2 expended first for the purpose under par. (ko). No expenditure may be made from this
3 appropriation for the construction of buildings or purchase of equipment for new
4 prison industries, except upon approval of the joint committee on finance after a
5 determination that the moneys are needed and that no other appropriation is
6 available for that purpose.”.

7 **530.** Page 352, line 7: delete lines 7 to 12.

8 **531.** Page 352, line 18: after that line insert:

9 “**SECTION 688d.** 20.432 (1) (kc) of the statutes is created to read:

10 20.432 **(1)** (kc) *Volunteer coordination.* The amounts in the schedule for
11 coordination of volunteer ombudsmen. All moneys transferred from the
12 appropriation account under s. 20.435 (6) (g) shall be credited to this appropriation
13 account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30
14 of each fiscal year shall revert to the appropriation under s. 20.435 (6) (g).”.

15 **532.** Page 354, line 18: after “more” insert “under s. 46.58”.

16 **533.** Page 356, line 18: after that line insert:

17 “**SECTION 701h.** 20.435 (3) (fp) of the statutes is created to read:

18 20.435 **(3)** (fp) *Food pantry grants and administration.* The amounts in the
19 schedule for costs of administering the grant program under s. 46.766 (5) and for
20 grants awarded under s. 46.766 (2).”.

21 **534.** Page 356, line 19: delete lines 19 to 22.

22 **535.** Page 357, line 12: after that line insert:

23 “**SECTION 705g.** 20.435 (4) (b) of the statutes is amended to read:

1 20.435 (4) (b) *Medical assistance program benefits*. Biennially, the amounts in
2 the schedule to provide the state share of medical assistance program benefits
3 administered under s. 49.45, to provide medical assistance program benefits
4 administered under s. 49.45 that are not also provided under par. (o), to fund the pilot
5 project under s. 46.27 (9) and (10), to provide the facility payments under 1999
6 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers
7 under s. 46.283 and ~~for~~ to fund services under the family care benefit under s. 46.284
8 (5), and to provide coverage for topical fluoride varnish under 2001 Wisconsin Act
9 (this act), section 9123 (13xx). Notwithstanding s. 20.002 (1), the department may
10 transfer from this appropriation to the appropriation under sub. (7) (kb) funds in the
11 amount of and for the purposes specified in s. 46.485. Notwithstanding ss. 20.001
12 (3) (b) and 20.002 (1), the department may credit or deposit into this appropriation
13 and may transfer between fiscal years funds that it transfers from the appropriation
14 under sub. (7) (kb) for the purposes specified in s. 46.485 (3r). Notwithstanding s.
15 20.002 (1), the department may transfer from this appropriation to the appropriation
16 account under sub. (7) (bd) funds in the amount and for the purposes specified in s.
17 49.45 (6v).”.

18 **536.** Page 357, line 18: after “(8).” insert “to develop and maintain an
19 automated registry of child immunizations.”.

20 **537.** Page 358, line 11: after that line insert:

21 “**SECTION 707r.** 20.435 (4) (bu) of the statutes is created to read:

22 20.435 (4) (bu) *Health insurance supplement*. The amounts in the schedule for
23 the health insurance supplement for community disability service providers under
24 2001 Wisconsin Act (this act), section 9123 (13e).

1 **SECTION 707s.** 20.435 (4) (bu) of the statutes, as created by 2001 Wisconsin Act
2 (this act), is repealed.”.

3 **538.** Page 358, line 11: after that line insert:

4 **“SECTION 707bg.** 20.435 (4) (bv) of the statutes is created to read:

5 20.435 (4) (bv) *Prescription drug assistance for elderly; aids.* A sum sufficient
6 for payment to pharmacies and pharmacists under s. 49.688 (7) for prescription drug
7 assistance for elderly persons.”.

8 **539.** Page 359, line 8: after that line insert:

9 **“SECTION 711g.** 20.435 (4) (j) of the statutes is created to read:

10 20.435 (4) (j) *Prescription drug assistance for elderly; manufacturer rebates.*
11 All moneys received from rebate payments by manufacturers under s. 49.688 (6), to
12 be used for payment to pharmacies and pharmacists under s. 49.688 (7) for
13 prescription drug assistance for elderly persons.

14 **SECTION 711h.** 20.435 (4) (jb) of the statutes is created to read:

15 20.435 (4) (jb) *Prescription drug assistance for elderly; enrollment fees.* All
16 moneys received from payment of enrollment fees under s. 49.688 (3), to be used for
17 administration of the program under s. 49.688.”.

18 **540.** Page 364, line 16: delete “*clinic*” and substitute “*clinics*”.

19 **541.** Page 364, line 17: delete “*clinic*” and substitute “*clinics*”.

20 **542.** Page 364, line 20: after “250.15” insert “and 2001 Wisconsin Act (this
21 act), section 9123 (14e)”.

22 **543.** Page 364, line 20: after that line insert:

23 **“SECTION 720md.** 20.435 (5) (fL) of the statutes is created to read:

1 20.435 (5) (fL) *Community water fluoridation*. The amounts in the schedule
2 for community water fluoridation grants under s. 250.13.”.

3 **544.** Page 365, line 9: after that line insert:

4 “**SECTION 721r.** 20.435 (6) (a) of the statutes is amended to read:

5 20.435 (6) (a) *General program operations; projects; ~~council~~ on physical*
6 *disabilities*. The amounts in the schedule for general program operations, including
7 field services and administrative services, for the demonstration projects under 1999
8 Wisconsin Act 9, section 9123 (3) (a) ~~and~~, for operation of the council on physical
9 disabilities under s. 46.29, and for the assistive technology and adaptive equipment
10 program under 2001 Wisconsin Act ... (this act), section 9123 (15j) (a).”

11 **SECTION 721s.** 20.435 (6) (a) of the statutes, as affected by 2001 Wisconsin Act
12 (this act), is amended to read:

13 20.435 (6) (a) *General program operations; projects; council on physical*
14 *disabilities*. The amounts in the schedule for general program operations, including
15 field services and administrative services, for the demonstration projects under 1999
16 Wisconsin Act 9, section 9123 (3) (a), and for operation of the council on physical
17 disabilities under s. 46.29, ~~and for the assistive technology and adaptive equipment~~
18 ~~program under 2001 Wisconsin Act (this act), section 9123 (15j) (a).~~”.

19 **545.** Page 365, line 16: delete “(g)” and substitute “(kc)”.

20 **546.** Page 365, line 18: after that line insert:

21 “**SECTION 722d.** 20.435 (6) (jm) of the statutes is amended to read:

22 20.435 (6) (jm) *Licensing and support services*. The amounts in the schedule
23 for the purposes specified in ss. 48.685 (2) (am) and (b) 1., (3) (a) and (b) and (5) (a),
24 49.45 (47), 50.02 (2), 50.025, 50.065 (2) (am) and (b) 1., (3) (a) and (b) and (5), 50.13,

1 50.135, 50.36 (2), 50.49 (2) (b), 50.495, 50.52 (2) (a), 50.57 and 50.981 and subch. IV
2 of ch. 50 and to conduct health facilities plan and rule development activities, for
3 accrediting nursing homes, convalescent homes and homes for the aged, to conduct
4 capital construction and remodeling plan reviews under ss. 50.02 (2) (b) and 50.36
5 (2) and for the costs of inspecting, licensing and approving facilities, issuing permits
6 and providing technical assistance that are not specified under any other paragraph
7 in this subsection. All moneys received under ss. 48.685 (8), 49.45 (47) (c), 50.02 (2),
8 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)
9 (c) and 50.981, all moneys received from fees for the costs of inspecting, licensing and
10 approving facilities, issuing permits and providing technical assistance that are not
11 specified under any other paragraph in this subsection, and all moneys received
12 under 50.135 (2), less the amounts credited to the appropriation account under sub.
13 (4) (gm), shall be credited to this appropriation account.”.

14 **547.** Page 365, line 21: after “46.48” insert “and for the assistive technology
15 and adaptive equipment program under 2001 Wisconsin Act ... (this act), section
16 9123 (15j) (b), (c), and (d)”.

17 **548.** Page 366, line 12: after that line insert:

18 “**SECTION 725b.** 20.435 (7) (bc) of the statutes, as affected by 2001 Wisconsin
19 Act ... (this act), is amended to read:

20 20.435 (7) (bc) *Grants for community programs.* The amounts in the schedule
21 for grants for community programs under s. 46.48 ~~and for the assistive technology~~
22 ~~and adaptive equipment program under 2001 Wisconsin Act ... (this act), section~~
23 ~~9123 (15j) (b), (c), and (d).~~ Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the
24 department may transfer funds between fiscal years under this paragraph.

1 Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department of health and
2 family services may credit or deposit into this appropriation funds for the purpose
3 specified in s. 46.48 (13) that the department transfers from the appropriation under
4 par. (bL) that are allocated by the department under that appropriation but
5 unexpended or unencumbered on June 30 of each year. Except for amounts
6 authorized to be carried forward under s. 46.48 and as otherwise provided in this
7 paragraph, all funds allocated but not encumbered by December 31 of each year lapse
8 to the general fund on the next January 1 unless carried forward to the next calendar
9 year by the joint committee on finance. Notwithstanding ss. 20.001 (3) (a) and 20.002
10 (1), the department shall transfer from this appropriation account to the
11 appropriation account for the department of workforce development under s. 20.445
12 (3) (dz) funds allocated by the department under s. 46.48 (30) but unexpended on
13 June 30 of each year.”.

14 **549.** Page 366, line 20: after that line insert:

15 “**SECTION 726p.** 20.435 (7) (c) of the statutes is amended to read:

16 20.435 (7) (c) *Independent living centers.* The amounts in the schedule for the
17 purpose of making grants to independent living centers for the severely disabled
18 under s. 46.96 and under 2001 Wisconsin Act (this act), section 9123 (15j) (e).

19 **SECTION 726q.** 20.435 (7) (c) of the statutes, as affected by 2001 Wisconsin Act
20 (this act), is amended to read:

21 20.435 (7) (c) *Independent living centers.* The amounts in the schedule for the
22 purpose of making grants to independent living centers for the severely disabled
23 under s. 46.96 ~~and under 2001 Wisconsin Act (this act), section 9123 (15j) (e).~~”.

24 **550.** Page 367, line 6: delete that line and substitute:

1 **“SECTION 728p.** 20.435 (7) (kg) of the statutes is amended to read:

2 20.435 (7) (kg) *Compulsive gambling awareness campaigns.* The amounts in
3 the schedule for the purpose of awarding grants under s. 46.03 (43). All moneys
4 transferred from s. ~~20.505 (8) (hm) 1.~~ 20.566 (8) (q) shall be credited to this
5 appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
6 balance of this appropriation account at the end of each fiscal year shall be
7 transferred to the lottery fund.”.

8 **551.** Page 368, line 22: delete lines 22 and 23 and substitute “1396v as the
9 result of income augmentation activities ~~for which the state has contracted~~ and all
10 moneys that are received under 42 USC 1396 to 1396v in”.

11 **552.** Page 369, line 1: delete “sections 9223”.

12 **553.** Page 369, line 2: after that line insert:

13 **“SECTION 732t.** 20.436 (1) (tc) of the statutes is amended to read:

14 20.436 (1) (tc) *Grants.* ~~As a continuing appropriation, the amounts in the~~
15 ~~schedule~~ All moneys transferred from the Thomas T. Melvin tobacco control
16 endowment fund under s. 16.519 (6) (a) less the amounts appropriated under par.
17 (tb), for the purposes specified under s. 255.15 (3).”.

18 **554.** Page 369, line 2: after that line insert:

19 **“SECTION 733e.** 20.445 (1) (d) of the statutes is created to read:

20 20.445 (1) (d) *Workplace diversity grant program.* The amounts in the schedule
21 for workplace diversity grants under 2001 Wisconsin Act (this act), section 9158
22 (11vx). No moneys may be encumbered from this appropriation after June 30, 2003.”.

23 **555.** Page 369, line 2: delete “(5zk) and (8z)” and substitute “section 9123 (8z)
24 and (8zo)”.

1 **556.** Page 371, line 10: after that line insert:

2 “**SECTION 737f.** 20.445 (3) (fs) of the statutes is created to read:

3 20.445 (3) (fs) *Child support order conversion assistance.* The amounts in the
4 schedule to provide assistance to county child support agencies for the costs of
5 converting child support orders to fixed–sum orders, to be allocated to counties on
6 the basis of the number of percentage–expressed or mixed orders in a county in cases
7 in which the state is a real party in interest under s. 767.075 (1).”.

8 **557.** Page 374, line 1: delete lines 1 to 8 and substitute:

9 “**SECTION 743dc.** 20.445 (3) (md) of the statutes is amended to read:

10 20.445 (3) (md) *Federal block grant aids.* The amounts in the schedule, less
11 the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and
12 to be transferred to the appropriation accounts under ~~sub. (7) (kc) and ss. 20.255 (2)~~
13 ~~(kh), (kn), and (kp), 20.292 (1) (kd), 20.433 (1) (k), 20.434 (1) (kp) and (ky), 20.435 (3)~~
14 ~~(kc), (kd), (km) and (ky), (5) (ky), (7) (kw) and (ky), and (8) (kx), 20.465 (4) (k), and~~
15 20.835 (2) (kf). All block grant moneys received for these purposes from the federal
16 government or any of its agencies and all moneys recovered under s. 49.143 (3) shall
17 be credited to this appropriation account.”.

18 **558.** Page 374, line 9: after that line insert:

19 “**SECTION 743dg.** 20.445 (3) (md) of the statutes, as affected by 2001 Wisconsin
20 Act (this act), is amended to read:

21 20.445 (3) (md) *Federal block grant aids.* The amounts in the schedule, less
22 the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and
23 to be transferred to the appropriation accounts under ss. 20.255 (2) (kh), (kn), and
24 (kp), 20.292 (1) (kd), 20.433 (1) (k), 20.434 (1) (kp) and (ky), 20.435 (3) (kc), (kd), (km),

1 and (ky), (5) (ky), (7) (ky), and (8) (kx), 20.455 (5) (kv), 20.465 (4) (k), and 20.835 (2)
2 (kf). All block grant moneys received for these purposes from the federal government
3 or any of its agencies and all moneys recovered under s. 49.143 (3) shall be credited
4 to this appropriation account.”.

5 **559.** Page 377, line 4: after that line insert:

6 “**SECTION 764r.** 20.455 (2) (f) of the statutes is created to read:

7 20.455 (2) (f) *Publicity for Alzheimer’s disease registration program.* The
8 amounts in the schedule for publicity activities under s. 165.986 for a program that
9 registers persons with Alzheimer’s disease or related dementias to facilitate their
10 safe return if they become lost or wander.”.

11 **560.** Page 377, line 4: after that line insert:

12 “**SECTION 764qy.** 20.455 (2) (fm) of the statutes is amended to read:

13 20.455 (2) (fm) *Gaming law enforcement.* The amounts in the schedule for the
14 performance of the department’s gaming law enforcement responsibilities as
15 specified in s. 165.70 (3m). ~~No moneys may be encumbered or expended from this~~
16 ~~appropriation account after the day of publication of the 2001–03 biennial budget~~
17 ~~act.~~

18 **SECTION 764r.** 20.455 (2) (g) of the statutes is amended to read:

19 20.455 (2) (g) *Gaming law enforcement; racing revenues.* From all moneys
20 received under s. 562.065 (4), 1999 stats., and ss. 562.02 (2) (f), 562.04 (1) (b) 4. and
21 (2) (d), 562.05 (2), 562.065 (3) (cm) and (d), (3m) (c) 2. and (4), 562.09 (2) (e) and
22 562.124 (2), the amounts in the schedule for the performance of the department’s
23 gaming law enforcement responsibilities as specified in s. 165.70 (3m).

1 Notwithstanding s. 20.001 (3) (a), the unencumbered balance of this appropriation
2 account at the end of each fiscal year shall be transferred to the lottery fund.”.

3 **561.** Page 377, line 4: after that line insert:

4 “**SECTION 762m.** 20.455 (1) (title) of the statutes is amended to read:

5 20.455 (1) (title) LEGAL AND REGULATORY SERVICES.

6 **SECTION 762r.** 20.455 (1) (g) of the statutes is created to read:

7 20.455 (1) (g) *Consumer protection, information, and education.* The amounts
8 in the schedule for consumer protection and consumer information and education.
9 All moneys received under s. 100.261 (3) (d) shall be credited to this appropriation
10 account, subject to the limit under s. 100.261 (e).”.

11 **562.** Page 379, line 18: after that line insert:

12 “**SECTION 773q.** 20.455 (5) (i) of the statutes is amended to read:

13 20.455 (5) (i) *Victim compensation, inmate payments.* All moneys received
14 under s. 303.06 (2) and ~~(3)~~ for the administration of ch. 949 and for crime victim
15 compensation payments or services.”.

16 **563.** Page 379, line 24: after that line insert:

17 “**SECTION 774q.** 20.455 (5) (kv) of the statutes is created to read:

18 20.455 (5) (kv) *Treatment and prevention of childhood sexual abuse; grants.*
19 All moneys transferred from the appropriation account under s. 20.445 (3) (md) for
20 grants to nonprofit organizations and public agencies under s. 165.935.”.

21 **564.** Page 379, line 25: delete the material beginning with that line and
22 ending with page 380, line 5.

23 **565.** Page 381, line 21: after that line insert:

24 “**SECTION 783p.** 20.485 (1) (gk) of the statutes is amended to read:

1 20.485 (1) (gk) *Institutional operations*. The amounts in the schedule for the
2 care of the Wisconsin Veterans Home at King, the Southern Wisconsin Veterans
3 Retirement Center, and veterans facilities. All moneys received under par. (m) and
4 s. 45.37 (9) (d) and (9d) shall be credited to this appropriation.”.

5 **566.** Page 382, line 3: after that line insert:

6 “**SECTION 785d.** 20.485 (2) (eg) of the statutes is created to read:

7 20.485 (2) (eg) *Victorious charge monument grant*. From the general fund, the
8 amounts in the schedule to provide a grant to the Milwaukee Arts Board for the
9 restoration of the Victorious Charge Civil War monument under 2001 Wisconsin Act
10 (this act), section 9157 (7v). No moneys may be encumbered or expended from this
11 appropriation after June 30, 2002.”.

12 **567.** Page 382, line 3: after that line insert:

13 “**SECTION 785e.** 20.485 (2) (e) of the statutes is amended to read:

14 20.485 (2) (e) *Veterans memorial grants*. From the general fund, as a
15 continuing appropriation, the amounts in the schedule for the veterans memorial
16 grant program under s. 45.04 and for the grant under 2001 Wisconsin Act (this
17 act), section 9157 (8g).”.

18 **568.** Page 383, line 12: delete lines 12 to 17.

19 **569.** Page 385, line 5: after that line insert:

20 “**SECTION 802x.** 20.505 (1) (h) of the statutes is created to read:

21 20.505 (1) (h) *Interest on real estate trust accounts; closing agents*. All moneys
22 received from interest on real estate trust accounts maintained by closing agents
23 under s. 452.13 for the purpose of transferring the moneys received to the
24 appropriation account under s. 20.550 (1) (ko).”.

1 **570.** Page 385, line 5: after that line insert:

2 “**SECTION 802m.** 20.505 (1) (fe) of the statutes is created to read:

3 20.505 (1) (fe) *Wisconsin Patient Safety Institute, Inc., grants.* The amounts in
4 the schedule to provide grants to the Wisconsin Patient Safety Institute, Inc.”.

5 **571.** Page 385, line 16: after that line insert:

6 “**SECTION 804g.** 20.505 (1) (ij) of the statutes is amended to read:

7 20.505 (1) (ij) *Land information board; aids to counties.* From the moneys
8 received by the land information board under s. 59.72 (5) (a), all moneys not
9 appropriated under pars. (ie), (if), and (ik) for the purpose of providing aids to
10 counties for land information projects under s. 16.967 (7).”.

11 **572.** Page 385, line 25: delete that line.

12 **573.** Page 386, line 13: delete that line.

13 **574.** Page 387, line 13: delete lines 13 to 24.

14 **575.** Page 388, line 1: delete lines 1 and 2.

15 **576.** Page 388, line 10: delete that line.

16 **577.** Page 388, line 19: delete lines 19 and 20 and substitute:

17 “**SECTION 819.** 20.505 (1) (kp) of the statutes is amended to read:”.

18 **578.** Page 388, line 21: delete “20.530” and substitute “20.505”.

19 **579.** Page 388, line 23: delete “~~16.971~~ 22.03” and substitute “16.971”.

20 **580.** Page 388, line 24: delete “~~sub. s. 20.505~~” and substitute “sub.”.

21 **581.** Page 389, line 1: delete lines 1 to 8.

22 **582.** Page 391, line 14: delete lines 14 to 19.

1 **583.** Page 391, line 24: after that line insert:

2 “**SECTION 846r.** 20.505 (5) (d) of the statutes is created to read:

3 20.505 **(5)** (d) *Principal repayment, interest, and rebates; Pabst university*
4 *research park.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
5 principal and interest costs incurred in financing the acquisition, construction,
6 development, enlargement, or improvement of land on which was sited the former
7 Pabst Brewing Company, Inc., headquarters in the city of Milwaukee and any
8 structures on that land and to make the payments determined by the building
9 commission under s. 13.488 (1) (m) that are attributable to the proceeds of
10 obligations incurred in financing this acquisition, construction, development,
11 enlargement, or improvement.”.

12 **584.** Page 391, line 24: after that line insert:

13 “**SECTION 848r.** 20.505 (5) (c) of the statutes is repealed.”.

14 **585.** Page 393, line 3: delete lines 3 to 5.

15 **586.** Page 395, line 18: after “accounts” insert “maintained by brokers”.

16 **587.** Page 395, line 21: after that line insert:

17 “**SECTION 879g.** 20.505 (8) (b) of the statutes is created to read:

18 20.505 **(8)** (b) *General program operations.* The amounts in the schedule for
19 general program operations under ch. 562.

20 **SECTION 879r.** 20.505 (8) (g) of the statutes is amended to read:

21 20.505 **(8)** (g) *General program operations; racing.* The amounts in the
22 schedule for general program operations under ch. 562. All moneys received by the
23 department of administration under s. 562.065 (4), 1999 stats., and ss. 562.02 (2) (f),
24 562.04 (1) (b) 4. and (2) (d), 562.05 (2), 562.065 (3) (cm) and (d), (3m) (c) 2. ~~and (4),~~

1 562.09 (2) (e) and 562.124 (2), less the amounts appropriated under s. 20.455 (2) (g),
2 shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the
3 unencumbered balance of this appropriation account at the end of each fiscal year
4 shall be transferred to the lottery fund.”.

5 **588.** Page 397, line 18: after that line insert:

6 “SECTION 887s. 20.505 (8) (hm) 10t. of the statutes is created to read:

7 20.505 (8) (hm) 10t. The amount transferred to s. 20.255 (2) (kj) shall be the
8 amount in the schedule under s. 20.255 (2) (kj).”.

9 **589.** Page 398, line 24: delete lines 24 and 25.

10 **590.** Page 399, line 1: delete lines 1 to 25.

11 **591.** Page 400, line 1: delete lines 1 to 12.

12 **592.** Page 400, line 22: after that line insert:

13 “SECTION 906f. 20.510 (1) (cd) of the statutes is created to read:

14 20.510 (1) (cd) *Election rapid response team grant program.* The amounts in
15 the schedule to provide grants to cities under s. 7.085 (1).

16 SECTION 906L. 20.510 (1) (ce) of the statutes is created to read:

17 20.510 (1) (ce) *Election assistance grant program.* The amounts in the schedule
18 to provide grants to municipalities under s. 7.085 (2).”.

19 **593.** Page 401, line 11: after that line insert:

20 “SECTION 910s. 20.515 (2) (c) of the statutes is created to read:

21 20.515 (2) (c) *Payment of certain costs.* Biennially, the amounts in the schedule
22 for the payment of legal and actuarial services and for the marketing and promotion
23 of the private employer health care coverage program under subch. X of ch. 40. No

1 moneys may be expended from this appropriation until the condition under s. 40.98
2 (2) (h) 1. is satisfied.

3 **SECTION 910u.** 20.515 (2) (g) of the statutes is amended to read:

4 20.515 (2) (g) *Private employer health care coverage plan.* All moneys received
5 under subch. X of ch. 40 from employers who elect to participate in the private
6 employer health care coverage program under subch. X of ch. 40, for the costs of
7 designing, marketing and contracting for or providing administrative services for
8 the program and for lapsing money to the general fund as required under s. 40.98 (2)
9 (h) 2.”.

10 **594.** Page 401, line 17: delete lines 17 to 25.

11 **595.** Page 402, line 1: delete lines 1 to 20.

12 **596.** Page 403, line 6: after that line insert:

13 “**SECTION 916d.** 20.550 (1) (ko) of the statutes is created to read:

14 20.550 (1) (ko) *Interest on real estate trust accounts; public defender costs.* All
15 moneys transferred under s. 20.505 (1) (h), for program administration costs of the
16 office of the state public defender, including the costs of interpreters and of discovery
17 materials and excluding the costs under pars. (e) and (fb).”.

18 **597.** Page 405, line 5: after that line insert:

19 “**SECTION 920v.** 20.566 (8) (q) of the statutes is amended to read:

20 20.566 (8) (q) *General program operations.* From the lottery fund, the amounts
21 in the schedule for general program operations under ch. 565. Annually, of the
22 moneys appropriated under this paragraph, an amount equal to the amounts in the
23 schedule under s. 20.435 (7) (kg) shall be transferred to the appropriation account
24 under s. 20.435 (7) (kg).”.

1 **598.** Page 406, line 5: after that line insert:

2 “**SECTION 926m.** 20.625 (1) (c) of the statutes is amended to read:

3 20.625 **(1)** (c) *Court interpreter fees.* The amounts in the schedule to pay
4 interpreter fees reimbursed under s. ~~885.37 (4) (a) 2.~~ 758.19 (8).”.

5 **599.** Page 406, line 5: after that line insert:

6 “**SECTION 926r.** 20.680 (2) (a) of the statutes is amended to read:

7 20.680 **(2)** (a) *General program operations.* ~~The~~ Biennially, the amounts in the
8 schedule to carry into effect the functions of the director of state courts.”.

9 **600.** Page 406, line 9: after that line insert:

10 “**SECTION 931m.** 20.835 (2) (an) of the statutes is created to read:

11 20.835 **(2)** (an) *Onetime rebate of sales tax paid for digital broadcasting*
12 *equipment.* A sum sufficient to pay the aggregate claims under s. 77.65.”.

13 **601.** Page 406, line 9: delete that line.

14 **602.** Page 407, line 3: delete that line.

15 **603.** Page 414, line 2: after “(f),” insert “20.143 (1) (dm).”.

16 **604.** Page 414, line 9: after “(c)” insert “(d).”.

17 **605.** Page 414, line 9: substitute “(5) ~~(e),~~” for “(5) (c)”.

18 **606.** Page 414, line 9: delete “and (9) (b) and (h).”.

19 **607.** Page 414, line 10: after “(3) (a), (b),” insert “(bm).”.

20 **608.** Page 414, line 10: after “(br),” insert “(bs), (bt).”.

21 **609.** Page 414, line 10: after “(3) (a), (b),” insert “(bc).”.

1 **610.** Page 414, line 24: increase the underscored dollar amount by \$99,500
2 for the purpose of constructing a baseball field parking lot at the University of
3 Wisconsin — Parkside.

4 **611.** Page 415, line 2: after that line insert:

5 “**SECTION 962m.** 20.866 (2) (ta) of the statutes is amended to read:

6 20.866 (2) (ta) *Natural resources; Warren Knowles–Gaylord Nelson*
7 *stewardship 2000 program.* From the capital improvement fund a sum sufficient for
8 the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 23.0917.
9 The state may contract public debt in an amount not to exceed \$460,000,000
10 \$572,000,000 for this program. Except as provided in s. 23.0917 (4g) (b), (4m) (k), (5)
11 and (5m), the amounts obligated, as defined in s. 23.0917 (1) (e), under this
12 paragraph may not exceed \$46,000,000 in each fiscal year 2000–01, may not exceed
13 \$46,000,000 in fiscal year 2001–02, and may not exceed \$60,000,000 in each fiscal
14 year beginning with fiscal year 2002–2003 and ending with fiscal year 2009–10.”.

15 **612.** Page 417, line 2: after that line insert:

16 “**SECTION 968c.** 20.866 (2) (tL) of the statutes is amended to read:

17 20.866 (2) (tL) *Natural resources; segregated revenue supported dam safety*
18 *projects.* From the capital improvement fund, a sum sufficient for the department
19 of natural resources to provide financial assistance to counties, cities, villages,
20 towns, and public inland lake protection and rehabilitation districts for dam safety
21 projects under s. 31.385. The state may contract public debt in an amount not to
22 exceed ~~\$6,350,000~~ \$6,600,000 for this purpose.”.

23 **613.** Page 419, line 11: after that line insert:

24 “**SECTION 972d.** 20.866 (2) (wm) of the statutes is created to read:

1 20.866 (2) (wm) *Pabst university research park*. From the capital improvement
2 fund, a sum sufficient for the department of administration to acquire, construct,
3 develop, enlarge, or improve land on which was sited the former Pabst Brewing
4 Company, Inc., headquarters in the city of Milwaukee and any structures on that
5 land. The state may contract public debt in an amount not to exceed \$25,000,000 for
6 this purpose, less any amount that is loaned to the department of administration by
7 the board of commissioners of public lands for this purpose.”.

8 **614.** Page 419, line 11: after that line insert:

9 “**SECTION 972m.** 20.866 (2) (wr) of the statutes is repealed.”.

10 **615.** Page 419, line 12: delete lines 12 to 24.

11 **616.** Page 420, line 1: delete lines 1 and 2.

12 **617.** Page 420, line 3: delete lines 3 to 13.

13 **618.** Page 421, line 11: increase the underscored dollar amount by
14 \$95,000,000.

15 **619.** Page 421, line 11: increase the underscored dollar amount by
16 \$79,100,000.

17 **620.** Page 421, line 11: increase the underscored dollar amount by
18 \$40,000,000 to increase funding for University of Wisconsin System facilities repair
19 and renovation.

20 **621.** Page 421, line 14: increase the dollar amount by \$95,000,000.

21 **622.** Page 421, line 18: after that line insert:

22 “**SECTION 973r.** 20.866 (2) (zbg) of the statutes is created to read:

1 20.866 (2) (zbg) *HR Academy, Inc.* From the capital improvement fund, a sum
2 sufficient for the building commission to provide a grant to HR Academy, Inc., in the
3 city of Milwaukee to aid in the construction of a youth and family center in the city
4 of Milwaukee. The state may contract public debt in an amount not to exceed
5 \$1,500,000 for this purpose.”.

6 **623.** Page 421, line 18: after that line insert:

7 “**SECTION 973s.** 20.866 (2) (zbh) of the statutes is created to read:

8 20.866 (2) (zbh) *Milwaukee Public Schools Foundation, Inc.* From the capital
9 improvement fund, a sum sufficient for the building commission to provide a grant
10 to Milwaukee Public Schools Foundation, Inc., to aid in the construction of a
11 Milwaukee Public Schools alumni center to be located on land purchased by the
12 department of administration under s. 16.514. The state may contract public debt
13 in an amount not to exceed \$2,000,000 for this purpose.”.

14 **624.** Page 421, line 18: after that line insert:

15 “**SECTION 973r.** 20.866 (2) (z) 4m. of the statutes is created to read:

16 20.866 (2) (z) 4m. An amount equal to \$40,000,000 is allocated for the repair
17 and renovation of University of Wisconsin System facilities.”.

18 **625.** Page 421, line 18: delete that line and substitute:

19 “b. July 1, 2003, to June 30, 2005, \$63,500,000.

20 c. July 1, 2005, to June 30, 2007, \$95,500,000.

21 d. July 1, 2007, to June 30, 2009, \$127,500,000.

22 e. July 1, 2009, or thereafter, \$158,500,000.”.

23 **626.** Page 421, line 24: after that line insert:

24 “**SECTION 973z.** 20.866 (2) (zbx) of the statutes is created to read:

1 20.866 (2) (zbx) *Commerce; heritage trust program.* From the capital
2 improvement fund, a sum sufficient for the department of commerce to award grants
3 under s. 560.28 (1). The state may contract public debt in an amount not to exceed
4 \$10,000,000 for this purpose. The total amount of debt authorized under this
5 paragraph may not exceed the following amounts on the following dates:

6 1. Beginning on July 1, 2003, and before July 1, 2004, \$1,000,000.

7 2. July 1, 2004, to June 30, 2005, \$2,000,000.

8 3. July 1, 2005, to June 30, 2006, \$3,000,000.

9 4. July 1, 2006, to June 30, 2007, \$4,000,000.

10 5. July 1, 2007, to June 30, 2008, \$5,000,000.

11 6. July 1, 2008, to June 30, 2009, \$6,000,000.

12 7. July 1, 2009, to June 30, 2010, \$7,000,000.

13 8. July 1, 2010, to June 30, 2011, \$8,000,000.

14 9. July 1, 2011, to June 30, 2012, \$9,000,000.

15 10. July 1, 2012, and thereafter, \$10,000,000.”.

16 **627.** Page 421, line 24: after that line insert:

17 “**SECTION 973z.** 20.866 (2) (zbt) of the statutes is created to read:

18 20.866 (2) (zbt) *SOS Children’s Villages of Wisconsin; Milwaukee children’s*
19 *village.* From the capital improvement fund, a sum sufficient to provide a grant to
20 SOS Children’s Villages of Wisconsin — Milwaukee Chapter to aid in the
21 construction of a children’s village in the city of Milwaukee. The state may contract
22 public debt in an amount not to exceed \$550,000 for this purpose.”.

23 **628.** Page 421, line 24: after that line insert:

24 “**SECTION 974e.** 20.866 (2) (zbo) of the statutes is created to read:

1 20.866 (2) (zbo) *City of Kenosha; Civil War museum.* From the capital
2 improvement fund, a sum sufficient to provide a grant to the city of Kenosha, to aid
3 in the construction of a Civil War museum. The state may contract public debt in an
4 amount not to exceed \$1,000,000 for this purpose.

5 **SECTION 974r.** 20.866 (2) (zbq) of the statutes is created to read:

6 20.866 (2) (zbq) *City of Racine; Discovery Place museum.* From the capital
7 improvement fund, a sum sufficient to provide a grant to the city of Racine, to aid in
8 the construction of the Discovery Place museum as part of the Heritage museum.
9 The state may contract public debt in an amount not to exceed \$1,000,000 for this
10 purpose.”.

11 **629.** Page 422, line 15: delete the material beginning with “If the” and ending
12 with “(a)” on line 19.

13 **630.** Page 422, line 19: after that line insert:

14 “**SECTION 977e.** 20.866 (2) (ze) of the statutes is amended to read:

15 20.866 (2) (ze) *Historical society; self-amortizing facilities.* From the capital
16 improvement fund, a sum sufficient for the historical society to acquire, construct,
17 develop, enlarge or improve facilities at historic sites, but not including the
18 Wisconsin history center. The state may contract public debt in an amount not to
19 exceed \$3,173,600 for this purpose.

20 **SECTION 977h.** 20.866 (2) (zgh) of the statutes is created to read:

21 20.866 (2) (zgh) *Historical society; Wisconsin history center.* From the capital
22 improvement fund, a sum sufficient for the historical society to construct a Wisconsin
23 history center. The state may contract public debt in an amount not to exceed
24 \$131,500,000 for this purpose.”.

1 **631.** Page 423, line 23: after that line insert:

2 “**SECTION 978s.** 20.867 (3) (bm) of the statutes is created to read:

3 20.867 (3) (bm) *Principal repayment, interest, and rebates; HR Academy, Inc.*
4 A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and
5 interest costs incurred in financing the construction of a youth and family center for
6 HR Academy, Inc., in the city of Milwaukee, and to make the payments determined
7 by the building commission under s. 13.488 (1) (m) that are attributable to the
8 proceeds of obligations incurred in financing the construction of a youth and family
9 center for the HR Academy, Inc.”.

10 **632.** Page 423, line 23: after that line insert:

11 “**SECTION 978y.** 20.867 (3) (bt) of the statutes is created to read:

12 20.867 (3) (bt) *Principal repayment, interest, and rebates; Milwaukee children’s*
13 *village.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal
14 and interest costs incurred in financing the construction grant under s. 13.48 (35),
15 and to make the payments determined by the building commission under s. 13.488
16 (1) (m) that are attributable to the proceeds of obligations incurred in financing that
17 construction grant.”.

18 **633.** Page 423, line 23: after that line insert:

19 “**SECTION 978s.** 20.867 (3) (bs) of the statutes is created to read:

20 20.867 (3) (bs) *Principal repayment, interest, and rebates; Civil War museum.*
21 A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and
22 interest costs incurred in financing the construction grant under s. 13.48 (32m), and
23 to make the payments determined by the building commission under s. 13.488 (1) (m)

1 that are attributable to the proceeds of obligations incurred in financing the
2 construction grant under s. 13.48 (32m).

3 **SECTION 978t.** 20.867 (3) (bt) of the statutes is created to read:

4 20.867 (3) (bt) *Principal repayment, interest, and rebates; Discovery Place*
5 *museum.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal
6 and interest costs incurred in financing the construction grant under s. 13.48 (32r),
7 and to make the payments determined by the building commission under s. 13.488
8 (1) (m) that are attributable to the proceeds of obligations incurred in financing the
9 construction grant under s. 13.48 (32r).”.

10 **634.** Page 423, line 23: after that line insert:

11 “**SECTION 978t.** 20.867 (3) (bc) of the statutes is created to read:

12 20.867 (3) (bc) *Principal repayment, interest, and rebates; Milwaukee Public*
13 *Schools Foundation, Inc.* A sum sufficient to reimburse s. 20.866 (1) (u) for the
14 payment of principal and interest costs incurred in financing the construction of a
15 Milwaukee Public Schools alumni center for Milwaukee Public Schools Foundation,
16 Inc., to be located on land purchased by the department of administration under s.
17 16.514 and to make the payments determined by the building commission under s.
18 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in
19 financing the construction of the center.”.

20 **635.** Page 424, line 22: after that line insert:

21 “**SECTION 980c.** 20.867 (4m) of the statutes is created to read:

22 20.867 (4m) **CASH BUILDING PROJECTS FUND.** (q) *Payment of cash in lieu of*
23 *borrowing.* A sum sufficient from the cash buildings projects fund to permit payment

1 of cash in lieu of borrowing for the purposes for which the contracting of public debt
2 is authorized under s. 20.866 (2).”.

3 **636.** Page 425, line 1: delete lines 1 to 9.

4 **637.** Page 426, line 12: delete lines 12 to 19.

5 **638.** Page 426, line 20: delete lines 20 to 22.

6 **639.** Page 427, line 15: delete lines 15 to 22.

7 **640.** Page 428, line 5: delete lines 5 to 8 and substitute “alleged or found to
8 be delinquent unless one of the following applies:

9 1. If the building, structure, or facility was converted for that purpose, the
10 conversion either was completed before January 1, 2001, or began after the building,
11 structure, or facility was enumerated in the authorized state building program.

12 2. If the building, structure, or facility was not converted for that purpose, the
13 construction of the building, structure, or facility either was completed before
14 January 1, 2001, or began after the building, structure, or facility was enumerated
15 in the authorized state building program.”.

16 **641.** Page 428, line 21: delete the material beginning with that line and
17 ending with page 438, line 9.

18 **642.** Page 438, line 12: after that line insert:

19 “**SECTION 1024bg.** 21.49 (2) (c) of the statutes is created to read:

20 21.49 (2) (c) A member of the U.S. armed forces, including the Wisconsin
21 national guard, for 10 years or more.

22 **SECTION 1024bi.** 21.49 (2) (d) of the statutes is amended to read:

1 21.49 (2) (d) Failing to meet the national guard service eligibility criteria
2 established by the department by rule or absent without leave for more than 9 unit
3 training assemblies.

4 **SECTION 1024bk.** 21.49 (2) (f) of the statutes is created to read:

5 21.49 (2) (f) Failing to achieve a minimum grade point average of 2.0 or an
6 average grade of “C” for the semester for which reimbursement is requested.”.

7 **643.** Page 438, line 22: after that line insert:

8 “**SECTION 1024e.** 21.49 (3) (b) 3. of the statutes is amended to read:

9 21.49 (3) (b) 3. Contain the signatures of both the guard member claiming the
10 grant and a representative of the school, certifying that the member has
11 satisfactorily completed the course and has achieved the minimum grade point
12 average or grade, as required under sub. (2) (f).”.

13 **644.** Page 438, line 23: delete the material beginning with that line and
14 ending with page 439, line 11 and substitute:

15 “**SECTION 1024i.** 21.49 (3m) of the statutes is amended to read:

16 21.49 (3m) REPAYMENT OF GRANTS. The department ~~may~~ shall require a guard
17 member who has received a grant under this section to repay the amount of the grant
18 to the department if the national guard member, ~~within 12 months of receipt of the~~
19 ~~grant, fails to meet any of~~ on or after the effective date of this subsection [revisor
20 inserts date], is separated from the national guard service ~~eligibility criteria~~
21 ~~established by the department by rule~~ for misconduct, as defined in the rules and
22 regulations of the national guard, including being absent without leave for more
23 than 9 unit training assemblies. The department may elect to collect the amount
24 owed under this subsection through the tax intercept program under s. 71.93.

1 **SECTION 1024k.** 21.49 (4) (c) of the statutes is created to read:

2 21.49 (4) (c) 1. Any person who joins the Wisconsin national guard on or after
3 the effective date of this subdivision [revisor inserts date], is only eligible for a
4 tuition grant under this section for a course in one of the following schools:

5 a. The extension division and any campus of the University of Wisconsin
6 System.

7 b. Any public institution of higher education that is included in the
8 Minnesota–Wisconsin student reciprocity agreement under s. 39.47.

9 c. Any technical college established under ch. 38.

10 2. This paragraph does not apply after June 30, 2005.

11 **SECTION 1024m.** 21.49 (4) (d) of the statutes is created to read:

12 21.49 (4) (d) After June 30, 2005, a guard member is only eligible for a tuition
13 grant under this section for a course in one of the following schools:

14 1. The extension division and any campus of the University of Wisconsin
15 System.

16 2. Any public institution of higher education that is included in the
17 Minnesota–Wisconsin student reciprocity agreement under s. 39.47.

18 3. Any technical college established under ch. 38.”.

19 **645.** Page 439, line 12: delete lines 12 to 15.

20 **646.** Page 439, line 16: delete lines 16 to 25.

21 **647.** Page 440, line 1: delete the material beginning with that line and ending
22 with page 445, line 22.

23 **648.** Page 446, line 2: delete the material beginning with “ss. 23.197 (3m) (b)”
24 and ending with “(8)” on line 3 and substitute “ss. 23.197 (2m), (3m) (b), and (7m)”.

1 **649.** Page 446, line 4: delete lines 4 to 9.

2 **650.** Page 446, line 9: after that line insert:

3 “**SECTION 1034L.** 23.0917 (3) (dm) 1m. of the statutes is created to read:

4 23.0917 (3) (dm) 1m. For fiscal year 2001–02, \$34,500,000.

5 **SECTION 1034m.** 23.0917 (3) (dm) 2. of the statutes is amended to read:

6 23.0917 (3) (dm) 2. For each fiscal year beginning with ~~2001–02~~ 2002–03 and
7 ending with fiscal year 2009–10, ~~\$34,500,000~~ \$45,000,000.”.

8 **651.** Page 446, line 14: after “(cm)” insert “1”.

9 **652.** Page 446, line 20: after that line insert:

10 “1m. Construction of a visitor center and administration building at the
11 Kickapoo valley reserve under s. 23.197 (2m).”.

12 **653.** Page 446, line 21: delete that line.

13 **654.** Page 446, line 24: delete the material beginning with that line and
14 ending with page 447, line 2.

15 **655.** Page 447, line 2: after that line insert:

16 “**SECTION 1034r.** 23.0917 (4) (d) 1. of the statutes is amended to read:

17 23.0917 (4) (d) 1. The department may obligate not more than \$11,500,000 in
18 each fiscal year 2000–01 and not more than \$11,500,000 in fiscal year 2001–02 under
19 the subprogram except as provided in sub. (5). For each fiscal year beginning with
20 2002–03 and ending with fiscal year 2009–10, the department may obligate not more
21 than \$15,000,000 under the subprogram except as provided in sub. (5).”.

22 **656.** Page 448, line 2: after that line insert:

23 “**SECTION 1036b.** 23.0957 (title) of the statutes is amended to read:

1 **23.0957** (title) **Annual grants to a nonstock, nonprofit corporation;**
2 **urban land conservation projects.**

3 **SECTION 1036c.** 23.0957 (1) (title) of the statutes is created to read:

4 23.0957 **(1)** (title) DEFINITIONS.

5 **SECTION 1036d.** 23.0957 (1) (b) of the statutes is amended to read:

6 23.0957 **(1)** (b) “Interested group” means a community group, nonprofit
7 organization, or local governmental unit that is interested in environmental quality
8 issues and in acquiring urban, developing, maintaining, or restoring land for one or
9 more urban forestry protection, water resource management, conservation,
10 recreation or other urban open space conservation purposes.

11 **SECTION 1036e.** 23.0957 (1) (c) of the statutes is created to read:

12 23.0957 **(1)** (c) “Urban conservation purpose” means an urban, open space
13 conservation or restoration area; urban forest protection or enhancement; water
14 resource management in urban areas; resource management strategies for urban
15 areas; conservation activities in an urban area; or recreation activities in an urban
16 area.

17 **SECTION 1036f.** 23.0957 (2) (intro.) of the statutes is amended to read:

18 23.0957 **(2)** RECIPIENT REQUIREMENTS. (intro.) The department shall provide
19 one grant of \$75,000 \$150,000 in each fiscal year, ~~beginning with fiscal year~~
20 ~~1999–2000~~ to be used for one or more urban conservation purposes, to a nonstock,
21 nonprofit corporation that meets all of the following requirements:

22 **SECTION 1036g.** 23.0957 (2) (c) 2. of the statutes is repealed.

23 **SECTION 1036h.** 23.0957 (2) (c) 3. of the statutes is repealed.

24 **SECTION 1036j.** 23.0957 (2) (c) 5. of the statutes is repealed.

25 **SECTION 1036k.** 23.0957 (2) (c) 7. of the statutes is repealed.

1 **SECTION 1036m.** 23.0957 (2) (d) of the statutes is amended to read:

2 23.0957 **(2)** (d) The corporation contributes ~~\$25,000~~ \$50,000 in funds annually
3 to be used with the grant that it receives under this subsection.

4 **SECTION 1036n.** 23.0957 (2) (e) of the statutes is created to read:

5 23.0957 **(2)** (e) The corporation contributes substantial support to a network
6 that encourages activities that further one or more urban conservation purposes in
7 various urban communities in this state.

8 **SECTION 1036p.** 23.0957 (2r) of the statutes is created to read:

9 23.0957 **(2r)** AUTHORIZED ACTIVITIES. A corporation receiving a grant under sub.
10 (2) may use proceeds from the grant for projects that are for one or more urban
11 conservation purposes and that are undertaken by the corporation. For urban, open
12 space projects, conservation projects in urban areas, or recreation projects in urban
13 areas undertaken by the corporation, the corporation may use the proceeds for the
14 acquisition of land for these projects.

15 **SECTION 1036q.** 23.0957 (3) (intro.) of the statutes is amended to read:

16 23.0957 **(3)** REQUIRED ACTIVITIES. (intro.) A corporation receiving a grant under
17 sub. (2) ~~may use the grant for urban forest protection, water resource enhancement~~
18 ~~or other urban open space objectives and shall do~~ use proceeds from the grant to do
19 all of the following ~~with the grant~~:

20 **SECTION 1036r.** 23.0957 (3) (a) of the statutes is renumbered 23.0957 (3) (a)
21 (intro.) and amended to read:

22 23.0957 **(3)** (a) (intro.) Provide to interested groups technical assistance,
23 especially ~~in the areas of urban open space real estate transactions, reclaiming and~~
24 ~~restoring the natural values of urban parks, urban forests and open space areas,~~

1 ~~designing and constructing amenities in open space areas, on all of the following~~
2 topics:

3 1. Methods of cultivating citizen participation in acquiring, developing, and
4 maintaining urban, open space areas and securing.

5 2. Methods of securing public financing for urban, open space areas.

6 **SECTION 1036s.** 23.0957 (3) (a) 3. of the statutes is created to read:

7 23.0957 **(3)** (a) 3. Comprehensive management methods for urban forests.

8 **SECTION 1036t.** 23.0957 (3) (a) 4. of the statutes is created to read:

9 23.0957 **(3)** (a) 4. The use of resource management strategies to improve water
10 and air quality and to revitalize urban communities.

11 **SECTION 1036u.** 23.0957 (3) (a) 5. of the statutes is created to read:

12 23.0957 **(3)** (a) 5. Methods for reducing the presence of toxic substances in
13 residential neighborhoods in urban areas.

14 **SECTION 1036v.** 23.0957 (3) (a) 6. of the statutes is created to read:

15 23.0957 **(3)** (a) 6. Methods for promoting environmental education and
16 environmental stewardship in urban communities.

17 **SECTION 1036w.** 23.0957 (3) (c) of the statutes is amended to read:

18 23.0957 **(3)** (c) Assist community interested groups, nonprofit organizations
19 ~~and local governmental units in acquiring urban property for open space, developing,~~
20 maintaining, or restoring land for one or more urban conservation purposes and in
21 ~~restoring urban property acquired for conservation, recreation and other open space~~
22 purposes.

23 **SECTION 1036x.** 23.0957 (3) (d) of the statutes is amended to read:

24 23.0957 **(3)** (d) For each fiscal year, prepare a report detailing the activities for
25 which a grant under sub. (2) is expended. Copies of the report shall be submitted to

1 the department and to the appropriate standing committees of the legislature, as
2 determined by the speaker of the assembly ~~or~~ and the president of the senate.

3 **SECTION 1036y.** 23.0957 (4) of the statutes is repealed.”.

4 **657.** Page 448, line 2: after that line insert:

5 “**SECTION 1036m.** 23.0963 of the statutes is created to read:

6 **23.0963 Museums in Kenosha and Racine. (1)** From the appropriation
7 under s. 20.370 (5) (cq), the department, subject to sub. (3), shall provide \$500,000
8 in funding in fiscal year 2001–02 and grant \$500,000 in funding in fiscal year
9 2002–03 to the city of Kenosha for the construction of a Civil War museum.

10 **(2)** From the appropriation under s. 20.370 (5) (cq), beginning with fiscal year
11 2001–02 and ending with 2004–05, the department, subject to sub (3), shall provide
12 \$500,000 in funding in each fiscal year to the city of Racine for the construction of
13 the Discovery Place museum as part of the Heritage museum in the city of Racine.

14 **(3)** The department may not provide the funding for construction under sub.
15 (1) or (2) unless the department of administration has reviewed and approved the
16 applicable plans for the construction.”.

17 **658.** Page 448, line 2: after that line insert:

18 “**SECTION 1036m.** 23.0962 of the statutes is repealed.”.

19 **659.** Page 448, line 3: delete lines 3 to 14.

20 **660.** Page 448, line 14: after that line insert:

21 “**SECTION 1038c.** 23.113 of the statutes is created to read:

22 **23.113 Designation of chief state forester.** The secretary shall designate
23 the administrator of the division of forestry in the department as the chief state

1 forester. The chief state forester shall be a professional forester as recognized by the
2 society of American foresters.”.

3 **661.** Page 449, line 17: after that line insert:

4 “**SECTION 1038u.** 23.145 of the statutes is created to read:

5 **23.145 Acquisition of land in the Chiwaukee Prairie–Carol Beach**
6 **National Natural Landmark.** The department may not promulgate a rule or
7 otherwise establish a policy that imposes a specified maximum purchase price per
8 parcel or per acre for real property that the department acquires that is located
9 within the boundaries of the Chiwaukee Prairie–Carol Beach National Natural
10 Landmark.”.

11 **662.** Page 449, line 18: delete lines 18 to 23.

12 **663.** Page 450, line 14: after that line insert:

13 “**SECTION 1039br.** 23.197 (1) (a) of the statutes is amended to read:

14 23.197 (1) (a) From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the
15 department shall provide funding to the city of Racine for a multipurpose pathway
16 along the Root River. The amount provided by the department may not exceed the
17 amount that equals the matching contribution for the pathway made by the city of
18 Racine or ~~\$750,000~~ \$1,125,000, whichever is less.”.

19 **664.** Page 450, line 14: after that line insert:

20 “**SECTION 1039bm.** 23.197 (2m) of the statutes is created to read:

21 23.197 (2m) **KICKAPOO VALLEY RESERVE; VISITOR CENTER.** From the appropriation
22 under s. 20.866 (2) (ta), the department shall provide \$2,370,000 to the Kickapoo
23 reserve management board for construction of a visitor center and administration
24 building at the Kickapoo valley reserve. For purposes of s. 23.0917, moneys provided

1 from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated
2 from either or both of the subprograms under s. 23.0917 (3) and (4).”.

3 **665.** Page 451, line 10: delete lines 10 to 17.

4 **666.** Page 451, line 17: after that line insert:

5 “**SECTION 1039fm.** 23.197 (5r) of the statutes is created to read:

6 23.197 (5r) HILLSBORO; CAMPING AND RECREATIONAL AREA. From the
7 appropriation under s. 20.866 (2) (ta), the department shall provide \$60,000 to the
8 city of Hillsboro for the development of a camping and recreational area near the
9 Hillsboro and Northeastern Spur Trail in the city of Hillsboro. For purposes of s.
10 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
11 treated as moneys obligated from the subprogram for property development and
12 local assistance. Notwithstanding s. 23.09 (20) (b), the 50% matching requirement
13 under s. 23.09 (20) (b) does not apply to the state aid provided under this subsection.”.

14 **667.** Page 451, line 24: after that line insert:

15 “**SECTION 1039km.** 23.197 (6r) of the statutes is created to read:

16 23.197 (6r) MILWAUKEE COUNTY; BEACH DEVELOPMENT. From the appropriation
17 under s. 20.866 (2) (ta), the department shall provide \$648,100 to Milwaukee County
18 to redevelop the beach at Grant Park in Milwaukee County. For purposes of s.
19 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
20 treated as moneys obligated from the subprogram for property development and
21 local assistance. The requirements for matching contributions under s. 23.09 (20)
22 (b) shall apply to the state aid provided under this subsection.”.

23 **668.** Page 451, line 25: delete the material beginning with that line and
24 ending with page 452, line 6.

1 **669.** Page 452, line 17: delete the material beginning with that line and
2 ending with page 453, line 7.

3 **670.** Page 464, line 14: after that line insert:

4 “**SECTION 1066b.** 23.43 of the statutes is created to read:

5 **23.43 Watershed management center.** From the appropriation under s.
6 20.370 (4) (aq), the department shall annually provide to the board of regents of the
7 University of Wisconsin System \$150,000 to establish and operate the watershed
8 management center under s. 36.25 (46).”.

9 **671.** Page 466, line 6: after that line insert:

10 “**SECTION 2088d.** 24.60 (1v) of the statutes is created to read:

11 **24.60 (1v)** Federated public library system means a federated public library
12 system whose territory lies within 2 or more counties.”.

13 **672.** Page 467, line 2: after that line insert:

14 “**SECTION 1089m.** 24.61 (3) (a) 11. of the statutes is created to read:

15 **24.61 (3) (a) 11.** A federated public library system, as provided under s. 43.17
16 (9) (b) or otherwise authorized by law.

17 **SECTION 1089t.** 24.63 (2r) of the statutes is created to read:

18 **24.63 (2r)** FEDERATED PUBLIC LIBRARY SYSTEM LOANS. A state trust fund loan to
19 a federated public library system may be made for any term, not exceeding 20 years,
20 that is agreed upon between the federated public library system and the board and
21 may be made for a total amount that, together with all other indebtedness of the
22 federated public library system, does not exceed the federated public library system’s
23 allowable indebtedness under s. 43.17 (9) (b).”.

24 **673.** Page 467, line 2: after that line insert:

1 **“SECTION 1089m.** 24.61 (3) (a) 10m. of the statutes is created to read:

2 24.61 (3) (a) 10m. The department of administration, but only for the purchase
3 of land under s. 16.514.

4 **SECTION 1089n.** 24.61 (3) (b) of the statutes is amended to read:

5 24.61 (3) (b) *Terms; conditions.* A municipality or cooperative educational
6 service agency, federated public library system, or the department of administration
7 may obtain a state trust fund loan for the sum of money, for the time and upon the
8 conditions as may be agreed upon between the board and the borrower subject to the
9 limitations, restrictions, and conditions set forth in this subchapter.”.

10 **674.** Page 467, line 3: delete the material beginning with that line and ending
11 with page 468, line 7.

12 **675.** Page 467, line 10: after that line insert:

13 **“SECTION 1092m.** 24.66 (3v) of the statutes is created to read:

14 24.66 (3v) FOR FEDERATED PUBLIC LIBRARY SYSTEMS. An application for a loan by
15 a federated public library system shall be accompanied by a certified copy of a
16 resolution of the board of the federated public library system approving the loan.”.

17 **676.** Page 467, line 10: after that line insert:

18 **“SECTION 1092n.** 24.66 (3n) of the statutes is created to read:

19 24.66 (3n) FOR THE DEPARTMENT OF ADMINISTRATION. An application for a loan
20 by the department of administration shall state the amount of money required and
21 the purpose to which the loan is to be applied.”.

22 **677.** Page 468, line 7: after that line insert:

23 **“SECTION 1096m.** 24.67 (1) (intro.) of the statutes is amended to read:

1 24.67 (1) (intro.) If the board approves the application, it shall cause
2 certificates of indebtedness to be prepared in proper form and transmitted to the
3 municipality or cooperative educational service agency, federated public library
4 system or other person submitting the application. The certificate of indebtedness
5 shall be executed and signed:

6 **SECTION 1097m.** 24.67 (1) (m) of the statutes is created to read:

7 24.67 (1) (m) For a federated public library system, by its president.

8 **SECTION 1098m.** 24.67 (2) (h) of the statutes is created to read:

9 24.67 (2) (h) For a federated public library system, by a member of the
10 federated public library system board designated by that board who is not the
11 president of that board.

12 **SECTION 1099m.** 24.67 (3) of the statutes is amended to read:

13 24.67 (3) If a municipality has acted under subs. (1) and (2), it shall certify that
14 fact to the department of administration. Upon receiving a certification from a
15 municipality, or upon direction of the board if a loan is made to a cooperative
16 educational service agency or a federated public library system, the secretary of
17 administration shall draw a warrant upon the state treasurer for the amount of the
18 loan, payable to the treasurer of the municipality or cooperative educational service
19 agency, or federated public library system making the loan or as the treasurer of the
20 municipality or cooperative educational service agency, or federated public library
21 system directs. The certificate of indebtedness shall then be conclusive evidence of
22 the validity of the indebtedness and that all the requirements of law concerning the
23 application for the making and acceptance of the loan have been complied with.

24 **SECTION 1100m.** 24.70 (1) of the statutes is amended to read:

1 24.70 (1) APPLICABILITY. This section applies to all outstanding state trust fund
2 loans to borrowers other than school districts and federated public library systems.

3 **SECTION 1101m.** 24.715 of the statutes is created to read:

4 **24.715 Collections from federated public library systems. (1)**

5 APPLICABILITY. This section applies to all outstanding trust fund loans to federated
6 public library systems.

7 **(2) CERTIFIED STATEMENT.** If a federated public library system has a state trust
8 fund loan, the board shall transmit to the system board a certified statement of the
9 amount due on or before October 1 of each year until the loan is paid. The board shall
10 furnish a copy of each certified statement to the state treasurer and the department
11 of public instruction.

12 **(3) PAYMENT TO STATE TREASURER.** The system board shall transmit to the state
13 treasurer on its own order the full amount levied for state trust fund loans within 15
14 days after March 15. The state treasurer shall notify the board when he or she
15 receives payment. Any payment not made by March 30 is delinquent and is subject
16 to a penalty of one percent per month or fraction thereof, to be paid to the state
17 treasurer with the delinquent payment.

18 **(4) FAILURE TO MAKE PAYMENT.** If the system board fails to remit the amounts
19 due under sub. (3), the state superintendent, upon certification of delinquency by the
20 board, shall deduct the amount due including any penalty from any aid payments
21 due the system, shall remit such amount to the state treasurer and, no later than
22 June 15, shall notify the system board and the board to that effect.”.

23 **678.** Page 468, line 7: after that line insert:

24 **“SECTION 1097n.** 24.67 (1) (m) of the statutes is created to read:

1 24.67 (1) (m) For the department of administration, the secretary of
2 administration.”.

3 **679.** Page 468, line 19: after that line insert:

4 “**SECTION 1104p.** 25.17 (1) (at) of the statutes is created to read:
5 25.17 (1) (at) Cemetery management insurance fund (s. 25.86);”.

6 **680.** Page 468, line 19: after that line insert:

7 “**SECTION 1104r.** 25.17 (1) (aq) of the statutes is created to read:
8 25.17 (1) (aq) Cash building projects fund (s. 25.91).”.

9 **681.** Page 468, line 21: after that line insert:

10 “**SECTION 1107m.** 25.17 (1) (gL) of the statutes is created to read:
11 25.17 (1) (gL) Heritage trust fund (s. 25.74);”.

12 **682.** Page 469, line 1: delete lines 1 and 2.

13 **683.** Page 469, line 2: after that line insert:

14 “**SECTION 1110g.** 25.17 (1) (tg) of the statutes is created to read:
15 25.17 (1) (tg) Thomas T. Melvin tobacco control endowment fund (s. 25.92).”.

16 **684.** Page 469, line 2: after that line insert:

17 “**SECTION 110m.** 25.17 (1) (yt) of the statutes is created to read:
18 25.17 (1) (yt) Wisconsin outdoor wildlife heritage trust fund (s. 25.297).”.

19 **685.** Page 469, line 23: after that line insert:

20 “**SECTION 1111j.** 25.17 (59) of the statutes is amended to read:

21 25.17 (59) Invest or deposit money from the appropriation under s. 20.143 (1)
22 (fm) in a public depository located in this state that is ~~at least 51% owned by a~~

1 ~~minority group member or minority group members, as defined in s. 560.036 (1) (f)~~
2 ~~a minority business certified by the department of commerce under s. 560.036 (2).”.~~

3 **686.** Page 470, line 13: after that line insert:

4 “**SECTION 1113r.** 25.183 (4) of the statutes is created to read:

5 25.183 (4) INVESTMENT OF THOMAS T. MELVIN TOBACCO CONTROL ENDOWMENT
6 FUND. The board may not invest any of the assets in the Thomas T. Melvin tobacco
7 control endowment fund in a parent company of a tobacco manufacturer or a
8 subsidiary of a tobacco manufacturer.”.

9 **687.** Page 471, line 10: after that line insert:

10 “**SECTION 1119m.** 25.297 of the statutes is created to read:

11 **25.297 Wisconsin outdoor wildlife heritage trust fund.** There is
12 established a separate nonlapsible trust fund designated as the Wisconsin outdoor
13 wildlife heritage trust fund, to consist of all gifts, grants, or bequests or other
14 contributions made to the Wisconsin outdoor wildlife heritage trust fund.”.

15 **688.** Page 472, line 14: delete lines 14 to 16.

16 **689.** Page 472, line 23: delete that line.

17 **690.** Page 473, line 10: after that line insert:

18 “**SECTION 1129n.** 25.50 (1) (d) of the statutes is amended to read:

19 25.50 (1) (d) “Local government” means any county, town, village, city, power
20 district, sewerage district, drainage district, town sanitary district, public inland
21 lake protection and rehabilitation district, local professional baseball park district
22 created under subch. III of ch. 229, family care district under s. 46.2895, local
23 professional football stadium district created under subch. IV of ch. 229, local
24 cultural arts district created under subch. V of ch. 229, public library system, school

1 district, or technical college district in this state, the Milwaukee County child welfare
2 district under s. 48.562, any commission, committee, board, or officer of any
3 governmental subdivision of this state, any court of this state, other than the court
4 of appeals or the supreme court, or any authority created under s. 231.02, 233.02, or
5 234.02.”.

6 **691.** Page 473, line 15: delete lines 15 to 18.

7 **692.** Page 474, line 8: after that line insert:

8 “**SECTION 1136d.** 25.66 (1) (d) of the statutes is created to read:

9 25.66 (1) (d) All moneys transferred from the Thomas T. Melvin tobacco control
10 endowment fund under s. 16.519 (6) (a).”.

11 **693.** Page 474, line 16: after “received” insert “in fiscal year 2002–03”.

12 **694.** Page 474, line 16: delete the material beginning with “Beginning” and
13 ending with “if” and substitute “If”.

14 **695.** Page 474, line 17: delete the material beginning with “in that” and
15 ending with “thereafter”.

16 **696.** Page 475, line 14: after “(rv)” insert “and to make the transfer under s.
17 16.519 (5m)”.

18 **697.** Page 475, line 23: after “(rv)” insert “and to make the transfer under s.
19 16.519 (5m)”.

20 **698.** Page 476, line 10: after that line insert:

21 “**SECTION 1142m.** 25.74 of the statutes is created to read:

22 **25.74 Heritage trust fund.** There is created a separate nonlapsible trust fund
23 designated as the heritage trust fund, consisting of all gifts, grants, bequests, or

1 other contributions to the fund and the amounts matched by the department of
2 commerce under s. 560.28 (3).”.

3 **699.** Page 476, line 10: after that line insert:

4 “**SECTION 1142t.** 25.75 (2) of the statutes is amended to read:

5 25.75 (2) CREATION. There is created a separate nonlapsible trust fund known
6 as the lottery fund, to consist of gross lottery revenues received by the department
7 of revenue and moneys transferred to the lottery fund under ss. 20.435 (7) (kg),
8 20.455 (2) (g), and 20.505 (8) (am), (g), and (jm).”.

9 **700.** Page 477, line 8: delete that line.

10 **701.** Page 477, line 11: after that line insert:

11 “**SECTION 1144m.** 25.86 of the statutes is created to read:

12 **25.86 Cemetery management insurance fund.** There is established a
13 separate nonlapsible trust fund designated as the cemetery management insurance
14 fund, to consist of each of the following:

15 (1) The moneys received from death certificate filing fees under s. 69.22 (1) (e).

16 (2) The moneys received from the issuance of copies of death certificates under
17 s. 69.22 (1) (f).”.

18 **702.** Page 477, line 12: after that line insert:

19 “**SECTION 1145g.** 25.91 of the statutes is created to read:

20 **25.91 Cash building projects fund.** There is created a separate nonlapsible
21 fund designated as the cash building projects fund, consisting of moneys transferred
22 from the general fund under s. 16.518 (4).”.

23 **703.** Page 477, line 12: after that line insert:

24 “**SECTION 1145g.** 25.92 of the statutes is created to read:

1 **25.92 Thomas T. Melvin tobacco control endowment fund.** There is
2 created a separate nonlapsible fund designated as the Thomas T. Melvin tobacco
3 control endowment fund, consisting of moneys transferred from the permanent
4 endowment fund under s. 16.519 (5m).”.

5 **704.** Page 479, line 3: delete lines 3 to 7.

6 **705.** Page 479, line 19: substitute “\$8.50” for “\$8.50 \$9.50”.

7 **706.** Page 479, line 23: delete the material beginning with that line and
8 ending with page 480, line 3.

9 **707.** Page 480, line 7: substitute “50 cents” for “\$1.50”.

10 **708.** Page 483, line 18: delete lines 18 to 20.

11 **709.** Page 484, line 24: delete lines 24 and 25 and substitute:

12 “29.184 (4) (c) 1. A person may train a dog under sub. (3) (br) 3. only in the
13 northern portion of the state and only during the period beginning on July 1 and
14 ending on August 31 of each year.

15 2. For purposes of subd. 1, the northern portion of the state consists of the area
16 that lies northward of a line beginning at Lake Michigan that follows the Oconto
17 River upstream to where it reaches USH 41, that then runs northward along USH
18 41 until it intersects STH 22, that then runs westward along STH 22 to the city of
19 Shawano, that then runs westward from the city of Shawano along STH 29 until it
20 reaches STH 13, that then runs northward along STH 13 until it reaches STH 64,
21 that then runs westward along STH 64 until it reaches USH 53, that then runs
22 northwestward along USH 53 until it reaches USH 8, and that then runs westward
23 along USH 8 until it reaches the Mississippi River.”.

1 **710.** Page 485, line 25: delete the material beginning with that line and
2 ending with page 486, line 17.

3 **711.** Page 487, line 21: after “**(1)**” insert “DEFINITION.”.

4 **712.** Page 487, line 24: after “**(2)**” insert “TYPES OF BAIT.”.

5 **713.** Page 488, line 7: after that line insert:

6 “**(3)** LOCATION OF BAIT. (a) In this subsection, “hunting over bait” means hunting
7 where all of the following apply:

8 1. The hunter knows where the bait is located, and the location of the bait is
9 within the sight of the hunter.

10 2. The hunter knows that the bait is within the effective range of the weapon
11 being used by the hunter.

12 (b) The use of bait for hunting deer or bear and the hunting over bait of deer
13 or bear is permitted subject to rules promulgated by the department.”.

14 **714.** Page 489, line 10: substitute “50 cents” for “\$1.50”.

15 **715.** Page 489, line 15: after that line insert:

16 “**SECTION 1196gk.** 29.566 (1r) of the statutes is created to read:

17 29.566 **(1r)** ISSUING PAYMENT FOR SPECIAL DEER HUNTING PERMITS. The
18 department shall establish a system under which the department pays each agent
19 appointed under s. 29.024 (6) (a) 2. or 3. a payment of 50 cents each time that the
20 agent uses the statewide automated system contracted for under s. 29.024 (6) (a) 4.
21 to issue to an individual one or more deer hunting permits as authorized under s.
22 29.177. The department shall make these payments by allowing the agent to retain
23 an amount equal to the payments from the amounts that are collected by the agent
24 and that would otherwise be remitted to the department.”.

1 **716.** Page 490, line 6: delete lines 6 to 10.

2 **717.** Page 490, line 24: after that line insert:

3 “**SECTION 1228c.** 29.89 (3) (c) of the statutes is renumbered 29.89 (5) (b) 2. b.”.

4 **718.** Page 491, line 10: delete lines 10 to 14 and substitute:

5 “**SECTION 1232c.** 29.89 (5) (b) of the statutes is renumbered 29.89 (5) (b) 1. and
6 amended to read:

7 29.89 (5) (b) 1. The department shall reimburse counties under this section
8 from the appropriation under s. 20.370 (5) ~~(fq)~~ (ft).

9 2. c. Moneys are available under s. 20.370 (5) (fq) after first deducting from s.
10 20.370 (5) (fq) payments made for county administrative costs, payments made for
11 wildlife damage abatement assistance, and wildlife damage claim payments under
12 s. 29.889.

13 **SECTION 1232e.** 29.89 (5) (b) 2. (intro.) and a. of the statutes are created to read:

14 29.89 (5) (b) 2. (intro.) The department shall reimburse counties under this
15 section from the appropriation under s. 20.370 (5) (fq) if all of the following apply:

16 a. The total amount of reimbursable costs exceeds the amount available under
17 s. 20.370 (5) (ft).”.

18 **719.** Page 492, line 3: delete the material beginning with that line and ending
19 with page 494, line 8.

20 **720.** Page 497, line 21: after that line insert:

21 “**SECTION 1261gk.** 30.204 (1) of the statutes is amended to read:

22 30.204 (1) AUTHORIZATION. Between May 15, 1984, and January 1, ~~2002~~ 2008,
23 the department is authorized to conduct a lake acidification experiment on the lake
24 specified under sub. (2).”.

1 **721.** Page 497, line 22: delete the material beginning with that line and
2 ending with page 498, line 6.

3 **722.** Page 511, line 3: delete lines 3 to 25.

4 **723.** Page 512, line 1: delete lines 1 to 6.

5 **724.** Page 512, line 3: after that line insert:

6 “**SECTION 1345b.** 31.385 (5) of the statutes is created to read:

7 31.385 (5) Notwithstanding the limitations under sub. (2) (a) and the funding
8 allocation requirements under sub. (2) (ag) and (ar), the department shall provide
9 financial assistance to the village of Cazenovia in the amount necessary for a dam
10 safety project to repair a dam that is located in the portion of the village that is in
11 Richland County. The amount of the financial assistance may not exceed \$250,000.
12 The village need not contribute to the repair costs, and sub. (2) (c) does not apply to
13 this dam safety project. The repair of this dam need not be included as a dam safety
14 project under the inventory maintained by the department under sub. (4) for the
15 village to receive financial assistance under this section.”.

16 **725.** Page 512, line 6: after that line insert:

17 “**SECTION 1346j.** 34.05 (4) of the statutes is amended to read:

18 34.05 (4) Money from the appropriation under s. 20.143 (1) (fm) shall be
19 deposited in a public depository located in this state that is ~~at least 51% owned by~~
20 ~~a minority group member or minority group members, as defined in s. 560.036 (1) (f)~~
21 a minority business certified by the department of commerce under s. 560.036 (2).”.

22 **726.** Page 514, line 6: after that line insert:

23 “**SECTION 1349t.** 36.11 (1) (cg) of the statutes is created to read:

1 36.11 (1) (cg) The board shall ensure that each institution and college campus
2 establishes a written policy regarding the use of classrooms and facilities by local
3 organizations and businesses for employment–related training. The policy may
4 condition access on payment of a reasonable fee, the availability of space, and the
5 appropriateness of the training. The policy may limit access to activities that are
6 consistent with the mission of the institution or college campus.”.

7 **727.** Page 515, line 24: delete that line.

8 **728.** Page 516, line 1: delete lines 1 to 25.

9 **729.** Page 517, line 1: delete lines 1 to 8.

10 **730.** Page 517, line 8: after that line insert:

11 “**SECTION 1356b.** 36.25 (14) of the statutes is renumbered 36.25 (14) (a) and
12 amended to read:

13 36.25 (14) (a) The board shall establish a grant program for minority and
14 disadvantaged graduate students enrolled in the system. The grants shall be
15 awarded from the appropriation under s. 20.285 (4) (b). The board shall give
16 preference in awarding grants under this ~~subsection~~ paragraph to residents of this
17 state. The board may not make a grant under this ~~subsection~~ paragraph to a person
18 if it receives a certification under s. 49.855 (7) that the person is delinquent in child
19 support or maintenance payments or owes past support, medical expenses, or birth
20 expenses.

21 **SECTION 3625e.** 36.25 (14) (b) of the statutes is created to read:

22 36.25 (14) (b) 1. In this paragraph:

1 a. For purposes of determining the appropriation under s. 20.285 (4) (b) for
2 fiscal year 2003–04, “base amount” means the amount shown in the schedule under
3 s. 20.005 for that appropriation for fiscal year 2002–03.

4 b. For purposes of determining the appropriation under s. 20.285 (4) (b) for each
5 fiscal year after fiscal year 2003–04, “base amount” means the appropriation
6 determined under subd. 2. for the previous fiscal year.

7 2. Annually, by February 1, the board shall determine the appropriation under
8 s. 20.285 (4) (b) for the next fiscal year as follows:

9 a. The board shall determine the percentage by which the undergraduate
10 academic fees charged for the current academic year at each institution within the
11 University of Wisconsin System has increased or decreased from the undergraduate
12 academic fees charged for the previous academic year.

13 b. The appropriation for the next fiscal year shall be the result obtained by
14 increasing, to the nearest \$100, the base amount by the highest percentage increase
15 determined under subd. 2. a., except that, if the undergraduate academic fees for the
16 current academic year decreased or did not change from the undergraduate
17 academic fees charged for the previous academic year at each institution specified
18 in subd. 2. a., the appropriation shall be the base amount.”.

19 **731.** Page 517, line 10: delete the material beginning with that line and
20 ending with page 518, line 12, and substitute:

21 “36.25 (17) GRAZING EDUCATION GRANT PROGRAM. The board shall administer a
22 grazing education grant program through the extension to make grants for
23 educational and technical assistance concerning management intensive grazing.”.

24 **732.** Page 518, line 24: after that line insert:

1 **“SECTION 1358m.** 36.25 (46) of the statutes is created to read:

2 **36.25 (46) WATERSHED MANAGEMENT CENTER.** The board shall establish in the
3 college of natural resources at the University of Wisconsin–Stevens Point a center
4 to conduct studies and research relating to watershed management.”.

5 **733.** Page 518, line 12: after that line insert:

6 **“SECTION 1356m.** 36.25 (20) of the statutes is amended to read:

7 **36.25 (20) PHARMACY INTERNSHIP PROGRAM.** The board shall determine the
8 administrative placement within the system of the pharmacy internship program.
9 The pharmacy internship program shall be supervised by the pharmacy ~~internship~~
10 examining board. The pharmacy ~~internship~~ examining board shall may appoint an
11 unclassified director of pharmacy internship ~~who shall~~ to administer the pharmacy
12 internship program. The pharmacy ~~internship~~ examining board shall determine the
13 amount of the fee to be charged to interns under the program. The pharmacy
14 ~~internship~~ examining board may promulgate rules, and, notwithstanding s. 227.01
15 (13) (f), rules promulgated and determinations made relating to the pharmacy
16 internship program shall be subject to ch. 227.”.

17 **734.** Page 518, line 13: delete lines 13 to 15.

18 **735.** Page 519, line 5: after that line insert:

19 **“SECTION 1360m.** 36.27 (2) (cr) of the statutes is created to read:

20 **36.27 (2) (cr)** A person who is a citizen of a country other than the United States
21 is entitled to the exemption under par. (a) if that person meets all of the following
22 requirements:

23 1. The person graduated from a high school in this state or received a high
24 school graduation equivalency from this state.

1 2. The person resided in this state for at least 3 years after graduation from
2 high school or after having received a high school graduation equivalency from this
3 state.

4 3. The person enrolls in an institution and provides that institution with an
5 affidavit stating that the person will file an application for a permanent resident visa
6 with the Immigration and Naturalization Service as soon as the person is eligible to
7 do so.”.

8 **736.** Page 519, line 12: after that line insert:

9 “**SECTION 1362m.** 36.34 (1) (c) of the statutes is created to read:

10 36.34 (1) (c) 1. In this paragraph:

11 a. For purposes of determining the appropriation under s. 20.285 (4) (dd) for
12 fiscal year 2003–04, “base amount” means the amount shown in the schedule under
13 s. 20.005 for that appropriation for fiscal year 2002–03.

14 b. For purposes of determining the appropriation under s. 20.285 (4) (dd) for
15 each fiscal year after fiscal year 2003–04, “base amount” means the appropriation
16 determined under subd. 2. for the previous fiscal year.

17 2. Annually, by February 1, the board shall determine the appropriation under
18 s. 20.285 (4) (dd) for the next fiscal year as follows:

19 a. The board shall determine the percentage by which the undergraduate
20 academic fees charged for the current academic year at each institution within the
21 University of Wisconsin System has increased or decreased from the undergraduate
22 academic fees charged for the previous academic year.

23 b. The appropriation for the next fiscal year shall be the result obtained by
24 increasing, to the nearest \$100, the base amount by the highest percentage increase

1 determined under subd. 2. a., except that, if the undergraduate academic fees for the
2 current academic year decreased or did not change from the undergraduate
3 academic fees charged for the previous academic year at each institution specified
4 in subd. 2. a., the appropriation shall be the base amount.”.

5 **737.** Page 520, line 10: delete lines 10 to 17.

6 **738.** Page 520, line 17: after that line insert:

7 “**SECTION 1371c.** 38.14 (2) (e) of the statutes is created to read:

8 38.14 (2) (e) Each district board shall establish a written policy regarding the
9 use of classrooms and facilities by local organizations and businesses for
10 employment–related training. The policy may condition access on payment of a
11 reasonable fee, the availability of space, and the appropriateness of the training. The
12 policy may limit access to activities that are consistent with the mission of the
13 technical college.”.

14 **739.** Page 521, line 11: after that line insert:

15 “**SECTION 1374m.** 38.27 (2m) (f) of the statutes is created to read:

16 38.27 (2m) (f) Beginning in the 2001–02 school year, at least \$1,000,000
17 annually is awarded under this section to districts with limited fiscal capacity, as
18 defined by the board by rule.”.

19 **740.** Page 521, line 11: after that line insert:

20 “**SECTION 1372g.** 38.15 (3) (c) 3. of the statutes is amended to read:

21 38.15 (3) (c) 3. The capital expenditure is made before ~~January 1, 2002~~ July 1,
22 2003.”.

23 **741.** Page 521, line 11: after that line insert:

24 “**SECTION 1372e.** 38.18 of the statutes is amended to read:

1 **38.18 Contracts and bidding.** All contracts made by a district board for
2 public construction in a district shall be let by the district board to the lowest
3 responsible bidder, and may be awarded to a minority business that is certified by
4 the department of commerce under s. 560.036 (2), in accordance with s. 62.15 (1) to
5 (11) and (14). For purposes of this section, the district board shall possess the powers
6 conferred by s. 62.15 on the board of public works and the common council. All
7 contracts made under this section shall be made in the name of the district and shall
8 be executed by the district board chairperson and district board secretary.”.

9 **742.** Page 522, line 2: after that line insert:

10 “**SECTION 1375p.** 38.305 (2) of the statutes is repealed.”.

11 **743.** Page 522, line 2: after that line insert:

12 “**SECTION 1375s.** 38.34 of the statutes is created to read:

13 **38.34 Job retention skills development programs. (1)** Each district
14 board shall make available, and shall offer at a frequency based upon demand in the
15 district, a job retention skills development program in order to assist employers to
16 retain new employees, build job skill levels of those employees, and assist those
17 employees in attaining higher wages and long-term careers. To the extent
18 practicable, the district board shall offer the program at employment sites. The
19 program shall emphasize job retention skills development for employees with gross
20 incomes at or below 200% of the poverty line, as defined in s. 49.001 (5), who are any
21 of the following:

22 (a) Current or former recipients of public assistance, including participants in
23 Wisconsin works employment positions under s. 49.147.

1 (b) Employees who are within the first 6 months of employment with their
2 employer.

3 (c) Entry-level employees.

4 **(2)** The program shall provide training in all of the following:

5 (a) Skills needed to achieve punctuality and consistency in attendance at
6 employment.

7 (b) Skills needed to effectively work in a team.

8 (c) Skills needed to effectively communicate with supervisors and coworkers.

9 (d) Skills needed to solve basic workplace-related personal and interpersonal
10 problems.

11 **(3)** (a) The board shall supervise, and establish minimum requirements for, the
12 program. Except as provided in sub. (2), the board shall determine the length and
13 content of the program after consultation with employers, district boards, Wisconsin
14 works agencies, as defined in s. 49.001 (9), local units of government, and labor
15 organizations.

16 (b) In consultation with employers, district boards, and the department of
17 workforce development, the board shall develop standards for assessing the job
18 retention skills, including the skills specified in sub. (2), of employees before and
19 after their participation in the program.

20 **(4)** To the extent practicable, the district board shall assist employers in
21 providing ongoing job retention skills development and reinforcement activities in
22 the workplace. The district board may charge employers a fee for the program and
23 services offered under this section.

24 **(5)** This section does not apply after December 31, 2004.”.

1 **744.** Page 522, line 3: delete lines 3 to 19.

2 **745.** Page 523, line 9: after that line insert:

3 “**SECTION 1380r.** 39.39 (4) of the statutes is repealed.”.

4 **746.** Page 523, line 9: after that line insert:

5 “**SECTION 1380t.** 39.393 of the statutes is created to read:

6 **39.393 Nursing degree loan program. (1)** The board shall establish a loan
7 program to defray the cost of tuition, fees, and expenses for persons enrolled in any
8 of the following:

9 (a) A program in this state that confers an associate degree in nursing.

10 (b) A program in this state that confers a bachelor’s degree in nursing.

11 (c) A program in this state that confers a 2nd degree that will make the person
12 eligible to sit for examination under s. 441.04 or 441.10.

13 (d) A program in this state confers a diploma in nursing.

14 **(2)** (a) To the extent possible, the board shall make loans to persons who are
15 likely to work in the nursing profession in this state upon completion of the program
16 under sub. (1) and who demonstrate a financial need for the aid.

17 (b) In making loans under this section, the board shall give priority to persons
18 who are minority group members, as defined in s. 560.036 (1) (f), and who reside in
19 urban areas of this state that have unemployment rates higher than the state
20 average.

21 (c) The board shall make loans under this section from the appropriation under
22 s. 20.235 (1) (cm). The maximum amount of loan for a person during any fiscal year
23 is \$3,000. The maximum that a person may receive under this section is \$15,000.

1 The board shall ensure that the terms of the loan do not require a loan recipient to
2 repay the loan while the recipient is enrolled in a program under sub. (1).

3 (3) After the recipient of a loan under sub. (1) has completed the program
4 described in sub. (1), the board shall forgive 25% of the loan's principal and interest
5 for the first fiscal year, 25% of the loan's principal and interest for the 2nd fiscal year,
6 and 50% of the loan's principal and interest for the 3rd fiscal year that the recipient
7 is licensed and employed full time in this state as a nurse. The board may forgive
8 loans on a prorated basis for persons who are employed less than full time.

9 (4) The board shall promulgate rules to implement and administer this
10 section.”.

11 **747.** Page 523, line 10: delete lines 10 and 11.

12 **748.** Page 523, line 18: delete lines 18 to 22.

13 **749.** Page 523, line 22: after that line insert:

14 “**SECTION 1382m.** 39.435 (7) of the statutes is created to read:

15 39.435 (7) (a) In this subsection:

16 1. For purposes of determining the appropriations under s. 20.235 (1) (fe) and
17 (ff) for fiscal year 2003–04, “base amount” means the amount shown in the schedule
18 under s. 20.005 for that appropriation for fiscal year 2002–03.

19 2. For purposes of determining the appropriations under s. 20.235 (1) (fe) and
20 (ff) for each fiscal year after fiscal year 2003–04, “base amount” means the maximum
21 appropriation amount determined under par. (b) for the previous fiscal year.

22 (b) Annually, by February 1, the board shall determine the appropriations
23 under s. 20.235 (1) (fe) and (ff) for the next fiscal year as follows:

1 1. The board shall determine the percentage by which the undergraduate
2 academic fees charged for the current academic year at each institution within the
3 University of Wisconsin System has increased or decreased from the undergraduate
4 academic fees charged for the previous academic year.

5 2. The appropriation for the next fiscal year shall be the result obtained by
6 increasing, to the nearest \$100, the base amount by the highest percentage increase
7 determined under subd. 1., except that, if the undergraduate academic fees for the
8 current academic year decreased or did not change from the undergraduate
9 academic fees charged for the previous academic year at each institution specified
10 in subd. 1., the appropriation shall be the base amount.

11 **SECTION 1382p.** 39.44 (2m) of the statutes is created to read:

12 39.44 (2m) (a) In this subsection:

13 1. For purposes of determining the appropriation under s. 20.235 (1) (fg) for
14 fiscal year 2003–04, “base amount” means the amount shown in the schedule under
15 s. 20.005 for that appropriation for fiscal year 2002–03.

16 2. For purposes of determining the appropriation under s. 20.235 (1) (fg) for
17 each fiscal year after fiscal year 2003–04, “base amount” means the maximum
18 appropriation amount determined under par. (b) for the previous fiscal year.

19 (b) Annually, by February 1, the board shall determine the appropriation under
20 s. 20.235 (1) (fg) for the next fiscal year as follows:

21 1. The board shall determine the percentage by which the undergraduate
22 academic fees charged for the current academic year at each institution within the
23 University of Wisconsin System has increased or decreased from the undergraduate
24 academic fees charged for the previous academic year.

1 2. The appropriation for the next fiscal year shall be the result obtained by
2 increasing, to the nearest \$100, the base amount by the highest percentage increase
3 determined under subd. 1., except that, if the undergraduate academic fees for the
4 current academic year decreased or did not change from the undergraduate
5 academic fees charged for the previous academic year at each institution specified
6 in subd. 1., the appropriation shall be the base amount.”.

7 **750.** Page 523, line 22: after that line insert:

8 “**SECTION 1382r.** 39.44 (1) (b) of the statutes is amended to read:

9 39.44 (1) (b) There is established, to be administered by the board, the minority
10 undergraduate retention grant program for minority undergraduates students
11 enrolled as freshmen, sophomores, juniors, or seniors in private, nonprofit higher
12 educational institutions in this state or in technical colleges in this state.”.

13 **751.** Page 524, line 17: delete the material beginning with that line and
14 ending with page 532, line 13.

15 **752.** Page 533, line 2: after that line insert:

16 “**SECTION 1389e.** 40.02 (28) of the statutes, as affected by 1999 Wisconsin Act
17 65, section 11, is amended to read:

18 40.02 (28) “Employer” means the state, including each state agency, any
19 county, city, village, town, school district, other governmental unit, or
20 instrumentality of 2 or more units of government now existing or hereafter created
21 within the state, any federated public library system established under s. 43.19
22 whose territory lies within a single county with a population of 500,000 or more, a
23 local exposition district created under subch. II of ch. 229 ~~and~~, a family care district
24 created under s. 46.2895, and the Milwaukee County child welfare district created

1 under s. 48.562, except as provided under ss. 40.51 (7) and 40.61 (3) and subch. X.
2 “Employer” does not include a local cultural arts district created under subch. V of
3 ch. 229. Each employer shall be a separate legal jurisdiction for OASDHI purposes.

4 **SECTION 1389f.** 40.02 (28) of the statutes, as affected by 1999 Wisconsin Act 65,
5 section 12, and 2001 Wisconsin Act (this act), is repealed and recreated to read:

6 40.02 **(28)** “Employer” means the state, including each state agency, any
7 county, city, village, town, school district, other governmental unit, or
8 instrumentality of 2 or more units of government now existing or hereafter created
9 within the state, any federated public library system established under s. 43.19
10 whose territory lies within a single county with a population of 500,000 or more, a
11 local exposition district created under subch. II of ch. 229, a family care district
12 created under s. 46.2895, and the Milwaukee County child welfare district created
13 under s. 48.562, except as provided under ss. 40.51 (7) and 40.61 (3). “Employer” does
14 not include a local cultural arts district created under subch. V of ch. 229. Each
15 employer shall be a separate legal jurisdiction for OASDHI purposes.

16 **SECTION 3389p.** 40.02 (36) of the statutes is amended to read:

17 40.02 **(36)** “Governing body” means the legislature or the head of each state
18 agency with respect to employees of that agency for the state, the common council
19 in cities, the village board in villages, the town board in towns, the county board in
20 counties, the school board in school districts, or the board, commission, or other
21 governing body having the final authority for any other unit of government, for any
22 agency or instrumentality of 2 or more units of government, for any federated public
23 library system established under s. 43.19 whose territory lies within a single county
24 with a population of 500,000 or more, for a local exposition district created under
25 subch. II of ch. 229 ~~or~~, for a family care district created under s. 46.2895, or for the

1 Milwaukee County child welfare district created under s. 48.562, but does not
2 include a local cultural arts district created under subch. V of ch. 229.”.

3 **753.** Page 533, line 3: delete lines 3 and 4.

4 **754.** Page 534, line 23: after that line insert:

5 “**SECTION 1398p.** 40.51 (8) of the statutes is amended to read:

6 40.51 **(8)** Every health care coverage plan offered by the state under sub. (6)
7 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8)
8 and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.87 (3) to
9 (5), 632.895 (5m) and (8) to ~~(14)~~ (15), and 632.896.

10 **SECTION 1398q.** 40.51 (8m) of the statutes is amended to read:

11 40.51 **(8m)** Every health care coverage plan offered by the group insurance
12 board under sub. (7) shall comply with ss. 631.95, 632.746 (1) to (8) and (10), 632.747,
13 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, and 632.895 (11) to ~~(14)~~ (15).”.

14 **755.** Page 534, line 23: after that line insert:

15 “**SECTION 1398mn.** 40.21 (3m) of the statutes is created to read:

16 40.21 **(3m)** A city–county health department that is established under s.
17 251.02 (1m), that is subject to s. 251.02 (1r), and that is not otherwise a participating
18 employer, is a participating employer with respect to its employees who are included
19 in a collective bargaining unit for which a representative is recognized or certified
20 under subch. IV of ch. 111 and is not required to adopt a resolution electing to
21 participate in the Wisconsin retirement system or provide notice of such election to
22 the department under sub. (1).”.

23 **756.** Page 535, line 6: after that line insert:

24 “**SECTION 1400m.** 41.11 (7) of the statutes is created to read:

1 41.11 (7) WILD RIVERS INTERPRETIVE CENTER GRANTS. From the appropriation
2 under s. 20.380 (1) (kg), the department shall make a grant of \$20,000 in each fiscal
3 year to the Florence County forestry and park department for distribution of state
4 tourism materials at the Wild Rivers Interpretive Center.”.

5 **757.** Page 535, line 6: after that line insert:

6 “**SECTION 1400b.** 40.98 (2) (a) 3. of the statutes is amended to read:

7 40.98 (2) (a) 3. The ~~administrator selected under subd. 2., or the department~~
8 ~~if no administrator has been selected under subd. 2.,~~ shall enter into contracts with
9 insurers who are to provide health care coverage under the health care coverage
10 program.

11 **SECTION 1400d.** 40.98 (2) (a) 4. of the statutes is amended to read:

12 40.98 (2) (a) 4. The department or the administrator selected under subd. 2.
13 shall solicit and accept bids and shall enter into a contract for marketing the health
14 care coverage program.

15 **SECTION 1400f.** 40.98 (2) (a) 5. of the statutes is amended to read:

16 40.98 (2) (a) 5. The department or the administrator selected under subd. 2.
17 shall maintain a toll-free telephone number to provide information on the health
18 care coverage program.

19 **SECTION 1400h.** 40.98 (2) (d) of the statutes is amended to read:

20 40.98 (2) (d) All insurance rates for health care coverage under the program
21 shall be ~~published annually in a single publication that is made available to~~
22 employers and employees in a manner determined by the board. The rates may be
23 listed by county or by any other regional factor that the board considers appropriate.
24 Annually, the board shall submit a report to the appropriate standing committees

1 under s. 13.172 (3) specifying the average insurance rate for health care coverage
2 under the program by county or by any other regional factor the board considers
3 appropriate.

4 **SECTION 1400i.** 40.98 (2) (h) of the statutes is created to read:

5 40.98 (2) (h) 1. Before expending any moneys from the appropriation under s.
6 20.515 (2) (c), the department shall seek funding from the federal government,
7 non-governmental organizations, and individuals for the payment of legal and
8 actuarial services and for the marketing and promotion of the health care coverage
9 program.

10 2. If the department expends any money from the appropriation under s. 20.515
11 (2) (c), the department shall lapse from the appropriation under s. 20.515 (2) (g) to
12 the general fund an amount equal to the amount expended from the appropriation
13 under s. 20.515 (2) (c). The department shall make this lapse no later than June 30,
14 2007.

15 **SECTION 1400j.** 40.98 (3) (a) of the statutes is amended to read:

16 40.98 (3) (a) Offer health care coverage under one or more plans to all of its
17 permanent employees who have a normal work week of 30 or more hours and, if
18 permitted by any plan offered by an insurer under the health care coverage program,
19 may offer health care coverage under ~~one or more plans~~ such a plan to any of its other
20 employees.

21 **SECTION 1400L.** 40.98 (3) (c) of the statutes is amended to read:

22 40.98 (3) (c) Pay for each employee at least 50% ~~but not more than 100% of the~~
23 ~~lowest premium rate that would be~~ of the lowest premium rate for single coverage
24 that is available to the employer for that employee's coverage under the health care
25 coverage program.

1 **SECTION 1400n.** 40.98 (6) (b) of the statutes is amended to read:

2 40.98 (6) (b) An insurance agent may not sell any health care coverage under
3 the health care coverage program on behalf of an insurer unless he or she is ~~employed~~
4 ~~by the insurer or has a contract with the insurer to sell the health care coverage on~~
5 ~~behalf of~~ listed by the insurer under s. 628.11.

6 **SECTION 1400p.** 40.98 (6) (d) of the statutes is repealed and recreated to read:

7 40.98 (6) (d) The board may establish training and certification requirements
8 that an insurance agent must satisfy, in addition to any requirements under s. 628.04
9 (3), to sell health care coverage under the health care coverage program.”.

10 **758.** Page 536, line 19: after that line insert:

11 “**SECTION 1407m.** 43.17 (9) (b) of the statutes is amended to read:

12 43.17 (9) (b) A public library system board of a multicounty library system may
13 borrow money to accomplish any of its purposes, but the outstanding amount of such
14 loans at any time may not exceed an amount equal to the system board’s receipts for
15 the prior fiscal year. A federated public library system whose territory lies within
16 2 or more counties may obtain a state trust fund loan to accomplish any of its
17 purposes, but the outstanding amount of a federated public library system’s state
18 trust fund loans, together with all other indebtedness of the system, may not exceed
19 an amount equal to the system’s receipts for the prior fiscal year.”.

20 **759.** Page 536, line 19: after that line insert:

21 “**SECTION 1406w.** 43.17 (9) (a) of the statutes is amended to read:

22 43.17 (9) (a) All contracts for public construction made by a federated public
23 library system whose territory lies within 2 or more counties or by a federated public
24 library system whose territory lies within a single county with a population of at least

1 500,000 shall be let by the public library system board to the lowest responsible
2 bidder, and may be awarded to a minority business that is certified by the
3 department of commerce under s. 560.036 (2), in accordance with s. 62.15 (1) to (11)
4 and (14). For purposes of this section, the system board possesses the powers
5 conferred by s. 62.15 on the board of public works and the common council. All
6 contracts made under this section shall be made in the name of the federated public
7 library system and shall be executed by the system board president and such other
8 board officer as the system board designates.”.

9 **760.** Page 537, line 19: after that line insert:

10 “**SECTION 1409m.** 44.02 (27m) of the statutes is created to read:

11 44.02 (**27m**) Determine which historic preservations projects are eligible for
12 grants under s. 560.28 according to the standards for rehabilitation in 36 CFR 67.7.”.

13 **761.** Page 537, line 19: after that line insert:

14 “**SECTION 1409r.** 44.015 (5) of the statutes is amended to read:

15 44.015 (**5**) ~~By rule, establish~~ Establish fees to recover costs under s. 44.02 (24)
16 for admission to venues, products, or services.”.

17 **762.** Page 538, line 15: after “sponsor.” insert “museum.”.

18 **763.** Page 538, line 25: delete that line.

19 **764.** Page 539, line 1: delete lines 1 and 2.

20 **765.** Page 539, line 4: delete “(g) and (h), as renumbered are” and substitute
21 “(h), as renumbered is”.

22 **766.** Page 539, line 5: delete lines 5 to 13.

23 **767.** Page 539, line 14: delete that line and substitute:

1 “44.71 (2) (h) Purchase”.

2 **768.** Page 539, line 15: delete “purchase”.

3 **769.** Page 540, line 9: after “technology” insert “, as determined appropriate
4 by the grant recipient”.

5 **770.** Page 540, line 12: after that line insert:

6 “**SECTION 1423m.** 44.72 (1) (d) of the statutes is created to read:

7 44.72 (1) (d) Notwithstanding pars. (a) to (c):

8 1. Annually pay \$175,000 to the Racine Unified School District for training
9 teachers and pupils in computers, including training in use of the Internet, Web
10 design, computer animation, graphic design, and video skills.

11 2. After making the payment under subd. 1., to each recipient of a grant under
12 this subsection in the 2000–01 fiscal year, award a grant in both the 2001–02 and
13 2002–03 fiscal years that is equal to the grant awarded in the 2000–01 fiscal year.
14 If the amount in the appropriation under s. 20.275 (1) (et) is insufficient to fund fully
15 grants under this subdivision, the board shall prorate the grants.”.

16 **771.** Page 540, line 14: after “(f),” insert “(im), (jm), (js), and (mp).”.

17 **772.** Page 543, line 3: delete lines 3 to 8.

18 **773.** Page 545, line 4: delete lines 4 to 8.

19 **774.** Page 545, line 16: delete “~~(7) (a)~~” and substitute “(7) (a)”.

20 **775.** Page 545, line 17: delete “~~or (e) (1) or (3)~~” and substitute “or (c)”.

21 **776.** Page 549, line 4: delete “5” and substitute “8”.

22 **777.** Page 549, line 5: after “providing” insert “direct”.

23 **778.** Page 554, line 21: after “are” insert “not”.

1 **779.** Page 554, line 23: delete the material beginning with “No” and ending
2 with “\$1,000” on line 24 and substitute “The grants may be used to support
3 multi–county cooperative transportation services”.

4 **780.** Page 555, line 1: delete lines 1 to 5.

5 **781.** Page 555, line 6: delete “(c)” and substitute “(b)”.

6 **782.** Page 555, line 8: delete “(d)” and substitute “(c)”.

7 **783.** Page 559, line 6: after that line insert:

8 “**SECTION 1482h.** 46.014 (5) of the statutes is created to read:

9 46.014 **(5)** ADMINISTRATOR OF DIVISION OF CHILDREN AND FAMILY SERVICES. The
10 secretary shall appoint outside the classified service an administrator of the division
11 of children and family services. An individual appointed as administrator of the
12 division of children and family services shall hold at least a master’s degree in social
13 work and shall be certified as a social worker under ch. 457.”.

14 **784.** Page 559, line 14: after that line insert:

15 “**SECTION 1483k.** 46.03 (44) of the statutes is created to read:

16 46.03 **(44)** DENTAL WORK FORCE REPORT. By January 1, 2003, and every 5 years
17 thereafter, submit jointly with the dentistry examining board a report to the
18 legislature in the manner provided under s. 13.172 (2) and to the governor on the
19 ability of the dental work force to meet the oral health care needs of individuals in
20 this state. The report shall include findings and any recommendations of the
21 department and the examining board.”.

22 **785.** Page 559, line 14: delete that line and substitute:

23 “**SECTION 1483gb.** 46.03 (43) of the statutes is amended to read:

1 46.03 **(43)** COMPULSIVE GAMBLING AWARENESS CAMPAIGNS. Provide From the
2 appropriation account under s. 20.435 (7) (kg), provide grants to one or more
3 individuals or organizations in the private sector to conduct compulsive gambling
4 awareness campaigns.”.

5 **786.** Page 565, line 4: after that line insert:

6 “**SECTION 4502L.** 46.27 (3) (f) of the statutes is amended to read:

7 46.27 **(3)** (f) Beginning on January 1, 1996, from the annual allocation to the
8 county for the provision of long–term community support services under subs. (7) (b)
9 and (11), annually establish a maximum total amount that may be encumbered in
10 a calendar year for services for eligible individuals in community–based residential
11 facilities, unless the department waives the requirement under sub (2) (i) or
12 approves a request for an exception under sub. (6r) (c).

13 **SECTION 1505n.** 46.27 (7) (cm) 1. (intro.) of the statutes is amended to read:

14 46.27 **(7)** (cm) 1. (intro.) ~~Except as provided sub. (7b), beginning~~ Beginning on
15 January 1, 1996, no county, private nonprofit agency or aging unit may use funds
16 received under par. (b) to provide services in any community–based residential
17 facility that has more than 8 20 beds, unless one of the following applies:

18 **SECTION 1502p.** 46.27 (7) (cm) 1. c. of the statutes is amended to read:

19 46.27 **(7)** (cm) 1. c. The department approves the provision of services in a
20 community–based residential facility that is initially licensed after July 29, 1995,
21 that is licensed for more than 20 ~~or fewer~~ beds and that meets standards established
22 under subd. 2.

23 **SECTION 1502r.** 46.27 (7b) of the statutes is repealed.”.

24 **787.** Page 565, line 20: after that line insert:

1 “**SECTION 1504r.** 46.27 (11) (c) 5p. of the statutes is repealed.”.

2 **788.** Page 565, line 21: delete lines 21 to 24 and substitute:

3 “**SECTION 1505b.** 46.27 (11) (c) 6. (intro.) and a. of the statutes are consolidated,
4 renumbered 46.27 (11) (c) 6. a. and amended to read:

5 46.27 (11) (c) 6. a. No county, private nonprofit agency or aging unit may use
6 funds received under this subsection to provide residential services in any
7 community-based residential facility, as defined in s. 50.01 (1g), or a group home, as
8 defined in s. 48.02 (7), that has more than ~~4~~ 5 beds, unless one of the following
9 applies: a. ~~The~~ the department approves the provision of services in a
10 community-based residential facility or group home that has ~~5~~ 6 to 8 beds.

11 **SECTION 1505d.** 46.27 (11) (c) 6. b. of the statutes is amended to read:

12 46.27 (11) (c) 6. b. The No county, private nonprofit agency, or aging unit may
13 use funds received under this subsection to provide residential services in a
14 community-based residential facility, as defined in s. 50.01 (1g), that has more than
15 20 beds, unless the department approves the provision of services in a
16 community-based residential facility that entirely consists of independent
17 apartments, each of which has an individual lockable entrance and exit and
18 individual separate kitchen, bathroom, sleeping and living areas, to individuals who
19 are eligible under this subsection and are physically disabled or are at least 65 years
20 of age.”.

21 **789.** Page 566, line 14: after that line insert:

22 “**SECTION 1507s.** 46.277 (5) (d) 1m. (intro.) of the statutes is amended to read:

23 46.277 (5) (d) 1m. (intro.) No county may use funds received under this section
24 to provide services to a person who does not live in his or her own home or apartment

1 unless, subject to the limitations under subds. 2. ~~and 3.~~ and 4. and par. (e), one of
2 the following applies:

3 **SECTION 1507t.** 46.277 (5) (d) 1n. (intro.) of the statutes is amended to read:

4 46.277 (5) (d) 1n. (intro.) A county may also use funds received under this
5 section, subject to the limitations under subds. 2. ~~and 3.~~ and 4. and par. (e), to
6 provide services to a person who does not live in his or her own home or apartment
7 if the services are provided to the person in a community-based residential facility
8 and the county department or aging unit has determined that all of the following
9 conditions have been met:

10 **SECTION 1507u.** 46.277 (5) (d) 2. (intro.) of the statutes is amended to read:

11 46.277 (5) (d) 2. (intro.) No county may use funds received under this section
12 to provide residential services in any community-based residential facility, as
13 defined in s. 50.01 (1g), ~~or group home, as defined in s. 48.02 (7), that has more than~~
14 ~~4 beds,~~ unless one of the following applies:".

15 **790.** Page 566, line 15: delete lines 15 to 18 and substitute:

16 "SECTION 1508b. 46.277 (5) (d) 2. a. of the statutes is repealed and recreated
17 to read:

18 46.277 (5) (d) 2. a. The requirements of s. 46.27 (7) (cm) 1. a. or c. are met.

19 **SECTION 1508d.** 46.277 (5) (d) 4. of the statutes is created to read:

20 46.277 (5) (d) 4. No county may use funds received under this section to provide
21 residential services in a group home, as defined in s. 48.02 (7), that has more than
22 5 beds, unless the department approves the provision of services in a group home that
23 has 6 to 8 beds.".

24 **791.** Page 571, line 2: after that line insert:

1 “**SECTION 1556d.** 46.40 (9) (a) (intro.) of the statutes is amended to read:

2 46.40 **(9)** (a) *Transfer to family care program and adult protective services*
3 *allocation.* (intro.) If a care management organization under s. 46.285 is available
4 in a county, the department may dispose of ~~the amount allocated under sub. (8) to~~
5 ~~that county and~~ not more than 21.3% of the amount allocated under sub. (2) to that
6 county as follows.”.

7 **792.** Page 571, line 3: delete lines 3 to 10 and substitute:

8 “**SECTION 1557jd.** 46.46 (1) of the statutes is renumbered 46.46 and amended
9 to read:

10 **46.46 Expenditure of income augmentation services receipts.** From the
11 appropriation account under s. 20.435 (8) (mb), the department shall ~~support costs~~
12 ~~that are exclusively related to the operational costs of augmenting itself perform~~
13 activities to augment the amount of moneys received under 42 USC 670 to 679a, 42
14 USC 1395 to 1395ddd and 42 USC 1396 to 1396v. ~~In addition, the department may~~
15 ~~expend moneys from the appropriation account under s. 20.435 (8) (mb) as provided~~
16 ~~in sub. (2).~~ The department may not contract with any person to perform those
17 augmentation activities.”.

18 **793.** Page 571, line 11: after that line insert:

19 “**SECTION 1557v.** 46.48 (6) of the statutes is amended to read:

20 46.48 **(6)** CAREER YOUTH DEVELOPMENT CENTER. The department shall distribute
21 \$80,000 \$110,000 in each fiscal year to the career youth development center in the
22 city of Milwaukee. Of those amounts, \$80,000 shall be distributed in each fiscal year
23 for the operation of a minority youth substance abuse treatment program and
24 \$30,000 shall be distributed in each fiscal year for drug prevention and intervention

1 programs for middle school and high school athletes in the Milwaukee public schools
2 system.”.

3 **794.** Page 572, line 3: after that line insert:

4 “**SECTION 1559j.** 46.481 (7) of the statutes is created to read:

5 46.481 (7) MILWAUKEE CHILDREN’S VILLAGE PARENT TRAINING. The department
6 shall distribute \$75,000 in fiscal year 2001–02 to SOS Children’s Villages —
7 Milwaukee Chapter for the provision of training to the foster parents of the
8 Milwaukee children’s village under s. 13.48 (35).”.

9 **795.** Page 573, line 14: after “and.” insert “A grant recipient under this
10 section may include only a nonprofit, tax-exempt corporation, as defined in s. 49.134
11 (1) (c), or a county.”.

12 **796.** Page 574, line 4: after that line insert:

13 “**SECTION 6568c.** 46.766 of the statutes is created to read:

14 **46.766 Food pantry grants. (1)** In this section:

15 (a) “Nonprofit organization” means an organization described in section 501 (c)
16 of the Internal Revenue Code.

17 (b) “Rural” means outside a metropolitan statistical area specified under 42
18 CFR 412.62 (ii) (A) or within a metropolitan statistical area but isolated from an
19 urban center.

20 **(2)** (a) From the appropriation under s. 20.435 (3) (fp), the department shall
21 provide annual grants to food pantries that meet the eligibility requirements under
22 sub. (4). The amount of each grant awarded to a food pantry shall be in proportion
23 to the number of persons served by the food pantry.

1 (b) The department shall allocate 25% of the amounts appropriated under s.
2 20.435 (3) (fp) for grants to rural food pantries. The department shall allocate the
3 remainder of the amounts available for grants under s. 20.435 (3) (fp) for grants to
4 all food pantries. If, after awarding the grants to rural food pantries, any of the
5 moneys remain unallocated, the department shall distribute the unallocated
6 amounts for grants to all food pantries in proportion to the number of persons served
7 by those food pantries.

8 (c) The total amount of all grants awarded annually to each food pantry under
9 this section may not exceed \$15,000.

10 **(3)** (a) Grants awarded under this section may be used for any of the following
11 purposes:

12 1. The purchase, storage, transportation, coordination or distribution of food
13 to needy households.

14 2. The administration of emergency food distribution.

15 3. The purchase of capital equipment.

16 4. Programs designed to increase food availability to needy households or
17 enhance food security.

18 5. Nutrition education and outreach.

19 6. Technical assistance related to food pantry management.

20 (b) No grant received under this section may be used to foster or advance
21 religious or political views.

22 **(4)** A food pantry is eligible for a grant under this section if the food pantry
23 meets all of the following requirements:

24 (a) The food pantry applies for a grant on an application developed by the
25 department. The application may not exceed one page.

1 (b) The food pantry is a nonprofit organization or is affiliated with a nonprofit
2 organization.

3 (c) The food pantry distributes food packages directly, without charge, to needy
4 households.

5 (d) The food pantry is open to the general public in its service area.

6 (e) The food pantry does not base food distribution on any criteria other than
7 need of the recipient, except to the extent necessary for the orderly and fair
8 distribution of food.

9 (f) The food pantry has a permanent address, regular hours of operation, and
10 is open at least one day per month.

11 (g) The food pantry adheres to the U.S. department of agriculture food safety
12 and food storage standards.

13 (5) The department may not use more than 5% of the total amount
14 appropriated under s. 20.435 (3) (fp) for administration of the grant program under
15 this section.

16 (6) A food pantry that receives a grant under this section shall, not later than
17 60 days after the end of the grant period, submit a report, not longer than 3 pages,
18 to the department in the manner prescribed by the department by rule, that
19 describes how the grant money was used by the food pantry. The department shall
20 compile the reports and submit the compiled reports to the legislature under s.
21 13.172 (2).”.

22 **797.** Page 574, line 4: after that line insert:

23 “**SECTION 1563d.** 46.56 (3) (b) 6. of the statutes is amended to read:

1 46.56 (3) (b) 6. Representatives of the county health department, ~~as defined in~~
2 ~~s. 251.01 (2) established under s. 251.02 (1) or city-county health department~~
3 established under s. 251.02 (1m).”.

4 **798.** Page 574, line 4: after that line insert:

5 “**SECTION 1563b.** 46.58 of the statutes is created to read:

6 **46.58 Competency examinations.** From the appropriation account under
7 s. 20.435 (2) (bj), the department shall provide not more than \$484,300 in each fiscal
8 year to a county with a population of 500,000 or more to fund competency
9 examinations under s. 971.14 (2) in that county.”.

10 **799.** Page 574, line 18: after that line insert:

11 “**SECTION 7568mg.** 46.87 (5) (a) 3. of the statutes is amended to read:

12 46.87 (5) (a) 3. The household meets financial eligibility requirements specified
13 by the department by rule, regardless of whether or not persons in the household are
14 eligible for the family care benefit under s. 46.286 in a county in which a care
15 management organization under s. 46.284 operates.

16 **SECTION 1568mh.** 46.87 (5) (b) of the statutes is amended to read:

17 46.87 (5) (b) Provide or contract for the provision of services and goods or make
18 payments for services to persons a person with Alzheimer’s disease living in a
19 residential facilities facility in the county who ~~meet~~ meets financial eligibility
20 requirements specified by the department by rule, regardless of whether the person
21 is eligible for the family care benefit under s. 46.286 in a county in which a care
22 management organization under s. 46.284 operates.”.

23 **800.** Page 575, line 13: after that line insert:

24 “**SECTION 1573m.** 46.95 (2) (f) 10. of the statutes is created to read:

1 46.95 (2) (f) 10. Notwithstanding par. (d), award a grant of \$50,000 in each
2 fiscal year to Rainbow Project, Inc., for its domestic abuse treatment and prevention
3 programs.”.

4 **801.** Page 576, line 21: after that line insert:

5 “**SECTION 1577n.** 48.069 (2) of the statutes is amended to read:

6 48.069 (2) Except in a county having a population of 500,000 or more, licensed
7 child welfare agencies and the department shall provide services under this section
8 only upon the approval of the agency from whom services are requested. In a county
9 having a population of 500,000 or more, the department or, with the approval of the
10 department, a licensed child welfare agency or the Milwaukee County child welfare
11 district shall provide services under this section.”.

12 **802.** Page 576, line 25: delete that line.

13 **803.** Page 577, line 1: delete lines 1 to 12 and substitute:

14 “**SECTION 1585d.** 48.366 (8) of the statutes is amended to read:

15 48.366 (8) **TRANSFER TO OR BETWEEN FACILITIES.** The department of corrections
16 may transfer a person subject to an order between secured correctional facilities.
17 After the person attains the age of 17 years, the department of corrections may place
18 the person in a state prison named in s. 302.01, except that the department of
19 corrections may not place any person under the age of 18 years in the correctional
20 institution authorized in s. 301.16 (1n). If the person is 15 years of age or over, the
21 department of corrections may transfer the person to the Racine youthful offender
22 correctional facility named in s. 302.01 as provided in s. 938.357 (4) (d). If the
23 department of corrections places a person subject to an order under this section in
24 a state prison, that department shall provide services for that person from the

1 appropriate appropriation under s. 20.410 (1). The department of corrections may
2 transfer a person placed in a state prison under this subsection to or between state
3 prisons named in s. 302.01 without petitioning for revision of the order under sub.
4 (5) (a), except that the department of corrections may not transfer any person under
5 the age of 18 years to the correctional institution authorized in s. 301.16 (1n).”.

6 **804.** Page 578, line 6: after that line insert:

7 “**SECTION 1617c.** 48.48 (17) (a) 3. of the statutes is amended to read:

8 48.48 (17) (a) 3. Provide appropriate protection and services for children and
9 the expectant mothers of unborn children in its care, including providing services for
10 those children and their families and for those expectant mothers in their own
11 homes, placing the children in licensed foster homes, treatment foster homes, or
12 group homes in this state or another state within a reasonable proximity to the
13 agency with legal custody or contracting for services for those children by licensed
14 child welfare agencies or by the Milwaukee County child welfare district, except that
15 the department may not purchase the educational component of private day
16 treatment programs unless the department, the school board as defined in s. 115.001
17 (7), and the state superintendent of public instruction all determine that an
18 appropriate public education program is not available. Disputes between the
19 department and the school district shall be resolved by the state superintendent of
20 public instruction.

21 **SECTION 1617s.** 48.48 (17) (a) 11. of the statutes is amended to read:

22 48.48 (17) (a) 11. Contract with the county department under s. 46.215, 51.42,
23 or 51.437 ~~or~~, with a licensed child welfare agency, or with the Milwaukee County

1 child welfare district to provide any of the services that the department is authorized
2 to provide under this chapter.”.

3 **805.** Page 580, line 10: after that line insert:

4 “**SECTION 1624g.** 48.562 of the statutes is created to read:

5 **48.562 Milwaukee County child welfare district. (1) CREATION.** The
6 county board of supervisors of a county having a population of 500,000 or more may
7 create a special purpose district that is termed the “Milwaukee County child welfare
8 district,” that is a local unit of government, that is separate and distinct from, and
9 independent of, the state and the county, and that has the powers and duties
10 specified in this section, if the county board does all of the following:

11 (a) Adopts an enabling resolution that does all of the following:

12 1. Establishes the Milwaukee County child welfare district.

13 2. Specifies the district’s primary purpose, which shall be to provide, under
14 contract with the department, child welfare services under this chapter.

15 (b) Files copies of the enabling resolution with the secretary of administration,
16 the secretary of health and family services, and the secretary of revenue.

17 **(2) JURISDICTION.** The Milwaukee County child welfare district’s jurisdiction
18 is the geographical area of the county of the county board of supervisors that created
19 the district.

20 **(3) MILWAUKEE COUNTY CHILD WELFARE DISTRICT BOARD.** (a) The county executive
21 of a county having a population of 500,000 or more shall appoint the members of the
22 Milwaukee County child welfare district board, which is the governing board of the
23 Milwaukee County child welfare district.

1 (b) 1. The Milwaukee County child welfare district board shall consist of 15
2 persons who are residents of the area of jurisdiction of the district. At least
3 one-fourth of the members shall be representative of the client groups whom it is the
4 district's primary purpose to serve or the family members, guardians, or other
5 advocates of the children and families that are served by the district.

6 2. Membership of the Milwaukee County child welfare district board shall
7 reflect the ethnic and economic diversity of the area of jurisdiction of the district. No
8 member of the board may be an elected or appointed official or employee of the county
9 that created the district. No member of the board may have a private financial
10 interest in or profit directly or indirectly from any contract or other business of the
11 district.

12 (c) The members of the Milwaukee County child welfare district board shall
13 serve 5-year terms. No member may serve more than 2 consecutive terms. Of the
14 members first appointed, 5 shall be appointed for 3 years; 5 shall be appointed for
15 4 years; and 5 shall be appointed for 5 years. A member shall serve until his or her
16 successor is appointed, unless removed for cause under s. 17.13.

17 (d) As soon as possible after the appointment of the initial members of the
18 Milwaukee County child welfare district board, the board shall organize for the
19 transaction of business and elect a chairperson and other necessary officers. Each
20 chairperson shall be elected by the board from time to time for the term of that
21 chairperson's office as a member of the board or for the term of 3 years, whichever
22 is shorter, and shall be eligible for reelection. A majority of the board shall constitute
23 a quorum. The board may act based on the affirmative vote of a majority of a quorum.

24 **(4) POWERS.** The Milwaukee County child welfare district has all the powers
25 necessary or convenient to carry out the purposes specified in sub. (1) (a) 2., including

1 all the powers relating to the provision of child welfare services of a county
2 department providing child welfare services. In addition to those powers, the district
3 may do all of the following:

4 (a) Adopt and alter, at pleasure, an official seal.

5 (b) Adopt bylaws, policies, and procedures for the regulation of its affairs and
6 the conduct of its business. The bylaws, policies, and procedures shall comply with
7 all state laws, rules, policies, and procedures governing the provision of child welfare
8 services by a county department and with the terms of the district's contract with the
9 department under par. (d).

10 (c) Sue and be sued.

11 (d) Negotiate and enter into leases or contracts, including a contract with the
12 department to provide child welfare services under this chapter.

13 (e) Provide services to children and families, in addition to the services funded
14 under the contract with the department under par. (d).

15 (f) Acquire, construct, equip, maintain, improve, and manage facilities
16 necessary for the provision of child welfare services under this chapter.

17 (g) Subject to sub. (8), employ any agent, employee, or special adviser that the
18 district finds necessary; fix and regulate his or her compensation; and provide, either
19 directly or subject to an agreement under s. 66.0301 as a participant in a benefit plan
20 of another governmental entity, any employee benefits, including an employee
21 pension plan.

22 (h) Mortgage, pledge, or otherwise encumber the district's property or funds.

23 (i) Buy, sell, or lease property, including real estate, and maintain or dispose
24 of the property.

1 (j) Invest any funds not required for immediate disbursement in any of the
2 following:

3 1. An interest-bearing escrow account with a financial institution, as defined
4 in s. 69.30 (1) (b).

5 2. Time deposits in any financial institution, as defined in s. 69.30 (1) (b), if the
6 time deposits mature in not more than 2 years.

7 3. Bonds or securities issued or guaranteed as to principal and interest by the
8 federal government or by a commission, board, or other instrumentality of the
9 federal government.

10 (k) Create a risk reserve or other special reserve as the district board desires
11 or as the department requires under the district's contract with the department
12 under par. (d).

13 (L) Accept aid, including loans, to accomplish the purpose of the district from
14 any local, state, or federal governmental agency or accept gifts, loans, grants, or
15 bequests from individuals or entities, if the conditions under which the aid, loan, gift,
16 grant, or bequest is furnished are not in conflict with this section.

17 (m) Make and execute other instruments necessary or convenient to exercise
18 the powers of the district.

19 **(5) LIMITATION ON POWERS.** The Milwaukee County child welfare district may
20 not issue bonds or levy a tax or assessment.

21 **(6) DUTIES.** The Milwaukee County child welfare district board shall do all of
22 the following:

23 (a) Appoint a director, who shall hold office at the pleasure of the board.

24 (b) Subject to sub. (8), develop and implement a personnel structure and other
25 employment policies for employees of the district.

1 (c) Assure compliance with the terms of any contract with the department
2 under sub. (4) (d).

3 (d) Establish a fiscal operating year and annually adopt a budget for the
4 district.

5 (e) Contract for any legal services required for the district.

6 (f) Subject to sub. (8), procure liability insurance covering its officers,
7 employees, and agents, insurance against any loss in connection with its property
8 and other assets, and other necessary insurance; establish and administer a plan of
9 self–insurance; or, subject to an agreement under s. 66.0301, participate in a
10 governmental plan of insurance or self–insurance.

11 **(7) DIRECTOR; DUTIES.** The director appointed under sub. (6) (a) shall do all of
12 the following:

13 (a) Manage the property and business of the district and manage the employees
14 of the district, subject to the general control of the board.

15 (b) Comply with the bylaws and direct enforcement of all policies and
16 procedures adopted by the board.

17 (c) Perform duties in addition to those specified in pars. (a) and (b) as are
18 prescribed by the board.

19 **(8) EMPLOYMENT AND EMPLOYEE BENEFITS OF CERTAIN EMPLOYEES.** (a) The
20 Milwaukee County child welfare district board shall do all of the following:

21 1. If the district offers employment to any individual who was previously
22 employed by the county, who while employed by the county performed duties relating
23 to the same or a substantially similar function for which the individual is offered
24 employment by the district, and whose wages, hours, and conditions of employment
25 were established in a collective bargaining agreement with the county under subch.

1 IV of ch. 111 that is in effect on the date on which the individual commences
2 employment with the district, with respect to that individual, abide by the terms of
3 the collective bargaining agreement concerning the individual's compensation and
4 benefits until the time of the expiration of that collective bargaining agreement or
5 adoption of a collective bargaining agreement with the district under subch. IV of ch.
6 111 covering the individual as an employee of the district, whichever occurs first.

7 2. If the district offers employment to any individual who was previously
8 employed by the county and who while employed by the county performed duties
9 relating to the same or a substantially similar function for which the individual is
10 offered employment by the district, but whose wages, hours, and conditions of
11 employment were not established in a collective bargaining agreement with the
12 county under subch. IV of ch. 111 that is in effect on the date on which the individual
13 commences employment with the district, with respect to that individual, initially
14 provide that individual the same compensation and benefits that he or she received
15 while employed by the county.

16 3. If the district offers employment to any individual who was previously
17 employed by the county and who while employed by the county performed duties
18 relating to the same or a substantially similar function for which the individual is
19 offered employment by the district, with respect to that individual, recognize all
20 years of service with the county for any benefit provided or program operated by the
21 district for which an employee's years of service may affect the provision of the
22 benefit or the operation of the program.

23 4. If the county has not established its own retirement system for county
24 employees, adopt a resolution that the Milwaukee County child welfare district be
25 included within the provisions of the Wisconsin retirement system under s. 40.21 (1).

1 In this resolution, the Milwaukee County child welfare district shall agree to
2 recognize 100% of the prior creditable service of its employees earned by the
3 employees while employed by the district.

4 (b) The county board of supervisors of the area of jurisdiction of the district
5 shall do all of the following:

6 1. If the county has established its own retirement system for county
7 employees, provide that district employees are eligible to participate in the county
8 retirement system.

9 2. Provide that, subject to the terms of any applicable collective bargaining
10 agreement as provided in par. (a) 1., district employees are eligible to receive health
11 care coverage under any county health insurance plan that is offered to county
12 employees.

13 3. Provide that, subject to the terms of any applicable collective bargaining
14 agreement as provided in par. (a) 1., district employees are eligible to participate in
15 any deferred compensation or other benefit plan offered by the county to county
16 employees, including disability and long-term care insurance coverage and income
17 continuation insurance coverage.

18 **(9) CONFIDENTIALITY OF RECORDS.** No record, as defined in s. 19.32 (2), of the
19 Milwaukee County child welfare district that contains personally identifiable
20 information, as defined in s. 19.62 (5), concerning an individual who receives services
21 from the district may be disclosed by the district without the individual's informed
22 consent, except as permitted under s. 48.78 (2).

23 **(10) OBLIGATIONS AND DEBTS NOT THOSE OF COUNTY.** The obligations and debts
24 of the Milwaukee County child welfare district are not the obligations or debts of the
25 county that created the district.

1 **(11)** ASSISTANCE TO MILWAUKEE COUNTY CHILD WELFARE DISTRICT. From moneys
2 in the county treasury that are not appropriated to some other purpose, the county
3 board of supervisors of the county that created the district may appropriate moneys
4 to the Milwaukee County child welfare district as a gift or may lend moneys to the
5 district.

6 **(12)** DISSOLUTION. Subject to the performance of its contractual obligations and
7 to prior approval by the secretary of the department, the Milwaukee County child
8 welfare district may be dissolved by the joint action of the district board and county
9 board of supervisors of the county that created the district. If the district is dissolved,
10 the property of the district shall be transferred to the county board of supervisors of
11 the county that created the district except that if the district has funds in a risk
12 reserve, disposition of those funds shall be made under the terms of the district's
13 contract with the department.”.

14 **806.** Page 583, line 2: after that line insert:

15 “**SECTION 1636n.** 48.75 (1b) of the statutes is amended to read:

16 48.75 **(1b)** In this section, “public licensing agency” means a county
17 department or, in a county having a population of 500,000 or more, the department
18 or, with the approval of the department, the Milwaukee County child welfare district.

19 **SECTION 1636p.** 48.78 (1) of the statutes is amended to read:

20 48.78 **(1)** In this section, unless otherwise qualified, “agency” means the
21 department, a county department, a licensed child welfare agency, the Milwaukee
22 County child welfare district, a licensed day care center, or a licensed maternity
23 hospital.

24 **SECTION 1651h.** 48.981 (1) (ag) of the statutes is amended to read:

1 48.981 (1) (ag) “Agency” means a county department, the department in a
2 county having a population of 500,000 or more ~~or~~, a licensed child welfare agency
3 under contract with a county department ~~or the department in a county having a~~
4 ~~population of 500,000 or more to perform investigations under this section, or, if~~
5 contracted by the department to perform investigations under this section in a
6 county having a population of 500,000 or more, a licensed child welfare agency or the
7 Milwaukee County child welfare district.”.

8 **807.** Page 583, line 6: delete “a licensed child”.

9 **808.** Page 583, line 7: delete “welfare” and substitute “~~a licensed child~~
10 ~~welfare~~”.

11 **809.** Page 583, line 13: delete “a licensed child welfare” and substitute “a
12 ~~licensed child welfare~~”.

13 **810.** Page 583, line 15: delete “licensed child welfare” and substitute “~~licensed~~
14 ~~child welfare~~”.

15 **811.** Page 583, line 17: delete “a licensed child welfare”.

16 **812.** Page 583, line 22: delete “a licensed child welfare” and substitute “a
17 ~~licensed child welfare~~”.

18 **813.** Page 584, line 3: delete “licensed child welfare”.

19 **814.** Page 584, line 13: delete lines 13 to 25.

20 **815.** Page 585, line 1: delete lines 1 to 9 and substitute:

21 “**SECTION 1651tb.** 48.981 (3) (c) 2. a. of the statutes is amended to read:

22 48.981 (3) (c) 2. a. If the person making the investigation is an employee of the
23 county department or, in a county having a population of 500,000 or more, the

1 department or a ~~licensed child welfare~~ agency under contract with the department
2 and he or she determines that it is consistent with the child's best interest in terms
3 of physical safety and physical health to remove the child from his or her home for
4 immediate protection, he or she shall take the child into custody under s. 48.08 (2)
5 or 48.19 (1) (c) and deliver the child to the intake worker under s. 48.20.

6 **SECTION 1651td.** 48.981 (3) (c) 2m. a. of the statutes is amended to read:

7 48.981 (3) (c) 2m. a. If the person making the investigation is an employee of
8 the county department or, in a county having a population of 500,000 or more, the
9 department or a ~~licensed child welfare~~ agency under contract with the department
10 and he or she determines that it is consistent with the best interest of the unborn
11 child in terms of physical safety and physical health to take the expectant mother
12 into custody for the immediate protection of the unborn child, he or she shall take the
13 expectant mother into custody under s. 48.08 (2), 48.19 (1) (cm), or 48.193 (1) (c) and
14 deliver the expectant mother to the intake worker under s. 48.20 or 48.203.

15 **SECTION 1651tf.** 48.981 (3) (c) 3. of the statutes is amended to read:

16 48.981 (3) (c) 3. If the county department or, in a county having a population
17 of 500,000 or more, the department or a ~~licensed child welfare~~ agency under contract
18 with the department determines that a child, any member of the child's family, or the
19 child's guardian or legal custodian is in need of services or that the expectant mother
20 of an unborn child is in need of services, the county department, or department or
21 ~~licensed child welfare~~ agency shall offer to provide appropriate services or to make
22 arrangements for the provision of services. If the child's parent, guardian, or legal
23 custodian or the expectant mother refuses to accept the services, the county
24 department, or department or ~~licensed child welfare~~ agency may request that a
25 petition be filed under s. 48.13 alleging that the child who is the subject of the report

1 or any other child in the home is in need of protection or services or that a petition
2 be filed under s. 48.133 alleging that the unborn child who is the subject of the report
3 is in need of protection or services.

4 **SECTION 1651th.** 48.981 (3) (c) 4. of the statutes is amended to read:

5 48.981 (3) (c) 4. The county department or, in a county having a population of
6 500,000 or more, the department or ~~a licensed child welfare~~ agency under contract
7 with the department shall determine, within 60 days after receipt of a report,
8 whether abuse or neglect has occurred or is likely to occur. The determination shall
9 be based on a preponderance of the evidence produced by the investigation. A
10 determination that abuse or neglect has occurred may not be based solely on the fact
11 that the child's parent, guardian, or legal custodian in good faith selects and relies
12 on prayer or other religious means for treatment of disease or for remedial care of the
13 child. In making a determination that emotional damage has occurred, the county
14 department or, in a county having a population of 500,000 or more, the department
15 or ~~a licensed child welfare~~ agency under contract with the department shall give due
16 regard to the culture of the subjects. This subdivision does not prohibit a court from
17 ordering medical services for the child if the child's health requires it.

18 **SECTION 1651tj.** 48.981 (3) (c) 5m. of the statutes is amended to read:

19 48.981 (3) (c) 5m. If the county department or, in a county having a population
20 of 500,000 or more, the department or ~~a licensed child welfare~~ agency under contract
21 with the department determines under subd. 4. that a specific person has abused or
22 neglected a child, the county department, or department or ~~licensed child welfare~~
23 agency, within 15 days after the date of the determination, shall notify the person in
24 writing of the determination, the person's right to appeal the determination, and the
25 procedure by which the person may appeal the determination, and the person may

1 appeal the determination in accordance with the procedures established by the
2 department under this subdivision. The department shall promulgate rules
3 establishing procedures for conducting an appeal under this subdivision. Those
4 procedures shall include a procedure permitting an appeal under this subdivision to
5 be held in abeyance pending the outcome of any criminal proceedings or any
6 proceedings under s. 48.13 based on the alleged abuse or neglect or the outcome of
7 any investigation that may lead to the filing of a criminal complaint or a petition
8 under s. 48.13 based on the alleged abuse or neglect.

9 **SECTION 1651tk.** 48.981 (3) (c) 7. of the statutes is amended to read:

10 48.981 (3) (c) 7. The county department or, in a county having a population of
11 500,000 or more, the department or ~~a licensed child welfare~~ agency under contract
12 with the department shall cooperate with law enforcement officials, courts of
13 competent jurisdiction, tribal governments, and other human services agencies to
14 prevent, identify, and treat child abuse and neglect and unborn child abuse. The
15 county department or, in a county having a population of 500,000 or more, the
16 department or ~~a licensed child welfare~~ agency under contract with the department
17 shall coordinate the development and provision of services to abused and neglected
18 children, to abused unborn children to families in which child abuse or neglect has
19 occurred, to expectant mothers who have abused their unborn children, to children
20 and families when circumstances justify a belief that abuse or neglect will occur, and
21 to the expectant mothers of unborn children when circumstances justify a belief that
22 unborn child abuse will occur.

23 **SECTION 1651tm.** 48.981 (3) (c) 8. of the statutes is amended to read:

24 48.981 (3) (c) 8. Using the format prescribed by the department, each county
25 department shall provide the department with information about each report that

1 the county department receives or that is received by a licensed child welfare agency
2 that is under contract with the county department and about each investigation that
3 the county department or a licensed child welfare agency under contract with the
4 county department conducts. Using the format prescribed by the department, a
5 licensed child welfare an agency under contract with the department shall provide
6 the department with information about each report that the ~~child-welfare~~ agency
7 receives and about each investigation that the ~~child-welfare~~ agency conducts. This
8 information shall be used by the department to monitor services provided by county
9 departments or ~~licensed child-welfare~~ agencies under contract with county
10 departments or the department. The department shall use nonidentifying
11 information to maintain statewide statistics on child abuse and neglect and on
12 unborn child abuse, and for planning and policy development purposes.

13 **SECTION 1651tn.** 48.981 (3) (cm) of the statutes is amended to read:

14 48.981 (3) (cm) ~~Contract with licensed child welfare agencies.~~ Contract with
15 agencies. A county department may contract with a licensed child welfare agency to
16 fulfill the county department's duties specified under par. (c) 1., 2. b., 2m. b., 5., 6.,
17 6m., and 8. The department may contract with a licensed child welfare agency or
18 with the Milwaukee County child welfare district to fulfill the department's duties
19 specified under par. (c) 1., 2. a., 2m. b., 3., 4., 5., 5m., 6., 6m., 7., 8., and 9. in a county
20 having a population of 500,000 or more. The confidentiality provisions specified in
21 sub. (7) shall apply to any licensed child welfare agency with which a county
22 department or the department contracts and to the Milwaukee County child welfare
23 district, if the department contracts with the district.

24 **SECTION 1651to.** 48.981 (3) (d) of the statutes is amended to read:

1 48.981 (3) (d) *Independent investigation.* 1. In this paragraph, “agent”
2 includes, but is not limited to, a foster parent, treatment foster parent, or other
3 person given custody of a child or a human services professional employed by a
4 county department under s. 51.42 or 51.437 or by a ~~child welfare~~ an agency who is
5 working with a child or an expectant mother of an unborn child under contract with
6 or under the supervision of the department in a county having a population of
7 500,000 or more or a county department under s. 46.22.

8 2. If an agent or employee of an agency required to investigate under this
9 subsection is the subject of a report, or if the agency determines that, because of the
10 relationship between the agency and the subject of a report, there is a substantial
11 probability that the agency would not conduct an unbiased investigation, the agency
12 shall, after taking any action necessary to protect the child or unborn child, notify
13 the department. Upon receipt of the notice, the department, in a county having a
14 population of less than 500,000, ~~or a county department or child welfare~~ an agency
15 designated by the department in any county shall conduct an independent
16 investigation. If the department designates a county department under s. 46.22,
17 46.23, 51.42, or 51.437, that county department shall conduct the independent
18 investigation. If a licensed child welfare agency or the Milwaukee County child
19 welfare district agrees to conduct the independent investigation, the department
20 may designate the child welfare agency or district to do so. The powers and duties
21 of the department or designated ~~county department or child welfare~~ agency making
22 an independent investigation are those given to county departments under par. (c).

23 **SECTION 1651tp.** 48.981 (5) of the statutes is amended to read:

24 48.981 (5) CORONER'S REPORT. Any person or official required to report cases of
25 suspected child abuse or neglect who has reasonable cause to suspect that a child

1 died as a result of child abuse or neglect shall report the fact to the appropriate
2 medical examiner or coroner. The medical examiner or coroner shall accept the
3 report for investigation and shall report the findings to the appropriate district
4 attorney; to the department or, in a county having a population of 500,000 or more,
5 to a licensed child welfare an agency under contract with the department; to the
6 county department; and, if the institution making the report initially is a hospital,
7 to the hospital.

8 **SECTION 1651tr.** 48.981 (7) (a) 5. of the statutes is amended to read:

9 48.981 (7) (a) 5. A professional employee of a county department under s. 51.42
10 or 51.437 who is working with the child or the expectant mother of the unborn child
11 under contract with or under the supervision of the county department under s. 46.22
12 or, in a county having a population of 500,000 or more, the department or a licensed
13 ~~child welfare~~ agency under contract with the department.

14 **SECTION 1651tt.** 48.981 (7) (a) 6. of the statutes is amended to read:

15 48.981 (7) (a) 6. A multidisciplinary child abuse and neglect or unborn child
16 abuse team recognized by the county department or, in a county having a population
17 of 500,000 or more, the department or a licensed child welfare agency under contract
18 with the department.

19 **SECTION 1651tv.** 48.981 (7) (a) 6m. of the statutes is amended to read:

20 48.981 (7) (a) 6m. A person employed by a child advocacy center recognized by
21 the county board, the county department or, in a county having a population of
22 500,000 or more, the department or a licensed child welfare agency under contract
23 with the department, to the extent necessary to perform the services for which the
24 center is recognized by the county board, the county department, the department, or
25 the licensed child welfare agency.

1 **SECTION 1651tx.** 48.981 (7) (a) 15. of the statutes is amended to read:

2 48.981 (7) (a) 15. A child fatality review team recognized by the county
3 department or, in a county having a population of 500,000 or more, the department
4 or a ~~licensed child welfare~~ agency under contract with the department.

5 **SECTION 1651w.** 48.981 (8) (a) of the statutes is amended to read:

6 48.981 (8) (a) The department, the county departments, and a ~~licensed child~~
7 welfare an agency under contract with the department in a county having a
8 population of 500,000 or more to the extent feasible shall conduct continuing
9 education and training programs for staff of the department, the county
10 departments, a ~~licensed child welfare agency~~ the agencies under contract with the
11 department or a county department, law enforcement agencies, and the tribal social
12 services departments, persons, and officials required to report, the general public,
13 and others as appropriate. The programs shall be designed to encourage reporting
14 of child abuse and neglect and of unborn child abuse, to encourage self-reporting and
15 voluntary acceptance of services, and to improve communication, cooperation, and
16 coordination in the identification, prevention, and treatment of child abuse and
17 neglect and of unborn child abuse. Programs provided for staff of the department,
18 county departments, and ~~licensed child welfare~~ agencies under contract with county
19 departments or, ~~in a county having a population of 500,000 or more~~, the department
20 whose responsibilities include the investigation or treatment of child abuse or
21 neglect shall also be designed to provide information on means of recognizing and
22 appropriately responding to domestic abuse, as defined in s. 46.95 (1) (a). The
23 department, the county departments, and a ~~licensed child welfare~~ an agency under
24 contract with the department in a county having a population of 500,000 or more

1 shall develop public information programs about child abuse and neglect and about
2 unborn child abuse.

3 **SECTION 1651x.** 48.981 (8) (c) of the statutes is amended to read:

4 48.981 (8) (c) In meeting its responsibilities under par. (a) or (b), the
5 department, a county department, or a licensed child welfare an agency under
6 contract with the department in a county having a population of 500,000 or more may
7 contract with any public or private organization which that meets the standards set
8 by the department. In entering into the contracts the department, county
9 department, or licensed child welfare agency shall give priority to parental
10 organizations combating child abuse and neglect or unborn child abuse.”.

11 **816.** Page 586, line 13: after that line insert:

12 “**SECTION 1656h.** 48.985 (5) of the statutes is created to read:

13 48.985 (5) MILWAUKEE CHILD WELFARE AIDS. Of the amounts received under 42
14 USC 620 to 626 and credited to the appropriation account under s. 20.435 (3) (nL),
15 the department shall transfer \$58,600 in fiscal year 2001–02 and \$66,800 in fiscal
16 year 2002–03 to the appropriation account under s. 20.435 (3) (kw) and shall expend
17 those moneys to provide services to children and families under s. 48.48 (17).”.

18 **817.** Page 586, line 14: delete “**SECTION 1656tym**” and substitute “**SECTION**
19 **1656sy**”.

20 **818.** Page 588, line 4: after that line insert:

21 “**SECTION 1656tkf.** 49.124 (1m) (e) of the statutes is created to read:

22 49.124 (1m) (e) 1. In this paragraph, “area” means a county or combination of
23 counties; a city; a village; a town; a smaller geographic region of a county, city, village
24 or town; or a federally recognized American Indian reservation.

1 2. The department shall request a waiver from the secretary of the federal
2 department of agriculture to permit the department to waive the work requirement
3 under par. (a) for any group of individuals, as authorized under 7 USC 2015, who
4 meet any of the following requirements:

5 a. The group resides in an area determined by the department to have an
6 unemployment rate of over 10%.

7 b. The group resides in an area that the department determines does not have
8 a sufficient number of jobs to provide employment for that group of individuals.

9 3. If the waiver under subd. 2. is granted and in effect, the department shall
10 implement the waiver.

11 **SECTION 1656tkg.** 49.124 (1m) (e) of the statutes, as created by 2001 Wisconsin
12 Act (this act), is renumbered 49.13 (2) (e).”.

13 **819.** Page 593, line 19: after that line insert:

14 “**SECTION 8657d.** 49.141 (1) (g) of the statutes is amended to read:

15 49.141 (1) (g) “Minimum wage” means the state minimum hourly wage under
16 ~~ch. 104 s. 104.035 (2)~~ or the federal minimum hourly wage under 29 USC 206 (a) (1),
17 whichever is applicable.”.

18 **820.** Page 593, line 19: after that line insert:

19 “**SECTION 9657d.** 49.141 (1) (cm) of the statutes is created to read:

20 49.141 (1) (cm) “Domestic abuse” means any of the following:

21 1. Physical acts that result in, or threaten to result in, physical injury to an
22 individual.

23 2. Sexual abuse.

24 3. Sexual activity involving a dependent child.

1 4. Being forced to engage in nonconsensual sexual acts or activities.

2 5. Threats of, or attempts at, physical or sexual abuse.

3 6. Mental abuse.

4 7. Neglect or deprivation of medical care.”.

5 **821.** Page 593, line 19: after that line insert:

6 “**SECTION 1657fb.** 49.141 (2g) (a) (intro.) of the statutes is renumbered 49.141
7 (2g) (a) and amended to read:

8 49.141 **(2g)** (a) The department shall contract with the legislative audit bureau
9 to conduct, biennially, a financial and performance audit of Wisconsin works. ~~The~~
10 ~~legislative audit bureau shall include in its audit all of the following:~~

11 **SECTION 1657fc.** 49.141 (2g) (a) 1. of the statutes is repealed.

12 **SECTION 1657fcc.** 49.141 (2g) (a) 2. of the statutes is repealed.

13 **SECTION 1657fd.** 49.141 (2g) (b) of the statutes is amended to read:

14 49.141 **(2g)** (b) The legislative audit bureau shall file the each audit no later
15 than ~~July 1, 2000~~, January 1 of each odd-numbered year in the manner described
16 under s. 13.94 (1) (b).

17 **SECTION 1657ff.** 49.141 (2g) (c) of the statutes is created to read:

18 49.141 **(2g)** (c) The department shall pay all or a portion of the costs of
19 conducting the audits, as requested by the legislative audit bureau.”.

20 **822.** Page 593, line 21: delete “par.” and substitute “pars. (ak) and”.

21 **823.** Page 594, line 13: after that line insert:

22 “**SECTION 1657k.** 49.143 (1) (ak) of the statutes is created to read:

23 49.143 **(1)** (ak) If a Wisconsin works agency that is not a county department
24 under s. 46.215, 46.22, or 46.23 elects under par. (ag) not to enter into a contract

1 under par. (a) 2., the department shall contract with the county department under
2 s. 46.215, 46.22, or 46.23 of the county in which the Wisconsin works agency
3 administered Wisconsin works, to administer Wisconsin works in the geographical
4 area for which the Wisconsin works agency contracted. A county department may
5 elect not to enter into a contract under this paragraph if the county department
6 notifies the department by the date established by the department. If a county
7 department elects not to enter into a contract under this paragraph, the department
8 shall award contracts under the competitive process under par. (a) 1.”.

9 **824.** Page 594, line 16: delete “If” and substitute “Notwithstanding par. (ak),
10 if”.

11 **825.** Page 594, line 24: delete “~~or (am)~~” and substitute “or (am) (ak)”.

12 **826.** Page 595, line 1: delete “~~or (am) 1.~~” and substitute “or (am) 1. (ak)”.

13 **827.** Page 595, line 22: delete “~~or (am)~~” and substitute “or (am) (ak)”.

14 **828.** Page 595, line 25: after that line insert:

15 “**SECTION 1660bf.** 49.143 (2) (g) of the statutes is created to read:

16 49.143 (2) (g) Base any bonuses paid to employees of the Wisconsin works
17 agency, or to any person with whom the Wisconsin works agency subcontracts to
18 administer any part of Wisconsin works, on the employee’s or person’s success in
19 helping participants increase their income above the federal poverty line and report
20 quarterly to the department on the bonuses paid to any employee or person with
21 whom the Wisconsin works agency contracts to administer any part of Wisconsin
22 works. The department shall specify criteria for determining whether a bonus may
23 be paid as specified in this paragraph.”.

1 **829.** Page 596, line 2: delete “TRANSFER OF FUNDING ALLOCATIONS PROHIBITED.”
2 and substitute “CONTRACT PROHIBITIONS. (a)”.

3 **830.** Page 596, line 2: delete “TRANSFER OF FUNDING ALLOCATIONS PROHIBITED.”
4 and substitute “CONTRACT PROHIBITIONS. (a)”.

5 **831.** Page 596, line 6: delete “(a)” and substitute “1.”.

6 **832.** Page 596, line 6: delete “(a)” and substitute “1.”.

7 **833.** Page 596, line 7: after that line insert:

8 “SECTION 1660dp. 49.143 (3g) (a) 1. of the statutes is amended to read:

9 49.143 (3g) (a) 1. The placement of participants in Wisconsin works
10 employment positions into unsubsidized employment, ~~as defined in s. 49.147 (1) (c).~~”.

11 **834.** Page 596, line 7: after that line insert:

12 “(b) No Wisconsin works agency may expend moneys that are provided under
13 a contract under sub. (1) to conduct public relations activities unless the public
14 relations activities are directly related to providing community outreach and
15 informing participants about the services available under Wisconsin works.”.

16 **835.** Page 596, line 7: after that line insert:

17 “(b) Each contract under sub. (1) shall specify that a Wisconsin works agency
18 may not use moneys that are provided under the contract to pay any portion of a
19 salary of an employee of the Wisconsin works agency, or of a person with whom the
20 Wisconsin works agency contracts to administer any part of Wisconsin works, that
21 exceeds the amount paid the governor under s. 20.923 (2) (c).”.

22 **836.** Page 596, line 7: delete “(b)” and substitute “2.”.

23 **837.** Page 596, line 7: delete “(b)” and substitute “2.”.

1 **838.** Page 597, line 3: after that line insert:

2 “**SECTION 1660hb.** 49.145 (3) (b) 1. of the statutes is amended to read:

3 49.145 **(3)** (b) 1. All earned and unearned income of the individual, except any
4 amount received under section 32 of the ~~internal revenue code~~ Internal Revenue
5 Code, as defined in s. 71.01 (6), any amount received under s. 71.07 (9e), any payment
6 made by an employer under section 3507 of the ~~internal revenue code~~ Internal
7 Revenue Code, as defined in s. 71.01 (6), any student financial aid received under any
8 federal or state program, any scholarship used for tuition and books, and any
9 assistance received under s. 49.148. In determining the earned and unearned
10 income of the individual, the Wisconsin works agency may not include income earned
11 by a dependent child of the individual.

12 **SECTION 1660jd.** 49.147 (1) (intro.) of the statutes is repealed.

13 **SECTION 1660jg.** 49.147 (1) (c) of the statutes is renumbered 49.141 (1) (nm).

14 **SECTION 1660jj.** 49.147 (2) (c) of the statutes is created to read:

15 49.147 **(2)** (c) *Interference with education prohibited.* A participant’s
16 participation in unsubsidized employment may not interfere with the participant’s
17 education under sub. (5m).

18 **SECTION 1660jk.** 49.147 (4) (am) of the statutes is amended to read:

19 49.147 **(4)** (am) *Education or training activities.* A participant under this
20 subsection may be required to participate in education and training activities
21 assigned as part of an employability plan developed by the Wisconsin works agency.
22 The department shall establish by rule permissible education and training under
23 this paragraph, which shall include a course of study meeting the standards
24 established under s. 115.29 (4) for the granting of a declaration of equivalency of high

1 school graduation, technical college courses, employer-sponsored training, and
2 educational courses that provide an employment skill. Permissible education under
3 this paragraph shall also include English as a 2nd language courses that the
4 Wisconsin works agency determines would facilitate an individual's efforts to obtain
5 employment and adult basic education courses that the Wisconsin works agency
6 determines would facilitate an individual's efforts to obtain employment.

7 **SECTION 1660jL.** 49.147 (4) (as) of the statutes is renumbered 49.147 (4) (as)

8 1. and amended to read:

9 49.147 (4) (as) 1. Except as provided in pars. (at) ~~and~~, (av), and (d) and sub. (5m)
10 and subject to subd. 3., a Wisconsin works agency shall require a participant placed
11 in a community service job program to work in a community service job for the
12 number of hours determined by the Wisconsin works agency to be appropriate for the
13 participant at the time of application or review, but not to exceed 30 hours per week.

14 2. Except as provided in pars. (at) ~~and~~, (av), and (d) and subject to subd. 3., a
15 Wisconsin works agency may require a participant placed in the community service
16 job program to participate in education or training activities under par. (am) for not
17 more than ~~10~~ 20 hours per week.

18 **SECTION 1660jn.** 49.147 (4) (as) 3. of the statutes is created to read:

19 49.147 (4) (as) 3. No participant may be required to participate in the
20 community service job program for more than 40 hours per week.

21 **SECTION 1660jp.** 49.147 (4) (av) of the statutes is amended to read:

22 49.147 (4) (av) *Education for 18-year-old and 19-year-old students.* A
23 Wisconsin works agency shall permit a participant under this subsection who has not
24 attained the age of 20 and who has not obtained a high school diploma or a
25 declaration of equivalency of high school graduation to attend high school or, at the

1 option of the participant, to enroll in a course of study meeting the standards
2 established under s. 115.29 (4) for the granting of a declaration of equivalency of high
3 school graduation to satisfy, ~~in whole or in part,~~ the required hours of participation
4 under par. (as).

5 **SECTION 1660jt.** 49.147 (4) (d) of the statutes is created to read:

6 49.147 (4) (d) *Interference with education or training activities prohibited.* No
7 participant may be assigned work activities under this subsection that interfere with
8 the participant's education or training activities under par. (am) or with the
9 participant's education under par. (av) or sub. (5m).

10 **SECTION 1660jv.** 49.147 (5) (bm) of the statutes is amended to read:

11 49.147 (5) (bm) *Education or training activities.* A participant under this
12 subsection may be required to participate in education and training activities
13 assigned as part of an employability plan developed by the Wisconsin works agency.
14 The department shall establish by rule permissible education and training under
15 this paragraph, which shall include a course of study meeting the standards
16 established under s. 115.29 (4) for the granting of a declaration of equivalency of high
17 school graduation, technical college courses, employer-sponsored training, and
18 educational courses that provide an employment skill. Permissible education under
19 this paragraph shall also include English as a 2nd language courses that the
20 Wisconsin works agency determines would facilitate an individual's efforts to obtain
21 employment and adult basic education courses that the Wisconsin works agency
22 determines would facilitate an individual's efforts to obtain employment.

23 **SECTION 1660jw.** 49.147 (5) (bs) of the statutes is renumbered 49.147 (5) (bs)

24 1. and amended to read:

1 49.147 (5) (bs) 1. Except as provided in ~~par. pars.~~ (bt) and (d) and sub. (5m) and
2 subject to subd. 3., a Wisconsin works agency may require a participant placed in a
3 transitional placement to engage in activities under par. (b) 1. for up to 28 hours per
4 week.

5 2. Except as provided in par. (d) and sub. (5m) and subject to subd. 3., a
6 Wisconsin works agency may require a participant placed in a transitional
7 placement to participate in education or training activities under par. (bm) for not
8 more than ~~12~~ 20 hours per week.

9 **SECTION 1661jy.** 49.147 (5) (bs) 3. of the statutes is created to read:

10 49.147 (5) (bs) 3. No participant may be required to participate in a transitional
11 placement for more than 40 hours per week.

12 **SECTION 1660kb.** 49.147 (5) (d) of the statutes is created to read:

13 49.147 (5) (d) *Interference with education or training activities prohibited.* No
14 participant may be assigned work activities under this subsection that interfere with
15 the participant's education or training activities under par. (bm) or with the
16 participant's education under sub. (5m).

17 **SECTION 1660kn.** 49.147 (5m) (a) (intro.) of the statutes is renumbered 49.147

18 (5m) (ar) (intro.) and amended to read:

19 49.147 (5m) (ar) (intro.) To the extent permitted under 42 USC 607, and except
20 as provided in par. (bL), a participant under sub. ~~(2).~~ (4) ~~(b).~~ or (5) may elect to
21 participate in a self-initiated technical college education program or a self-initiated
22 2-year degree program offered by a college campus as part of a an unsubsidized
23 employment placement, a community service job placement, or a transitional
24 placement if all of the following requirements are met:

1 **SECTION 1660kp.** 49.147 (5m) (a) 1. of the statutes is renumbered 49.147 (5m)
2 (ar) 1. and amended to read:

3 49.147 **(5m)** (ar) 1. The Wisconsin works agency, in consultation with the
4 community steering committee established under s. 49.143 (2) (a) and, as
5 appropriate, the technical college district board or college campus, determines that
6 the technical college education program is likely to lead to employment.

7 **SECTION 1660kq.** 49.147 (5m) (a) 2. of the statutes is renumbered 49.147 (5m)
8 (ar) 2. and amended to read:

9 49.147 **(5m)** (ar) 2. The participant maintains full-time status in the technical
10 college education program, as determined by the technical college or college campus
11 that the participant attends, and regularly attends all classes.

12 **SECTION 1660ks.** 49.147 (5m) (a) 3. of the statutes is renumbered 49.147 (5m)
13 (ar) 3. and amended to read:

14 49.147 **(5m)** (ar) 3. The participant maintains a grade point average of at least
15 2.0, or the equivalent as determined by the technical college or college campus.

16 **SECTION 1660kt.** 49.147 (5m) (a) 4. of the statutes is renumbered 49.147 (5m)
17 (ar) 4. and amended to read:

18 49.147 **(5m)** (ar) 4. The participant is employed or engages in unsubsidized
19 employment or in work activities under a community service job or transitional
20 placement ~~for 25 hours per week in addition to participation under this subsection.~~

21 **SECTION 1660kw.** 49.147 (5m) (ag) of the statutes is created to read:

22 49.147 **(5m)** (ag) In this subsection “college campus” has the meaning given in
23 s. 36.05 (6m).

24 **SECTION 1660La.** 49.147 (5m) (bg) of the statutes is created to read:

1 49.147 (5m) (bg) No Wisconsin works agency may require a participant under
2 this subsection to be employed under sub. (2) or to engage in work or other activities
3 under sub. (4) or (5) for more than 25 hours per week in addition to participation
4 under this subsection.

5 **SECTION 1660Lc.** 49.147 (5m) (bL) of the statutes is amended to read:

6 49.147 (5m) (bL) A participant may elect to participate under this subsection
7 for the duration of the ~~technical college~~ education program, except that the
8 participant may not participate under this subsection for more than 2 years.

9 **SECTION 1660Lf.** 49.147 (5m) (c) of the statutes is amended to read:

10 49.147 (5m) (c) The Wisconsin works agency shall work with the community
11 steering committee established under s. 49.143 (2) (a) and, as appropriate, the
12 technical college district board or college campus to monitor the participant's
13 progress in the ~~technical college~~ education program and the effectiveness of the
14 program in leading to employment.

15 **SECTION 1660Lm.** 49.148 (1) (b) 1. of the statutes is amended to read:

16 49.148 (1) (b) 1. Except as provided in ~~subd.~~ subds. 1m. and 3., for a participant
17 in a community service job under s. 49.147 (4), a monthly grant of \$673, paid by the
18 Wisconsin works agency. For every hour that the participant misses work or
19 education or training activities without good cause, the grant amount shall be
20 reduced by \$5.15. Good cause shall be determined by the financial and employment
21 planner in accordance with rules promulgated by the department. Good cause shall
22 include required court appearances for a victim of domestic abuse. ~~If a participant~~
23 ~~in a community service job under s. 49.147 (4) is required to work fewer than 30 hours~~
24 ~~per week because the participant has unsubsidized employment, as defined in s.~~
25 ~~49.147 (1) (c), the grant amount under this paragraph shall equal the amount~~

1 ~~specified under subd. 1m. minus \$5.15 for each hour that the participant misses work~~
2 ~~or education or training activities without good cause.~~

3 **SECTION 1660Lo.** 49.148 (1) (b) 1m. (intro) of the statutes is amended to read:

4 49.148 (1) (b) 1m. (intro.) ~~Except as provided in subd. 1., the Wisconsin works~~
5 ~~agency shall pay~~ For a participant in a community service job who is required to work
6 less than 30 hours per week because he or she has unsubsidized employment, the
7 following amounts minus \$5.15 for each hour that the participant misses work or
8 education or training activities without good cause as determined under subd. 1.:

9 **SECTION 1660Lq.** 49.148 (1) (b) 3. of the statutes is amended to read:

10 49.148 (1) (b) 3. For a participant in a community service job who participates
11 in ~~technical college~~ a self-initiated education program under s. 49.147 (5m), a
12 monthly grant of \$673, paid by the Wisconsin works agency. For every hour that the
13 participant misses work or other required activities without good cause, the grant
14 amount shall be reduced by \$5.15. Good cause shall be determined by the financial
15 and employment planner in accordance with rules promulgated by the department.
16 Good cause shall include required court appearances for a victim of domestic abuse.

17 **SECTION 1660Lr.** 49.148 (1) (c) of the statutes is amended to read:

18 49.148 (1) (c) *Transitional placements.* For a participant in a transitional
19 placement under s. 49.147 (5) or in a transitional placement and in ~~technical college~~
20 a self-initiated education program under s. 49.147 (5m), a grant of \$628, paid
21 monthly by the Wisconsin works agency. For every hour that the participant fails
22 to participate in any required activity without good cause, including any activity
23 under s. 49.147 (5) (b) 1. a. to e., the grant amount shall be reduced by \$5.15. Good
24 cause shall be determined by the financial and employment planner in accordance

1 with rules promulgated by the department. Good cause shall include required court
2 appearances for a victim of domestic abuse.

3 **SECTION 1660Lt.** 49.148 (1) (cm) of the statutes is created to read:

4 49.148 (1) (cm) *Participants in unsubsidized employment and postsecondary*
5 *education.* 1. For a participant who is placed in unsubsidized employment and who
6 elects to participate in a self-initiated education program under s. 49.147 (5m), the
7 following amounts minus \$5.15 for each hour that the participant does not
8 participate in assigned activities without good cause as determined under subd. 2.:

9 a. For a participant who participates in the education program for not more
10 than 10 hours per week, one-third of the amount specified in par. (b) 1.

11 b. For a participant who participates in the education program for not more
12 than 15 hours per week, one-half of the amount specified in par. (b) 1.

13 c. For a participant who participates in the education program for more than
14 15 hours but not more than 20 hours per week, two-thirds of the amount specified
15 in par. (b) 1.

16 2. Good cause shall be determined by the financial and employment planner.
17 Good cause shall include required court appearances for a victim of domestic abuse.

18 **SECTION 1660Lv.** 49.148 (1m) (a) of the statutes is amended to read:

19 49.148 (1m) (a) A custodial parent of a child who is 12 weeks old or less and
20 who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a
21 monthly grant of \$673 unless another adult member of the custodial parent's
22 Wisconsin works group is participating in, or is eligible to participate in, a Wisconsin
23 works employment position or is employed in unsubsidized employment, ~~as defined~~
24 ~~in s. 49.147 (1) (c).~~ A Wisconsin works agency may not require a participant under
25 this subsection to participate in any employment positions. Receipt of a grant under

1 this subsection does not constitute participation in a Wisconsin works employment
2 position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c), (4) (b)
3 or (5) (b) 2. if the child is born to the participant not more than 10 months after the
4 date that the participant was first determined to be eligible for assistance under s.
5 49.19 or for a Wisconsin works employment position.

6 **SECTION 1660s.** 49.15 (3) (a) of the statutes is amended to read:

7 49.15 (3) (a) Unsubsidized employment, ~~as defined in s. 49.147 (1) (c).~~”.

8 **839.** Page 597, line 3: after that line insert:

9 “**SECTION 1660p.** 49.148 (2m) of the statutes is created to read:

10 49.148 (2m) PAY PERIOD. Benefits under this section shall be paid on the first
11 day of each month. Each payment made under this subsection shall be for any
12 participation from the 26th day of the month immediately preceding the month that
13 immediately precedes the month in which the payment is made through the 25th day
14 of the month that immediately precedes the month in which the payment is made.
15 A payment may be prorated to account for participation that begins after the start
16 of the payment period.”.

17 **840.** Page 597, line 3: after that line insert:

18 “**SECTION 1660h.** 49.145 (2) (n) 3m. of the statutes is created to read:

19 49.145 (2) (n) 3m. The department shall promulgate rules specifying the
20 procedures for extending the time limit under this paragraph.”.

21 **841.** Page 597, line 3: after that line insert:

22 “**SECTION 1660hc.** 49.145 (2) (f) 1. a. and b. of the statutes are amended to read:

23 49.145 (2) (f) 1. a. Every parent in the individual’s Wisconsin works group fully
24 cooperates in good faith with efforts directed at establishing the paternity of any

1 minor child of that parent regardless of whether the parent is the custodial or
2 noncustodial parent of that child. Such cooperation shall be in accordance with
3 federal law and regulations and rules promulgated by the department applicable to
4 paternity establishment and may not be required if the department determines that
5 the parent has good cause for refusing to cooperate, as determined by the department
6 in accordance with federal law and regulations. “Good cause” includes a
7 determination by the department under s. 49.1473 that the parent’s cooperation
8 would make it more difficult for the parent to escape domestic abuse or would
9 unfairly penalize individuals who are or have been victimized by domestic abuse or
10 who are at risk of further domestic abuse.

11 b. Every parent in the individual’s Wisconsin works group fully cooperates in
12 good faith with efforts directed at obtaining support payments or any other payments
13 or property to which that parent and any minor child of that parent may have rights
14 or for which that parent may be responsible, regardless of whether the parent is the
15 custodial or noncustodial parent of the minor child. Such cooperation shall be in
16 accordance with federal law and regulations and rules promulgated by the
17 department applicable to collection of support payments and may not be required if
18 the department determines that the parent has good cause for refusing to cooperate,
19 as determined by the department in accordance with federal law and regulations.
20 “Good cause” includes a determination by the department under s. 49.1473 that the
21 parent’s cooperation would make it more difficult for the parent to escape domestic
22 abuse or would unfairly penalize individuals who are or have been victimized by
23 domestic abuse or who are at risk of further domestic abuse.

24 **SECTION 1660he.** 49.145 (2) (n) 1. (intro.) of the statutes is amended to read:

1 49.145 (2) (n) 1. (intro.) Except as provided in ~~subd.~~ subds. 3. and 4., beginning
2 on the date on which the individual has attained the age of 18, the total number of
3 months in which the individual or any adult member of the individual's Wisconsin
4 works group has participated in, or has received benefits under, any of the following
5 or any combination of the following does not exceed 60 months, whether or not
6 consecutive:

7 **SECTION 1660hg.** 49.145 (2) (n) 3. of the statutes is renumbered 49.145 (2) (n)
8 3. (intro.) and amended to read:

9 49.145 (2) (n) 3. (intro.) A Wisconsin works agency may extend the time limit
10 under this paragraph ~~only if the~~ if any of the following requirements is met:

11 a. The Wisconsin works agency determines, in accordance with rules
12 promulgated by the department, that unusual circumstances exist that warrant an
13 extension of the participation period.

14 **SECTION 1660hk.** 49.145 (2) (n) 3. b. of the statutes is created to read:

15 49.145 (2) (n) 3. b. The Wisconsin works agency determines under s. 49.1473
16 that an individual's compliance with the participation time limit under this
17 paragraph would make it more difficult for the individual to escape domestic abuse
18 or would unfairly penalize individuals who are or have been victimized by domestic
19 abuse or who are at risk of further domestic abuse.

20 **SECTION 1660kb.** 49.147 (3) (am) of the statutes is amended to read:

21 49.147 (3) (am) *Education or training activities.* ~~A~~ Except as provided in sub.
22 (5g), a trial job includes education and training activities, as prescribed by the
23 employer as an integral part of work performed in the trial job employment.

24 **SECTION 1660kd.** 49.147 (3) (c) of the statutes is renumbered 49.147 (3) (c) 1.
25 and amended to read:

1 49.147 (3) (c) 1. A participant under this subsection may participate in a trial
2 job for a maximum of 3 months, ~~with an opportunity for~~ except that a Wisconsin
3 works agency may grant the participant a 3-month extension under circumstances
4 determined by the Wisconsin works agency and may grant the participant an
5 extension of the time period as provided under subd. 3.

6 2. A participant may participate in more than one trial job, but may not exceed
7 a total of 24 months of participation under this subsection. The months need not be
8 consecutive. The department or, with the approval of the department, the Wisconsin
9 works agency may grant an extension of the 24-month limit on a case-by-case basis
10 if the participant has made all appropriate efforts to find unsubsidized employment
11 and has been unable to find unsubsidized employment because local labor market
12 conditions preclude a reasonable job opportunity for that participant, as determined
13 by a Wisconsin works agency and approved by the department. The department, or,
14 with the approval of the department, the Wisconsin works agency, may also grant the
15 participant an extension of the 24-month time limit as provided under subd. 3.

16 **SECTION 1660ke.** 49.147 (3) (c) 3. of the statutes is created to read:

17 49.147 (3) (c) 3. The department or Wisconsin works agency may grant a
18 participant an extension to a time limit under subd. 1. or 2. if the department or
19 Wisconsin works agency determines under s. 49.1473 that the participant's
20 compliance with the time limits would make it more difficult for the participant to
21 escape domestic abuse or would unfairly penalize individuals who are or have been
22 victimized by domestic abuse or who are at risk of further domestic abuse.

23 **SECTION 1660Lc.** 49.147 (4) (as) of the statutes is amended to read:

24 49.147 (4) (as) *Required hours.* Except as provided in pars. (at) and (av) and
25 ~~sub.~~ subs. (5g) and (5m), a Wisconsin works agency shall require a participant placed

1 in a community service job program to work in a community service job for the
2 number of hours determined by the Wisconsin works agency to be appropriate for the
3 participant at the time of application or review, but not to exceed 30 hours per week.
4 Except as provided in pars. (at) and (av), a Wisconsin works agency may require a
5 participant placed in the community service job program to participate in education
6 or training activities for not more than 10 hours per week.

7 **SECTION 1660Lg.** 49.147 (4) (b) of the statutes is renumbered 49.147 (4) (b) 1.
8 and amended to read:

9 49.147 (4) (b) 1. An individual may participate in a community service job for
10 a maximum of 6 months, ~~with an opportunity for~~ except that a Wisconsin works
11 agency may grant the individual a 3-month extension under circumstances
12 approved by the department and may grant the individual an extension of the time
13 limit as provided under subd. 3.

14 2. An individual may participate in more than one community service job, but
15 may not exceed a total of 24 months of participation under this subsection. The
16 months need not be consecutive. The department or, with the approval of the
17 department, the Wisconsin works agency may grant an extension to the 24-month
18 limit on a case-by-case basis if the Wisconsin works agency determines that the
19 individual has made all appropriate efforts to find unsubsidized employment and
20 has been unable to find unsubsidized employment because local labor market
21 conditions preclude a reasonable employment opportunity in unsubsidized
22 employment for that participant, as determined by a Wisconsin works agency and
23 approved by the department, and if the Wisconsin works agency determines, and the
24 department agrees, that no trial job opportunities are available in the specified local
25 labor market. The department, or, with the approval of the department, the

1 Wisconsin works agency, may also grant the individual an extension of the 24-month
2 time limit as provided under subd. 3.

3 **SECTION 1660Ln.** 49.147 (4) (b) 3. of the statutes is created to read:

4 49.147 (4) (b) 3. The department or Wisconsin works agency may grant a
5 participant an extension to the time limits under subd. 1. or 2. if the department or
6 Wisconsin works agency determines under s. 49.1473 that the participant's
7 compliance with the time limits would make it more difficult for the participant to
8 escape domestic abuse or would unfairly penalize individuals who are or have been
9 victimized by domestic abuse or who are at risk of further domestic abuse.

10 **SECTION 1660nc.** 49.147 (5) (b) 1. (intro.) of the statutes is amended to read:

11 49.147 (5) (b) 1. (intro.) The Except as provided in sub. (5g), the Wisconsin
12 works agency shall assign a participant under this subsection to work activities such
13 as a community rehabilitation program, as defined by the department, a job similar
14 to a community service job or a volunteer activity. A Wisconsin works agency may
15 require a participant under this subsection to participate in any of the following:

16 **SECTION 1660ng.** 49.147 (5) (b) 2. of the statutes is renumbered 49.147 (5) (b)
17 2. a. and amended to read:

18 49.147 (5) (b) 2. a. An individual may participate in a transitional placement
19 for a maximum of 24 months. The months need not be consecutive. This period time
20 limit may be extended on a case-by-case basis by the department or by the Wisconsin
21 works agency with the approval of the department.

22 **SECTION 1660nk.** 49.147 (5) (b) 2. b. of the statutes is created to read:

23 49.147 (5) (b) 2. b. The department or, with the approval of the department, a
24 Wisconsin works agency may also extend the time limit under subd. 2. a. if the
25 department or Wisconsin works agency determines under s. 49.1473 that the

1 participant's compliance with the time limit would make it more difficult for the
2 participant to escape domestic abuse or would unfairly penalize individuals who are
3 or have been victimized by domestic abuse or who are at risk of further domestic
4 abuse.

5 **SECTION 1660no.** 49.147 (5g) of the statutes is created to read:

6 49.147 (5g) TEMPORARY WAIVERS. If a Wisconsin works agency determines under
7 s. 49.1473 that a participant's compliance with any of the hours of work or other
8 activities assigned to the participant under sub. (3), (4), or (5) would make it more
9 difficult for the participant to escape domestic abuse or would unfairly penalize
10 individuals who are or have been victimized by domestic abuse or who are at risk of
11 further domestic abuse, the Wisconsin works agency may temporarily waive or
12 reduce any of these assigned hours.

13 **SECTION 1660p.** 49.1473 of the statutes is created to read:

14 **49.1473 Wisconsin works; family violence option. (1) UNIVERSAL**
15 NOTIFICATION. (a) A Wisconsin works agency shall notify each individual applying for
16 or participating in the Wisconsin works program of all of the following:

17 1. That, if the individual is or has been a victim of domestic abuse or is at risk
18 of further domestic abuse, he or she may not be required to meet certain eligibility
19 requirements or participation requirements for the Wisconsin works program if the
20 individual's compliance with the eligibility requirements or participation
21 requirements would make it more difficult for the individual to escape domestic
22 abuse or would unfairly penalize individuals who are or have been victimized by
23 domestic abuse or who are at risk of further domestic abuse.

24 2. That any information provided to the Wisconsin works agency or the
25 department by the individual regarding domestic abuse shall remain confidential.

1 3. That counseling and supportive services are available for past and present
2 victims of domestic abuse and for individuals who are at risk of further domestic
3 abuse.

4 (b) A Wisconsin works agency shall provide the individual with the information
5 under par. (a) orally and in writing at the time that the individual applies for the
6 Wisconsin works program and at the time that the individual's eligibility for or
7 progress in the Wisconsin works program is reviewed. Subject to sub. (5), the
8 department shall promulgate rules specifying procedures for notifying individuals
9 of the information under par. (a).

10 **(2) SCREENING AND TRAINING.** (a) Subject to sub. (5), the department shall
11 promulgate rules for screening victims of domestic abuse and for the training of
12 Wisconsin works agency employees in domestic abuse issues. The rules shall allow
13 an individual to voluntarily and confidentially disclose that he or she is or has been
14 a victim of domestic abuse or is at risk of further domestic abuse. The rules shall also
15 specify the evidence that is sufficient to establish that an individual is or has been
16 a victim of domestic abuse or is at risk of further domestic abuse. Each Wisconsin
17 works employee who determines an individual's eligibility for the Wisconsin works
18 program or who reviews an individual's progress in the Wisconsin works program
19 shall be trained in domestic abuse issues in accordance with the rules promulgated
20 under this paragraph.

21 (b) Subject to sub. (5), each Wisconsin works agency shall establish procedures,
22 in accordance with the rules promulgated by the department under par. (a), for
23 screening victims of domestic abuse.

24 **(3) REFERRAL.** If a Wisconsin works agency employee identifies an individual
25 as a past or present victim of domestic abuse or determines that the individual is at

1 risk of domestic abuse or if the individual identifies himself or herself as a past or
2 present victim of domestic abuse or as an individual who is at risk of further abuse,
3 the Wisconsin works agency shall provide the individual with information on
4 community-based domestic abuse services, including information on shelters or
5 programs for battered individuals, sexual assault provider services, medical
6 services, sexual assault nurse examiners services, domestic violence and sexual
7 assault hotlines, legal and medical counseling and advocacy, mental health care,
8 counseling, and support groups. The Wisconsin works agency shall provide the
9 information to the individual orally and in writing in accordance with guidelines
10 developed by the department. The Wisconsin works agency shall also provide
11 referrals for community-based counseling and supportive service providers to the
12 individual if the individual elects to receive the services.

13 **(4) EXTENSION OF TIME LIMITS AND TEMPORARY WAIVER OF PARTICIPATION**
14 **REQUIREMENTS.** (a) If a Wisconsin works agency identifies an individual as a victim
15 of domestic abuse or if the individual identifies himself or herself as a victim of
16 domestic abuse, the department or Wisconsin works agency shall review whether to
17 grant the individual an extension of the participation time limits as provided under
18 ss. 49.145 (2) (n) 3. b. and 49.147 (3) (c) 3., (4) (b) 3., and (5) (b) 2. b., whether to
19 temporarily waive required hours of work or other required activities as provided
20 under s. 49.147 (5g), and whether the participant has good cause for missing
21 assigned work or other required activities as provided under s. 49.148 (1) (b) 4. or (c)
22 or for not cooperating with paternity establishment efforts and the collection of
23 support under s. 49.145 (2) (f) 1.

24 (b) If the department or Wisconsin works agency grants the individual an
25 extension of any of the participation time limits or temporarily waives participation

1 requirements as provided under par. (a), the Wisconsin works agency shall develop
2 a services plan for the individual. The plan shall include all of the following:

3 1. Any required hours of work or training activities that are temporarily waived
4 and the period of time during which the temporary waiver is in effect.

5 2. The period of time that any participation time limit is extended for the
6 individual.

7 3. The counseling or support services that may be provided to the individual
8 by the Wisconsin works agency or community domestic violence or sexual assault
9 organizations.

10 (c) The services plan shall be reviewed by the Wisconsin works agency at least
11 every 6 months.

12 (d) To the extent consistent with granting an extension or temporary waiver
13 under this section, the services plan shall be designed to lead to work for the
14 individual.

15 **(5) RULES.** Before promulgating any rules to implement this section and
16 establishing the procedures under sub. (2) (b) and guidelines under sub. (3), the
17 department and Wisconsin works agencies shall consult with all of the following:

18 (a) Statewide domestic violence and sexual assault organizations that have
19 extensive experience in developing and providing professional training on the issues
20 and barriers faced by victims of domestic violence and sexual assault for
21 professionals and organizations seeking to effectively address domestic violence and
22 sexual assault issues.

23 (b) The Milwaukee Commission on Domestic Violence and Sexual Assault.

24 **SECTION 1660rc.** 49.148 (1) (intro.) (except 49.148 (1) (title)) of the statutes is
25 repealed.

1 **SECTION 1660rg.** 49.148 (1) (a) of the statutes is amended to read:

2 49.148 (1) (a) *Trial jobs.* For a A participant in a trial job, shall receive the
3 amount established in the contract between the Wisconsin works agency and the
4 trial job employer, but not less than minimum wage for every hour actually worked
5 in the trial job, not to exceed 40 hours per week paid by the employer. Hours spent
6 participating in education and training activities under s. 49.147 (3) (am) or in
7 counseling or support services for victims of domestic abuse shall be included in
8 determining the number of hours actually worked.

9 **SECTION 1660rj.** 49.148 (1) (b) 1. of the statutes is amended to read:

10 49.148 (1) (b) 1. Except as provided in ~~subd. 1m., for~~ and 3., a Wisconsin
11 works agency shall pay a participant in a community service job ~~under s. 49.147 (4),~~
12 a monthly grant of \$673, ~~paid by the Wisconsin works agency.~~ For every hour that
13 the participant misses work or education or training activities without good cause,
14 as determined under subd. 4., the grant amount shall be reduced by \$5.15. ~~Good~~
15 ~~cause shall be determined by the financial and employment planner in accordance~~
16 ~~with rules promulgated by the department. Good cause shall include required court~~
17 ~~appearances for a victim of domestic abuse. If a participant in a community service~~
18 ~~job under s. 49.147 (4) is required to work fewer than 30 hours per week because the~~
19 ~~participant has unsubsidized employment, as defined in s. 49.147 (1) (c), the grant~~
20 ~~amount under this paragraph shall equal the amount specified under subd. 1m.~~
21 ~~minus \$5.15 for each hour that the participant misses work or education or training~~
22 ~~activities without good cause.~~

23 **SECTION 1660rk.** 49.148 (1) (b) 1m. (intro.) of the statutes is amended to read:

24 49.148 (1) (b) 1m. (intro.) ~~Except as provided in subd. 1., the~~ A Wisconsin works
25 agency shall pay a participant in a community service job who is required to work

1 less than 30 hours per week because he or she has unsubsidized employment, as
2 defined in s. 49.147 (1) (c), the following amounts minus \$5.15 for each hour that the
3 participant misses work or education or training activities without good cause as
4 determined under subd. 4.:

5 **SECTION 1660rm.** 49.148 (1) (b) 3. of the statutes is amended to read:

6 49.148 (1) (b) 3. ~~For a~~ A Wisconsin works agency shall pay a participant in a
7 community service job who participates in technical college education under s.
8 49.147 (5m), a monthly grant of \$673, paid by the Wisconsin works agency. For every
9 hour that the participant misses work or other required activities without good
10 cause, as determined under subd. 4., the grant amount shall be reduced by \$5.15.
11 ~~Good cause shall be determined by the financial and employment planner in~~
12 ~~accordance with rules promulgated by the department. Good cause shall include~~
13 ~~required court appearances for a victim of domestic abuse.~~

14 **SECTION 1660rp.** 49.148 (1) (b) 4. of the statutes is created to read:

15 49.148 (1) (b) 4. Good cause under subds. 1., 1m., and 3. shall be determined
16 by the financial and employment planner in accordance with rules promulgated by
17 the department. “Good cause” includes making required court appearances for a
18 victim of domestic abuse or a determination by a Wisconsin works agency under s.
19 49.1473 that meeting required hours of work or education or training activities
20 would make it more difficult for the individual to escape domestic abuse or would
21 unfairly penalize the individual.

22 **SECTION 1660rs.** 49.148 (1) (c) of the statutes is amended to read:

23 49.148 (1) (c) *Transitional placements.* For a participant in a transitional
24 placement under s. 49.147 (5) or in a transitional placement and in technical college
25 education under s. 49.147 (5m), a grant of \$628, paid monthly by the Wisconsin works

1 agency. For every hour that the participant fails to participate in any required
2 activity without good cause, including any activity under s. 49.147 (5) (b) 1. a. to e.,
3 the grant amount shall be reduced by \$5.15. Good cause shall be determined by the
4 financial and employment planner in accordance with rules promulgated by the
5 department. “Good cause shall include” includes making required court
6 appearances for a victim of domestic abuse or a determination by a Wisconsin works
7 agency under s. 49.1473 that meeting required hours of activities would make it more
8 difficult for the participant to escape domestic abuse or would unfairly penalize
9 individuals who are or have been victimized by domestic abuse or who are at risk of
10 further domestic abuse.

11 **SECTION 1660s.** 49.152 (1) of the statutes is amended to read:

12 49.152 (1) PETITION FOR REVIEW. Any individual whose application for any
13 component of Wisconsin works is not acted upon by the Wisconsin works agency with
14 reasonable promptness after the filing of the application, as defined by the
15 department by rule, or is denied in whole or in part, whose benefit is modified or
16 canceled, or who believes that the benefit was calculated incorrectly or that the
17 employment position in which the individual was placed is inappropriate, or who
18 believes that he or she should have been granted an extension of the participation
19 time limits under s. 49.145 (2) (n) 3. b. or 49.147 (3) (c) 3., (4) (b) 3., or (5) (b) 2. b. may
20 petition the Wisconsin works agency for a review of such action. Review is
21 unavailable if the action by the Wisconsin works agency occurred more than 45 days
22 prior to submission of the petition for review.”.

23 **842.** Page 597, line 3: after that line insert:

24 **“SECTION 1660t.** 49.1475 of the statutes is amended to read:

1 **49.1475 Follow-up services.** Following any follow-up period required by the
2 contract entered into under s. 49.143, a Wisconsin works agency may provide case
3 management services for an individual who moves from a Wisconsin works
4 employment position to unsubsidized employment to help the individual retain the
5 unsubsidized employment. Case management services may include the provision of
6 employment skills training; English as a 2nd language classes, if the Wisconsin
7 works agency determines that the course will facilitate the individual's efforts to
8 retain employment; a course of study meeting the standards established under s.
9 115.29 (4) for the granting of a declaration of equivalency of high school graduation;
10 or other remedial education courses. A Wisconsin works agency shall coordinate case
11 management services with a program offered by a technical college under s. 38.34.
12 The Wisconsin works agency may provide case management services regardless of
13 the individual's income and asset levels.”.

14 **843.** Page 600, line 22: delete lines 22 to 25.

15 **844.** Page 601, line 1: delete lines 1 and 2 and substitute:

16 “**SECTION 1676b.** 49.155 (3m) (d) of the statutes is amended to read:

17 49.155 **(3m)** (d) No funds distributed under par. (a) may be used to provide for
18 child care services that are provided for a child by a person child care provider who
19 is the parent of the child or who resides with the child, unless the county determines
20 that the care is necessary because of a special health condition of the child or the child
21 care provider is licensed under s. 48.65 and is not a parent of the child.”.

22 **845.** Page 601, line 2: after that line insert:

23 “**SECTION 1676p.** 49.173 (1) (intro.) of the statutes is amended to read:

1 49.173 (1) (intro.) The department shall distribute the funds to Wisconsin
2 works agencies and to local workforce development boards established under 29 USC
3 2832 allocated under s. 49.175 (1) (u) to county departments under s. 46.215, 46.22,
4 or 46.23 and to nonprofit organizations to provide all of the following to any person
5 who is eligible for the federal temporary assistance to needy families program under
6 42 USC 601 et. seq.:

7 **SECTION 1676r.** 49.173 (2) of the statutes is repealed.

8 **SECTION 1676t.** 49.173 (3) of the statutes is repealed.”.

9 **846.** Page 602, line 6: delete lines 6 to 22 and substitute:

10 “**SECTION 1682bc.** 49.175 (1) (d) of the statutes is repealed and recreated to
11 read:

12 49.175 (1) (d) *Community reinvestment.* 1. ‘Contracts for 1997 to 1999’. For
13 the payment of community reinvestment funds that are earned as part of contracts
14 entered into under s. 49.143 having a term that begins on September 1, 1997, and
15 ends on December 1, 1999, \$20,849,000 in fiscal year 2001–02.

16 2. ‘Contracts for 2000 and 2001.’ For the payment of community reinvestment
17 funds that are earned as part of contracts entered into under s. 49.143 having a term
18 that begins on January 1, 2000, and ends on December 31, 2001, \$2,769,900 in fiscal
19 year 2001–02 and \$5,539,700 in fiscal year 2002–03.

20 **SECTION 1682cd.** 49.175 (1) (d) 1. of the statutes, as created by 2001 Wisconsin
21 Act (this act), is repealed.

22 **SECTION 1682cf.** 49.175 (1) (d) 2. of the statutes, as affected by 2001 Wisconsin
23 Act (this act), is renumbered 49.175 (1) (d).”.

24 **847.** Page 604, line 2: delete “\$274,500,000” and substitute “\$274,580,000”.

1 **848.** Page 604, line 3: delete “\$305,550,000” and substitute “\$305,630,000”.

2 **849.** Page 604, line 14: delete “\$11,145,900” and substitute “\$11,395,900”.

3 **850.** Page 604, line 14: delete “\$2,500,000” and substitute “\$2,750,000”.

4 **851.** Page 605, line 3: after that line insert:

5 “**SECTION 1696m.** 49.175 (1) (zo) of the statutes is created to read:

6 49.175 (1) (zo) *After-school care program.* For the transfer of moneys to the
7 department of public instruction for the after-school care grant program under 2001
8 Wisconsin Act (this act), section 9140 (6w), \$150,000 in fiscal year 2002–03.”.

9 **852.** Page 605, line 15: delete “\$500,000” and substitute “\$1,000,000”.

10 **853.** Page 607, line 14: after that line insert:

11 “**SECTION 1714e.** 49.175 (1) (zp) of the statutes is created to read:

12 49.175 (1) (zp) *Manufacturing job training.* For a grant to the Northwest Side
13 Community Development Corporation, Inc., in the city of Milwaukee to conduct a
14 manufacturing job training program for persons who are eligible to receive
15 temporary assistance for needy families under 42 USC 601 to 619, \$250,000 in fiscal
16 year 2001–02. The department may not distribute moneys allocated under this
17 paragraph unless the department determines that the use of those moneys for the
18 program specified in this paragraph is allowable under the federal temporary
19 assistance for needy families program under 42 USC 601 to 619.”.

20 **854.** Page 607, line 14: after that line insert:

21 “**SECTION 1714v.** 49.175 (1) (zv) of the statutes is created to read:

22 49.175 (1) (zv) *Treatment and prevention of childhood sexual abuse.* For the
23 transfer of moneys from the appropriation account under s. 20.445 (3) (md) to the
24 appropriation account under s. 20.455 (5) (kv) in fiscal year 2003–04 and in each

1 fiscal year thereafter, at least 1% of the amount of federal moneys received under the
2 temporary assistance for needy families block grant program under 42 USC 601 et
3 seq. in the fiscal year in which the amount is transferred.”.

4 **855.** Page 607, line 14: after that line insert:

5 “**SECTION 1714p.** 49.175 (1) (zq) of the statutes is created to read:

6 49.175 (1) (zq) *Job retention skills development programs.* For the transfer of
7 moneys to the technical college system board for implementation costs for job
8 retention skills development programs under s. 38.34, \$200,000 in fiscal year
9 2001–02.”.

10 **856.** Page 621, line 12: after that line insert:

11 “**SECTION 1750g.** 49.45 (2) (a) 25. of the statutes is created to read:

12 49.45 (2) (a) 25. Disseminate to health care professionals providing services
13 under the early and periodic screening, diagnosis and treatment program under 42
14 CFR 441, and to parents or guardians of children eligible for services under the
15 program, information on the availability of, and coverage for, topical fluoride varnish
16 under that program and on the efficacy of topical fluoride varnish treatments in
17 preventing early childhood caries.”.

18 **857.** Page 622, line 14: delete lines 14 to 21.

19 **858.** Page 622, line 21: after that line insert:

20 “**SECTION 1770q.** 49.45 (6n) of the statutes is created to read:

21 49.45 (6n) USE OF FUNDS BY NURSING FACILITIES IN CONNECTION WITH UNION
22 ORGANIZING. (a) In this subsection:

23 1. “Labor organization” means any employee organization in which employees
24 participate and that exists primarily for the purpose of engaging in collective

1 bargaining with any employer concerning grievances, labor disputes, wages, hours
2 or conditions of employment, or the promotion and advancement of the professional
3 or occupational standards and the welfare of its members and families and any
4 organization established for the same purposes composed of individuals or affiliates
5 of any such employee organization.

6 2. “Nursing facility” means a nursing home, as defined in s. 50.01 (3), or a
7 community–based residential facility that is licensed under s. 50.03 and that is
8 certified by the department of health and family services to provide medical
9 assistance services equivalent to those provided by a nursing home.

10 (b) No nursing facility that has received money that is appropriated under s.
11 20.435 (4) (b), (o), or (w) may use any of that money to influence the decision of any
12 individual to support or oppose a labor organization that represents or seeks to
13 represent the individual or to become a member of a labor organization. This
14 paragraph does not prohibit a person, if otherwise permitted by law, to negotiate or
15 administer a collective bargaining agreement or to perform any action that is
16 required by law or the terms of a collective bargaining agreement. This paragraph
17 does not apply to any money received before January 1, 2002.

18 (c) 1. The department shall accept complaints from any individual who alleges
19 that a nursing facility is violating par. (b). The department shall notify the nursing
20 facility that is the subject of the complaint within 7 days after receiving it and shall
21 direct the nursing facility to provide the department, within 10 days after the
22 department notifies it of the complaint, records showing that it did not violate par.
23 (b).

24 2. Notwithstanding subd. 1., the department may not require a nursing facility
25 to maintain records relating to this subsection in any particular form.

1 (d) The attorney general may bring an action to enforce par. (b). If the court
2 determines that a nursing facility has violated par. (b), the court shall order the
3 nursing facility to repay to the state an amount equal to the amount that the nursing
4 facility received under s. 20.435 (4) (b), (o), or (w) and spent in connection with the
5 nursing facility's violation. The nursing facility shall also forfeit an amount equal
6 to twice the total amount that the nursing facility spent in connection with the
7 nursing facility's violation. The court may also order injunctive relief and any other
8 equitable relief that is appropriate.

9 (e) 1. Any person other than the attorney general may bring an action to enforce
10 par. (b), but only if all of the following apply:

11 a. The person filed with the department a written complaint under par. (c)
12 alleging a violation of par. (b).

13 b. No earlier than 20 days after filing the complaint under par. (c) the person
14 filed with the attorney general a copy of that complaint, a written description of the
15 disposition of the complaint, and a written notice that the person intended to bring
16 an enforcement action under this paragraph.

17 c. At least 60 days have elapsed since the person complied with subd. 1. b.

18 d. The attorney general did not bring an action to enforce par. (b) against the
19 subject of the complaint filed under subd. 1. a. before the expiration of the time period
20 specified in subd. 1. c.

21 e. The complaint that the person files in his or her action is substantially based
22 on the complaint that the person filed under subd. 1. a.

23 2. If, in an action brought under this paragraph, the court determines that a
24 nursing facility violated par. (b), the court shall impose any penalty that would have
25 been required and may order any relief that would have been permitted if the action

1 had been brought under par. (d). Any forfeiture ordered under this subdivision shall
2 be paid to the state.

3 (f) Notwithstanding s. 803.09 (1), any person may intervene in an action
4 brought under par. (d) or (e).

5 (g) If the court determines that a nursing facility violated par. (b) in a case
6 brought under par. (d) or (e), the court shall order the nursing facility to pay the
7 plaintiff's reasonable litigation costs, including a reasonable attorney fee,
8 notwithstanding s. 814.04 (1). If a person has intervened in a case under par. (f), the
9 court shall order the nursing facility or to pay the intervenor's reasonable litigation
10 costs, including a reasonable attorney fee, notwithstanding s. 814.04 (1), if the court
11 determines that the intervenor made a substantial contribution to the plaintiffs in
12 prosecuting the action.

13 (h) 1. If an operator or owner of a nursing facility discharges, demotes,
14 threatens, or otherwise discriminates against an individual regarding compensation
15 or terms, conditions, or privileges of employment because the individual or anyone
16 acting at the request of the individual provided or attempted to provide information
17 to the department or the attorney general regarding possible violations of par. (b),
18 the individual may bring a civil action for any damages resulting from that
19 discharge, demotion, threat, or discrimination. The action shall be commenced
20 within 3 years after the discharge, demotion, threat, or discrimination or be barred.
21 If the plaintiff proves by a preponderance of the evidence that the discharge,
22 demotion, threat, or discrimination occurred, the court may grant any appropriate
23 relief, including the following:

24 a. Reinstatement of the individual to his or her former position.

25 b. Compensatory damages.

1 c. Costs, and notwithstanding s. 814.04 (1), reasonable attorney fees.

2 d. Other relief to remedy past discrimination.

3 (2) An individual may not bring an action under subd. 1. if he or she did any
4 of the following:

5 a. Deliberately caused or participated in the violation of par. (b).

6 b. Knowingly or recklessly provided substantially false information to the
7 department regarding a violation of par. (b).

8 (i) Any individual who knowingly authorizes the use of money received under
9 s. 20.435 (4) (b), (o), or (w) in conjunction with a violation of par. (b) shall forfeit all
10 of the following:

11 1. \$1,000 for each violation.

12 2. The amount of money that the person authorized to be used under sub. (1)
13 (intro.).”.

14 **859.** Page 627, line 2: after that line insert:

15 “**SECTION 10778d.** 49.45 (6v) (b) of the statutes is amended to read:

16 49.45 (6v) (b) The Beginning on September 1, 2002, and annually thereafter,
17 the department shall, ~~each year,~~ submit to the joint committee on finance a report
18 ~~for the previous fiscal year, except for the 1997–98 fiscal year,~~ that provides
19 information on the utilization of beds by recipients of medical assistance in facilities
20 ~~and a discussion and detailed projection of the likely balances, expenditures,~~
21 ~~encumbrances and carry over of currently appropriated amounts in the~~
22 ~~appropriation accounts under s. 20.435 (4) (b) and (o)~~ for the immediately prior 2
23 consecutive fiscal years.

24 **SECTION 1778h.** 49.45 (6v) (c) of the statutes is amended to read:

1 49.45 (6v) (c) If the report specified in par. (b) indicates that utilization of beds
2 by recipients of medical assistance in facilities is less than estimates for that
3 utilization reflected in the intentions of the joint committee on finance, legislature
4 and governor, as expressed by them in the budget determinations, the department
5 shall include a proposal to transfer moneys from the appropriation under s. 20.435
6 (4) (b) to the appropriation under s. 20.435 (7) (bd) for the purpose of increasing
7 funding for the community options program under s. 46.27. The amount proposed
8 for transfer may not reduce the balance in the appropriation account under s. 20.435
9 (4) (b) below an amount necessary to ensure that that appropriation account will end
10 the current fiscal year or the current fiscal biennium with a positive balance. The
11 secretary shall transfer the amount identified under the proposal decreased during
12 the most recently completed fiscal year from the utilization of beds by recipients of
13 medical assistance in facilities in the next most recently completed fiscal year, the
14 department shall multiply the difference between the number of days of care
15 provided to the recipients in the facilities in each of those prior 2 consecutive fiscal
16 years by the average daily costs of care in the facilities for the most recently
17 completed fiscal year. The average daily costs of care shall be calculated by dividing
18 the total of medical assistance expenditures for care in facilities for the most recently
19 completed fiscal year by the total number of days of care provided in facilities in that
20 fiscal year.

21 **SECTION 1778p.** 49.45 (6v) (d) of the statutes is created to read:

22 49.45 (6v) (d) If par. (c) applies and if the amount calculated under par. (c) is
23 positive, the department's report under par. (b) shall include a proposal to transfer
24 an amount equal to the portion of the amount calculated under par. (c) that is the
25 state share of medical assistance expenditures from the appropriation account under

1 s. 20.435 (4) (b) to the appropriation account under s. 20.435 (7) (bd) for the purpose
2 of increasing funding for the long-term support community options program under
3 s. 46.27. If the cochairpersons of the joint committee on finance do not notify the
4 secretary within 14 working days after the date on which the department submits
5 the proposal that the committee has scheduled a meeting for the purpose of
6 reviewing the proposal, the secretary shall transfer the amount identified under the
7 proposal. If, within 14 working days after the date on which the department submits
8 the proposal, the cochairpersons of the joint committee on finance notify the
9 secretary that the committee has scheduled a meeting for the purpose of reviewing
10 the proposal, the secretary may transfer moneys from the appropriation account
11 under s. 20.435 (4) (b) to the appropriation account under s. 20.435 (7) (bd) only as
12 approved by the committee.

13 **SECTION 1778r.** 49.45 (6v) (e) of the statutes is created to read:

14 49.45 (6v) (e) Of the amount required to be transferred by the secretary under
15 par. (d), 40% shall be expended for services as specified under s. 46.27 (7) and 60%
16 shall be expended for services as specified under s. 46.27 (11).”.

17 **860.** Page 627, line 2: after that line insert:

18 “**SECTION 1778g.** 49.45 (6um) of the statutes is created to read:

19 49.45 (6um) SUPPLEMENTAL GRANTS TO FACILITIES IN MILWAUKEE. (a) In this
20 subsection:

- 21 1. “Medicare” has the meaning given in sub. (3) (L) 1. b.
- 22 2. “Minority group member” has the meaning given in s. 146.185 (1) (f).
- 23 3. “Nursing home” means a nursing home that is licensed under s. 50.03 and
24 that is certified by the department as a provider of medical assistance.

1 (b) Notwithstanding sub. (6m), from the appropriations under s. 20.435 (4) (b)
2 and (o), to ensure the availability of nursing home services in the city of Milwaukee,
3 the department may award grants in each fiscal year to an applying nursing home
4 that meets all of the following criteria:

5 1. The nursing home is located in the city of Milwaukee.

6 2. Patient occupancy of the nursing home is at least 80% of the nursing home's
7 licensed bed capacity.

8 3. More than 90% of the nursing home's residents are eligible for medical
9 assistance, including those who have dual eligibility for medical assistance and
10 medicare.

11 4. The nursing home is not affiliated with a religious organization from which
12 the nursing home receives operating support.

13 5. The nursing home is certified as a medicare provider.

14 6. At least 75% of the nursing home's employees are minority group members.

15 (c) Funding for grants under par. (b) shall be based on the total cost of the
16 nursing home's services per patient who is a recipient of medical assistance or \$140
17 per patient day for a patient who is a recipient of medical assistance, whichever is
18 less, less any payment received under s. 49.45 (6m).".

19 **861.** Page 629, line 22: after that line insert:

20 "SECTION 1787r. 49.45 (24h) of the statutes is created to read:

21 49.45 (24h) DENTAL SERVICES REIMBURSEMENT RATES. Rates of reimbursement
22 for dental services for each year shall equal the fee at which 75% of dentists in the
23 east north central region charge equal or lesser amounts, as specified in the most

1 recently published annual Survey of Dental Fees of the American Dental
2 Association.”.

3 **862.** Page 630, line 7: after that line insert:

4 “**SECTION 1789t.** 49.45 (39) (b) 1. of the statutes is renumbered 49.45 (39) (b)
5 1. a. and amended to read:

6 49.45 (39) (b) 1. a. If a school district or a cooperative educational service
7 agency elects to provide school medical services and meets all requirements under
8 par. (c), the department shall, except as provided in subd. 1. b., reimburse the school
9 district or the cooperative educational service agency for 60% of the federal share of
10 allowable charges for the school medical services that it provides and, as specified
11 in subd. 2., for allowable administrative costs. If the Wisconsin Center for the Blind
12 and Visually Impaired or the Wisconsin School for the Deaf elects to provide school
13 medical services and meets all requirements under par. (c), the department shall
14 reimburse the department of public instruction for 60% of the federal share of
15 allowable charges for the school medical services that the Wisconsin Center for the
16 Blind and Visually Impaired or the Wisconsin School for the Deaf provides and, as
17 specified in subd. 2., for allowable administrative costs. A school district, cooperative
18 educational service agency, the Wisconsin Center for the Blind and Visually
19 Impaired or the Wisconsin School for the Deaf may submit, and the department shall
20 allow, claims for common carrier transportation costs as a school medical service
21 unless the department receives notice from the federal health care financing
22 administration that, under a change in federal policy, the claims are not allowed. If
23 the department receives the notice, a school district, cooperative educational service
24 agency, the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin

1 School for the Deaf may submit, and the department shall allow, unreimbursed
2 claims for common carrier transportation costs incurred before the date of the change
3 in federal policy. The department shall promulgate rules establishing a methodology
4 for making reimbursements under this paragraph. All other expenses for the school
5 medical services provided by a school district or a cooperative educational service
6 agency shall be paid for by the school district or the cooperative educational service
7 agency with funds received from state or local taxes. The school district, the
8 Wisconsin Center for the Blind and Visually Impaired, the Wisconsin School for the
9 Deaf or the cooperative educational service agency shall comply with all
10 requirements of the federal department of health and human services for receiving
11 federal financial participation.

12 **SECTION 1789u.** 49.45 (39) (b) 1. b. of the statutes is created to read:

13 49.45 (39) (b) 1. b. Beginning on July 1, 2003, the department shall, under this
14 section, annually reimburse a school district and a cooperative educational service
15 agency and shall reimburse the department of public instruction for the Wisconsin
16 Center for the Blind and Visually Impaired and the Wisconsin School for the Deaf
17 for 90% of the federal share of allowable charges received for school medical services
18 in excess of \$16,100,000. The reimbursement shall be based on the proportion of total
19 school medical services for the school year that was provided by each school district,
20 cooperative educational service agency, the Wisconsin Center for the Blind and
21 Visually Impaired, and the Wisconsin School for the Deaf.”.

22 **863.** Page 630, line 14: after that line insert:

23 “**SECTION 1791h.** 49.45 (47) (c) of the statutes is amended to read:

1 49.45 (47) (c) The biennial fee for the certification required under par. (b) of an
2 adult day care center is \$89, plus a biennial fee of \$17.80 per client, based on the
3 number of clients that the adult day care center is certified to serve \$100. Fees
4 collected under this paragraph shall be credited to the appropriation account under
5 s. 20.435 (6) (jm).

6 **SECTION 1791i.** 49.45 (47) (d) of the statutes is repealed.”.

7 **864.** Page 632, line 4: after that line insert:

8 “**SECTION 1799f.** 49.46 (1) (a) 5m. of the statutes is created to read:

9 49.46 (1) (a) 5m. Any individual who is at least 18 years of age but under 20
10 years of age and who, on his or her 18th birthday, was in foster care, or treatment
11 foster care placement under ch. 48 or 938, as determined by the department.”.

12 **865.** Page 634, line 15: after that line insert:

13 “**SECTION 1805f.** 49.46 (2) (b) 1m. of the statutes is created to read:

14 49.46 (2) (b) 1m. Dental hygienists’ services, limited to services that are
15 payable under subd. 1. and that are within the scope of practice of a dental
16 hygienist.”.

17 **866.** Page 642, line 20: after that line insert:

18 “**SECTION 1833k.** 49.496 (3) (a) (intro.) of the statutes is amended to read:

19 49.496 (3) (a) (intro.) ~~Except as provided in par. (b), the~~ The department may
20 not recover from the estate of a recipient any amount of medical assistance paid on
21 behalf of the recipient, except that the department shall file a claim against the
22 estate of a recipient for all of the following unless already recovered by the
23 department under this section:

24 **SECTION 1834g.** 49.496 (3) (a) 2. d. of the statutes is repealed.

1 **SECTION 1834j.** 49.496 (3) (a) 3. of the statutes is created to read:

2 49.496 **(3)** (a) 3. Any medical assistance services that are required to be
3 recovered under 42 USC 1396p.

4 **SECTION 1834k.** 49.496 (3) (b) of the statutes is amended to read:

5 49.496 **(3)** (b) ~~–A–~~ Notwithstanding par. (a), a claim under par. (a) is not
6 allowable if the decedent has a surviving child who is under age 21 or disabled or a
7 surviving spouse.”.

8 **867.** Page 646, line 22: after that line insert:

9 “**SECTION 1838gb.** 49.688 of the statutes is created to read:

10 **49.688 Prescription drug assistance for elderly persons. (1)** In this
11 section:

12 (a) “Generic name” has the meaning given in s. 450.12 (1) (b).

13 (b) “Poverty line” means the nonfarm federal poverty line for the continental
14 United States, as defined by the federal department of labor under 42 USC 9902 (2).

15 (c) “Prescription drug” means a prescription drug, as defined in s. 450.01 (20),
16 that is included in the drugs specified under s. 49.46 (2) (b) 6. h. and that is
17 manufactured by a drug manufacturer that enters into a rebate agreement in force
18 under sub. (6).

19 (d) “Prescription order” has the meaning given in s. 450.01 (21).

20 (e) “Program payment rate” means the rate of payment made for the identical
21 drug specified under s. 49.46 (2) (b) 6. h., plus 5%, plus a dispensing fee that is equal
22 to the dispensing fee permitted to be charged for prescription drugs for which
23 coverage is provided under s. 49.46 (2) (b) 6. h.

1 **(2)** (a) A person to whom all of the following applies is eligible to purchase a
2 prescription drug for the amounts specified in sub. (5) (a) 1. and 2.:

3 1. The person is a resident, as defined in s. 27.01 (10) (a), of this state.

4 2. The person is at least 65 years of age.

5 3. The person is not a recipient of medical assistance.

6 4. The person's annual household income, as determined by the department,
7 does not exceed 300% of the federal poverty line for a family the size of the person's
8 eligible family.

9 5. The person pays the program enrollment fee specified in sub. (3) (a).

10 (b) A person to whom par. (a) 1. to 3. and 5. applies, but whose annual household
11 income, as determined by the department, exceeds 300% of the federal poverty line
12 for a family the size of the persons' eligible family, is eligible to purchase a
13 prescription drug at the amounts specified in sub. (5) (a) 4. only during the remaining
14 amount of any 12-month period in which the person has first paid the annual
15 deductible specified in sub. (3) (b) 2. a. in purchasing prescription drugs at the retail
16 price and has then paid the annual deductible specified in sub. (3) (b) 2. b.

17 **(3)** Program participants shall pay all of the following:

18 (a) For each 12-month benefit period, a program enrollment fee of \$20.

19 (b) 1. For each 12-month benefit period, for a person specified in sub. (2) (a),
20 a deductible for prescription drugs of \$500, except that a person whose annual
21 household income, as determined by the department, is 175% or less of the federal
22 poverty line for a family the size of the person's eligible family pays no deductible.

23 2. For each 12-month benefit period, for a person specified in sub. (2) (b), a
24 deductible for prescription drugs that equals all of the following:

1 a. The difference between the person's annual household income and 300% of
2 the federal poverty line for a family the size of the person's eligible family.

3 b. Five hundred dollars.

4 (c) After payment of any applicable deductible under par. (b), all of the
5 following:

6 1. A copayment of \$5 for each prescription drug that bears only a generic name.

7 2. A copayment of \$10 for each prescription drug that does not bear only a
8 generic name.

9 (d) Notwithstanding s. 49.002, if a person who is eligible under this section has
10 other available coverage for payment of a prescription drug, this section applies only
11 to costs for prescription drugs for the persons that are not covered under the person's
12 other available coverage.

13 **(4)** The department shall devise and distribute a form for application for the
14 program under sub. (2), shall determine eligibility for each 12-month benefit period
15 of applicants and shall issue to eligible persons a prescription drug card for use in
16 purchasing prescription drugs, as specified in sub. (5). The department shall
17 promulgate rules that specify the criteria to be used to determine household income
18 under sub. (2) (a) 4. and (b) and (3) (b) 1.

19 **(5)** (a) Beginning September 1, 2002, as a condition of participation by a
20 pharmacy or pharmacist in the program under s. 49.45, 49.46, or 49.47, the
21 pharmacy or pharmacist may not charge a person who presents a valid prescription
22 order and a card indicating that he or she meets eligibility requirements under sub.
23 (2) an amount for a prescription drug under the order that exceeds the following:

24 1. For a deductible, as specified in sub. (3) (b) 1. and 2. b., the program payment
25 rate.

1 2. After any applicable deductible under subd. 1. is charged, the copayment, as
2 applicable, that is specified in sub. (3) (c) 1. or 2. No dispensing fee may be charged
3 to a person under this subdivision.

4 3. For a deductible, as specified in sub. (3) (b) 2. a., the retail price.

5 4. After the deductible under subd. 3. is charged, the copayment, as applicable,
6 that is specified in sub. (3) (c) 1. or 2. No dispensing fee may be charged to a person
7 under this subdivision.

8 (b) The department shall calculate and transmit to pharmacies and
9 pharmacists that are certified providers of medical assistance amounts that may be
10 used in calculating charges under par. (a). The department shall periodically update
11 this information and transmit the updated amounts to pharmacies and pharmacists.

12 **(6)** The department, or an entity with which the department contracts, shall
13 provide to a drug manufacturer that sells drugs for prescribed use in this state
14 documents designed for use by the manufacturer in entering into a rebate agreement
15 with the department or entity that is modeled on the rebate agreement specified
16 under 42 USC 1396r-8. A rebate agreement under this subsection shall include all
17 of the following as requirements:

18 (a) That the manufacturer shall make rebate payments for each prescription
19 drug of the manufacturer that is prescribed for and purchased by persons who meet
20 criteria under sub. (2) (a) and persons who meet criteria under sub. (2) (b) and have
21 paid the deductible under sub. (3) (b) 2. a., to the state treasurer to be credited to the
22 appropriation account under s. 20.435 (4) (j), each calendar quarter or according to
23 a schedule established by the department.

24 (b) That the amount of the rebate payment shall be determined by a method
25 specified in 42 USC 1396r-8 (c).

1 **(7)** From the appropriation accounts under s. 20.435 (4) (bv) and (j), beginning
2 September 1, 2002, the department shall, under a schedule that is identical to that
3 used by the department for payment of pharmacy provider claims under medical
4 assistance, provide to pharmacies and pharmacists payments for prescription drugs
5 sold by the pharmacies or pharmacists to persons eligible under sub. (2) who have
6 paid the deductible specified under sub. (3) (b) 1. or 2. or who, under sub. (3) (b) 1.,
7 are not required to pay a deductible. The payment for each prescription drug under
8 this subsection shall be at the program payment rate, minus any copayment paid by
9 the person under sub. (5) (a) 2. or 4., and plus, if applicable, incentive payments that
10 are similar to those provided under s. 49.45 (8v). The department shall devise and
11 distribute a claim form for use by pharmacies and pharmacists under this subsection
12 and may limit payment under this subsection to those prescription drugs for which
13 payment claims are submitted by pharmacists or pharmacies directly to the
14 department. The department may apply to the program under this section the same
15 utilization and cost control procedures that apply under rules promulgated by the
16 department to medical assistance under subch. IV of ch. 49.

17 **(8)** The department shall, under methods promulgated by the department by
18 rule, monitor compliance by pharmacies and pharmacists that are certified providers
19 of medical assistance with the requirements of sub. (5) and shall annually report to
20 the legislature under s. 13.172 (2) concerning the compliance. The report shall
21 include information on any pharmacies or pharmacists that discontinue
22 participation as certified providers of medical assistance and the reasons given for
23 the discontinuance.

24 **(9)** (a) The department shall promulgate rules relating to prohibitions on fraud
25 that are substantially similar to applicable provisions under s. 49.49 (1) (a).

1 (b) A person who is convicted of violating a rule promulgated by the department
2 under par. (a) in connection with that person's furnishing of prescription drugs under
3 this section may be fined not more than \$25,000, or imprisoned for not more than 7
4 years and 6 months, or both.

5 (c) A person other than a person specified in par. (b) who is convicted of violating
6 a rule promulgated by the department under par. (a) may be fined not more than
7 \$10,000, or imprisoned for not more than one year, or both.

8 **(10)** If federal law is amended to provide coverage for prescription drugs for
9 outpatient care as a benefit under medicare or to provide similar coverage under
10 another program, the department shall submit to appropriate standing committees
11 of the legislature under s. 13.172 (3) a report that contains an analysis of the
12 differences between such a federal program and the program under this section and
13 that provides recommendations concerning alignment, if any, of the differences.

14 **(11)** Except as provided in subs. (8) to (10) and except for the department's
15 rule-making requirements and authority, the department may enter into a contract
16 with an entity to perform the duties and exercise the powers of the department under
17 this section.”.

18 **868.** Page 656, line 10: after that line insert:

19 “**SECTION 1966v.** 51.30 (4) (b) 10m. of the statutes is amended to read:

20 51.30 **(4)** (b) 10m. To the department of justice or a district attorney under s.
21 980.015 (3) (b), if the treatment records are maintained by an agency with
22 jurisdiction, as defined in s. ~~980.015 (1)~~ 980.01 (1d), that has control or custody over
23 a person who may meet the criteria for commitment as a sexually violent person
24 under ch. 980.”.

1 **869.** Page 656, line 11: delete lines 11 to 22 and substitute:

2 “**SECTION 1968d.** 51.42 (3) (ar) 4m. of the statutes is amended to read:

3 51.42 **(3)** (ar) 4m. If state, federal, and county funding for alcohol and other
4 drug abuse treatment services provided under subd. 4. are insufficient to meet the
5 needs of all eligible individuals, ensure that first priority for services is given to
6 pregnant women who suffer from alcoholism or alcohol abuse or are drug dependent
7 and that second priority be given to individuals who are 20 years of age were eligible
8 for the medical assistance program under s. 49.46 (1) (a) 5m. but became ineligible
9 for the program solely because they attained the age of 20.

10 **SECTION 1968dh.** 51.42 (3) (ar) 4p. of the statutes is created to read:

11 51.42 **(3)** (ar) 4p. If state, federal, and county funding for mental health services
12 provided under subd. 4. are insufficient to meet the needs of all eligible individuals,
13 ensure that first priority for services is given to individuals who are 20 years of age
14 and were eligible for the medical assistance program under s. 49.46 (1) (a) 5m. but
15 became ineligible for the program solely because they attained the age of 20.”.

16 **870.** Page 665, line 20: after that line insert:

17 “**SECTION 2001r.** 59.52 (29) (c) of the statutes is created to read:

18 59.52 **(29)** (c) If a county enacts an ordinance or adopts a resolution that
19 authorizes preferences or set-asides to minority businesses in the awarding of a
20 public work contract under par. (a), the ordinance or resolution shall require that the
21 minority business be certified by the department of commerce under s. 560.036 (2).

22 **SECTION 2002j.** 59.57 (1) (b) of the statutes is amended to read:

23 59.57 **(1)** (b) If a county with a population of 500,000 or more appropriates
24 money under par. (a) to fund nonprofit agencies, the county shall have a goal of

1 expending 20% of the money appropriated for this purpose to fund a nonprofit agency
2 that is actively managed by minority group members, as defined in s. 560.036 (1) (f),
3 a minority business certified by the department of commerce under s. 560.036 (2) and
4 that principally serves minority group members.”.

5 **871.** Page 669, line 17: after that line insert:

6 “SECTION 2003t. 60.61 (2) (j) of the statutes is created to read:

7 60.61 (2) (j) Authorize burials under s. 157.066.

8 SECTION 2003x. 62.23 (7) (c) of the statutes is amended to read:

9 62.23 (7) (c) *Purposes in view.* Such regulations shall be made in accordance
10 with a comprehensive plan and designed to lessen congestion in the streets; to secure
11 safety from fire, panic and other dangers; to promote health and the general welfare;
12 to provide adequate light and air, including access to sunlight for solar collectors and
13 to wind for wind energy systems; to encourage the protection of groundwater
14 resources; to prevent the overcrowding of land; to avoid undue concentration of
15 population; to facilitate the adequate provision of transportation, water, sewerage,
16 schools, parks and other public requirements; to authorize burials if an ordinance is
17 enacted under s. 157.066; and to preserve burial sites, as defined in s. 157.70 (1) (b).

18 Such regulations shall be made with reasonable consideration, among other things,
19 of the character of the district and its peculiar suitability for particular uses, and
20 with a view to conserving the value of buildings and encouraging the most
21 appropriate use of land throughout such city.”.

22 **872.** Page 669, line 17: after that line insert:

23 “SECTION 2003s. 60.23 (32) of the statutes is created to read:

1 **60.23 (32)** TOWN TAX INCREMENT POWERS. If the town is located in a county which
2 does not have any cities or villages, exercise all powers of cities under s. 66.1105. If
3 the town board exercises the powers of a city under s. 66.1105, it is subject to the same
4 duties as a common council under s. 66.1105 and the town is subject to the same
5 duties and liabilities as a city under s. 66.1105.”.

6 **873.** Page 669, line 17: after that line insert:

7 “**SECTION 2003t.** 60.47 (7) of the statutes is created to read:

8 **60.47 (7)** MINORITY CONTRACTING. If a town board enacts an ordinance or adopts
9 a resolution that authorizes preferences or set-asides to minority businesses in the
10 awarding of a public work contract under subs. (2) and (3), the ordinance or
11 resolution shall require that the minority business be certified by the department of
12 commerce under s. 560.036 (2).

13 **SECTION 2003up.** 61.55 of the statutes is renumbered 61.55 (1) and amended
14 to read:

15 **61.55 (1)** All contracts for public construction, in any such village, exceeding
16 \$15,000, shall be let by the village board to the lowest responsible bidder in
17 accordance with s. 66.0901 insofar as said that section may be is applicable. If the
18 estimated cost of any public construction exceeds \$5,000, but is not greater than
19 \$15,000, the village board shall give a class 1 notice, under ch. 985, of the proposed
20 construction before the contract for the construction is executed.

21 **(2)** This provision does not apply to public construction if the materials for such
22 a project are donated or if the labor for such a project is provided by volunteers, and
23 this provision and s. 281.41 are not mandatory for the repair and reconstruction of
24 public facilities when damage or threatened damage thereto creates an emergency,

1 as determined by resolution of the village board, in which the public health or welfare
2 of the village is endangered. Whenever the village board by majority vote at a regular
3 or special meeting declares that an emergency no longer exists, this exemption no
4 longer applies.

5 **SECTION 2003uq.** 61.55 (3) of the statutes is created to read:

6 61.55 (3) If a village board enacts an ordinance or adopts a resolution that
7 authorizes preferences or set-asides to minority businesses in the awarding of a
8 public work contract under sub. (1), the ordinance or resolution shall require that the
9 minority business be certified by the department of commerce under s. 560.036 (2).

10 **SECTION 2003vp.** 62.15 (1) of the statutes is renumbered 62.15 (1) (a) and
11 amended to read:

12 62.15 (1) CONTRACTS; HOW LET; EXCEPTION FOR DONATED MATERIALS AND LABOR. (a)
13 All public construction, the estimated cost of which exceeds \$15,000, shall be let by
14 contract to the lowest responsible bidder; ~~all.~~ All other public construction shall be
15 let as the council may direct. If the estimated cost of any public construction exceeds
16 \$5,000 but is not greater than \$15,000, the board of public works shall give a class
17 1 notice, under ch. 985, of the proposed construction before the contract for the
18 construction is executed.

19 (b) This provision does not apply to public construction if the materials for such
20 a project are donated or if the labor for such a project is provided by volunteers. The
21 council may also by a vote of three-fourths of all the members-elect provide by
22 ordinance that any class of public construction or any part thereof may be done
23 directly by the city without submitting the same for bids.

24 **SECTION 2003vq.** 62.15 (1) (c) of the statutes is created to read:

1 62.15 (1) (c) If a council enacts an ordinance or adopts a resolution that
2 authorizes preferences or set-asides to minority businesses in the awarding of a
3 public work contract under par. (a), the ordinance or resolution shall require that the
4 minority business be certified by the department of commerce under s. 560.036 (2).”.

5 **874.** Page 669, line 17: after that line insert:

6 “**SECTION 2003v.** 60.24 (3) (a) of the statutes is amended to read:

7 60.24 (3) (a) Nominate individuals for service as election officials to the town
8 board whenever the town board disapproves the nominee of a party committee under
9 s. 7.30 (4) and the names of additional nominees are not available or whenever the
10 town board determines to appoint reserve inspectors under s. 7.30 (1).”.

11 **875.** Page 669, line 17: after that line insert:

12 “**SECTION 2003v.** 62.13 (5) (c) of the statutes is amended to read:

13 62.13 (5) (c) A subordinate may be suspended for just cause, as described in par.
14 (em), by the chief or the board as a penalty. The chief shall file a report of ~~such~~ the
15 suspension with the commission immediately upon issuing the suspension. No
16 hearing on ~~such~~ the suspension shall be held unless requested by the suspended
17 subordinate. If the subordinate suspended by the chief requests a hearing before the
18 board or before an arbitrator appointed by the Wisconsin employment relations
19 commission, the chief shall be required to file the charges with the board or arbitrator
20 upon which such suspension was based.

21 **SECTION 2003vb.** 62.13 (5) (d) of the statutes is amended to read:

22 62.13 (5) (d) Following the filing of charges in any case, a copy thereof shall be
23 served upon the person charged. ~~The board shall set date for hearing not less than~~
24 ~~10 days nor more than 30 days following service of charges.~~ The hearing on the

1 charges shall be public, and both the accused and the complainant may be
2 represented by an attorney and may compel the attendance of witnesses by
3 subpoenas which shall be issued by the president of the board on request and be
4 served as are subpoenas under ch. 885. The board or arbitrator shall render a final
5 decision on the charges no later than 180 days after the date on which the hearing
6 commences.

7 **SECTION 2003vd.** 62.13 (5) (e) of the statutes is amended to read:

8 62.13 (5) (e) If the board determines that the charges are not sustained, the
9 accused, if suspended, shall be immediately reinstated and all lost pay restored. If
10 the board determines that the charges are sustained, the accused, by order of the
11 board, may be suspended or reduced in rank, or suspended and reduced in rank, or
12 removed, as the good of the service may require.

13 **SECTION 2003vf.** 62.13 (5) (em) (intro.) of the statutes is amended to read:

14 62.13 (5) (em) (intro.) No subordinate may be suspended, reduced in rank,
15 suspended and reduced in rank, or removed by the board under par. (e), based on
16 charges filed by the board, members of the board, an aggrieved person or the chief
17 under par. (b), unless the board determines whether there is just cause, as described
18 in this paragraph, to sustain the charges. In making its determination, the board
19 or arbitrator shall apply the following standards, to the extent applicable:

20 **SECTION 2003vh.** 62.13 (5) (g) of the statutes is amended to read:

21 62.13 (5) (g) Further rules for the administration of this subsection may be
22 made by the board or collectively bargained with the representative of the collective
23 bargaining unit of which subordinates are members.

24 **SECTION 2003vj.** 62.13 (5) (i) of the statutes is amended to read:

1 62.13 (5) (i) ~~Any~~ If any person is suspended, reduced, suspended and reduced,
2 or removed by the board, the person or any labor organization that represents such
3 a person may appeal from the order of the board to the circuit court by serving written
4 notice of the appeal on the secretary of the board within 10 days after the order is filed
5 or by filing a motion with the circuit court under s. 788.13. Within 5 days after
6 receiving written notice of the appeal, the board or arbitrator shall certify to the clerk
7 of the circuit court the record of the proceedings, including all documents, testimony
8 and minutes. The action shall then be at issue and shall have precedence over any
9 other cause of a different nature pending in the court, which shall always be open to
10 the trial thereof. The court shall upon application of the accused or of the board fix
11 a date of trial, which shall not be later than 15 days after such application except by
12 agreement. The trial shall be by the court and upon the return of the board, except
13 that the court may require further return or the taking and return of further
14 evidence by the board. The question to be determined by the court shall be: Upon the
15 evidence is there just cause, as described under par. (em), to sustain the charges
16 against the accused? No costs shall be allowed either party and the clerk's fees shall
17 be paid by the city. If the order of the board is reversed, the accused shall be forthwith
18 reinstated and entitled to pay as though in continuous service. If the order of the
19 board is sustained it shall be final and conclusive.”.

20 **876.** Page 669, line 18: after that line insert:

21 “**SECTION 2004e.** 62.51 (1) (a) of the statutes is amended to read:

22 62.51 (1) (a) “Public office” means the following positions or their equivalent:
23 city engineer; city comptroller; city purchasing agent; commissioner of building
24 inspection, of city development, of health, or of public works; director of

1 administration, of budget and management, of community development agency, of
2 employee relations, of office of telecommunications, or of safety; emergency
3 management coordinator; employee benefits administrator; executive director of the
4 commission on community relations; municipal port director; commissioner of
5 assessments; director of liaison; city personnel director; executive director of the
6 retirement board; executive director of the city board of election commissioners; city
7 librarian; city labor negotiator; executive secretary of the board of fire and police
8 commissioners; and supervisor of the central electronics board.”.

9 **877.** Page 676, line 9: after that line insert:

10 “**SECTION 2014mn.** 66.0137 (4) of the statutes is amended to read:

11 66.0137 (4) SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or
12 a village provides health care benefits under its home rule power, or if a town
13 provides health care benefits, to its officers and employees on a self-insured basis,
14 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
15 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5),
16 632.895 (9) to ~~(14)~~ (15), 632.896, and 767.25 (4m) (d).”.

17 **878.** Page 677, line 19: delete the material beginning with that line and
18 ending with page 678, line 10.

19 **879.** Page 678, line 16: delete “~~may~~” and substitute “may”.

20 **880.** Page 678, line 17: delete “shall”.

21 **881.** Page 678, line 19: delete “states whether”.

22 **882.** Page 678, line 19: delete “in the public interest or”.

23 **883.** Page 678, line 20: delete “is against” and substitute “against”.

1 **884.** Page 678, line 21: delete “in or”.

2 **885.** Page 680, line 5: after that line insert:

3 “**SECTION 2021.** 66.0627 (title) of the statutes is amended to read:

4 **66.0627** (title) **Special charges for current services.**

5 **SECTION 2022.** 66.0627 (2) of the statutes is amended to read:

6 66.0627 **(2)** Except as provided in sub. (5), the governing body of a city, village
7 or town may impose a special charge against real property for ~~current services~~ that
8 are available, regardless of whether the services are actually rendered, by allocating
9 all or part of the cost of the service to the property that is served or that is eligible
10 to be served. The authority under this section is in addition to any other method
11 provided by law.

12 **SECTION 2023.** 66.0707 (2) of the statutes is amended to read:

13 66.0707 **(2)** A city, village or town may impose a special charge under s. 66.0627
14 against real property in an adjacent city, village or town that is served by ~~current~~
15 services that are available, regardless of whether the services are actually rendered
16 by the municipality imposing the special charge if the municipality in which the
17 property is located approves the imposition by resolution. The owner of the property
18 is entitled to the use and enjoyment of the service for which the special charge is
19 imposed on the same conditions as the owner of property within the city, village or
20 town.”.

21 **886.** Page 680, line 5: after that line insert:

22 “**SECTION 2020s.** 66.0501 (4) of the statutes is amended to read:

23 66.0501 **(4)** **COMPATIBLE OFFICES AND POSITIONS.** A volunteer fire fighter,
24 emergency medical technician or first responder in a city, village or town whose

1 annual compensation, including fringe benefits, does not exceed \$2,500 the amount
2 specified in s. 946.13 (2) (a) may also hold an elected elective office in that city, village
3 or town.”.

4 **887.** Page 680, line 5: after that line insert:

5 “SECTION 2019t. 66.0301 (1) (a) of the statutes is amended to read:

6 66.0301 (1) (a) In this section “municipality” means the state or any
7 department or agency thereof, ~~or~~ any city, village, town, county, school district, public
8 library system, public inland lake protection and rehabilitation district, sanitary
9 district, farm drainage district, metropolitan sewerage district, sewer utility district,
10 solid waste management system created under s. 59.70 (2), local exposition district
11 created under subch. II of ch. 229, local professional baseball park district created
12 under subch. III of ch. 229, local professional football stadium district created under
13 subch. IV of ch. 229, a local cultural arts district created under subch. V of ch. 229,
14 family care district under s. 46.2895, water utility district, mosquito control district,
15 municipal electric company, county or city transit commission, commission created
16 by contract under this section, taxation district, or regional planning commission, or
17 the Milwaukee County child welfare district under s. 48.562.”.

18 **888.** Page 680, line 5: after that line insert:

19 “SECTION 2026k. 66.0901 (6) of the statutes is amended to read:

20 66.0901 (6) SEPARATION OF CONTRACTS; CLASSIFICATION OF CONTRACTORS. In public
21 contracts for the construction, repair, remodeling, or improvement of a public
22 building or structure, other than highway structures and facilities, a municipality
23 may bid projects based on a single or multiple division of the work. Public contracts
24 shall be awarded according to the division of work selected for bidding. The

1 municipality may set out in any public contract reasonable and lawful conditions as
2 to the hours of labor, wages, residence, character, and classification of workers to be
3 employed by any contractor, classify contractors as to their financial responsibility,
4 competency, and ability to perform work, and set up a classified list of contractors.
5 The municipality may reject the bid of any person, if the person has not been
6 classified for the kind or amount of work in the bid. If one of the conditions a
7 municipality imposes under a contract that is let under this section authorizes
8 preferences or set-asides to minority businesses in the awarding of a contract under
9 this section, the condition shall require that the minority business be certified by the
10 department of commerce under s. 560.036 (2).”.

11 **889.** Page 680, line 5: after that line insert:

12 “**SECTION 2020n.** 66.0301 (1) (a) of the statutes is amended to read:

13 66.0301 (1) (a) In this section “municipality” means the state or any
14 department or agency thereof, or any city, village, town, county, school district, public
15 library system, public inland lake protection and rehabilitation district, sanitary
16 district, farm drainage district, metropolitan sewerage district, sewer utility district,
17 solid waste management system created under s. 59.70 (2), local exposition district
18 created under subch. II of ch. 229, local professional baseball park district created
19 under subch. III of ch. 229, local professional football stadium district created under
20 subch. IV of ch. 229, a local cultural arts district created under subch. V of ch. 229,
21 family care district under s. 46.2895, water utility district, mosquito control district,
22 municipal electric company, county or city transit commission, commission created
23 by contract under this section, taxation district ~~or~~, regional planning commission, or
24 city-county health department.”.

1 **890.** Page 681, line 7: after that line insert:

2 “**SECTION 2026nz.** 66.0903 (3) (am) of the statutes is amended to read:

3 66.0903 (3) (am) A local governmental unit, before making a contract by direct
4 negotiation or soliciting bids on a contract, for the erection, construction, remodeling,
5 repairing or demolition of any project of public works, including a highway, street or
6 bridge construction project, shall apply to the department to determine the
7 prevailing wage rate for each trade or occupation required in the work contemplated.
8 The department shall conduct investigations and hold public hearings as necessary
9 to define the trades or occupations that are commonly employed on projects that are
10 subject to this section and to inform itself as to the prevailing wage rates in all areas
11 of the state for those trades or occupations, in order to determine the prevailing wage
12 rate for each trade or occupation. In defining those trades or occupations, the
13 department may not define swimming pool installer as a separate trade or
14 occupation for purposes of determining the prevailing wage rates for the trades or
15 occupations that are commonly employed in the construction of swimming pools. The
16 department shall issue its determination within 30 days after receiving the request
17 and shall file the determination with the requesting local governmental unit.”.

18 **891.** Page 682, line 10: delete lines 10 to 22.

19 **892.** Page 682, line 22: after that line insert:

20 “**SECTION 2029sb.** 66.1105 (2) (f) 3. of the statutes is amended to read:

21 66.1105 (2) (f) 3. Notwithstanding subd. 1., project costs may not include any
22 expenditures made or estimated to be made or monetary obligations incurred or
23 estimated to be incurred by the city for newly platted residential development for any
24 tax incremental district for which a project plan is approved after September 30,

1 1995, or for which an amendment of a project plan is approved after the effective date
2 of this subdivision [revisor inserts date].

3 **SECTION 2029sc.** 66.1105 (2) (i) of the statutes is amended to read:

4 66.1105 (2) (i) “Tax increment” means that amount obtained by multiplying the
5 total county, city, school and other local general property taxes levied on all taxable
6 property within a tax incremental district in a year by a fraction having as a
7 numerator the value increment for that year in the district and as a denominator that
8 year’s equalized value of all taxable property in the district. In any year, a tax
9 increment is “positive” if the value increment is positive; it is “negative” if the value
10 increment is negative. With regard to a tax incremental district that has been
11 declared an industrial district under sub. (4) (gm) 6., the calculation under this
12 paragraph may not include the value of any residential property and may not include
13 the value of any improved property on which more than 35% of the improved square
14 footage is devoted to retail operations, including any storage areas or warehouses
15 that contain merchandise that could be sold on-site at retail as part of an on-site
16 retail operation.

17 **SECTION 2029sd.** 66.1105 (2) (j) of the statutes is amended to read:

18 66.1105 (2) (j) “Tax incremental base” means the aggregate value, as equalized
19 by the department of revenue, of all taxable property located within a tax
20 incremental district on the date as of which the district is created, determined as
21 provided in sub. (5) (b). The base of districts created before October 1, 1980, does not
22 include the value of property exempted under s. 70.111 (17). With regard to a tax
23 incremental district that has been declared an industrial district under sub. (4) (gm)
24 6., the calculation under this paragraph may not include the value of any residential
25 property and may not include the value of any improved property on which more than

1 35% of the improved square footage is devoted to retail operations, including any
2 storage areas or warehouses that contain merchandise that could be sold on-site at
3 retail as part of an on-site retail operation.

4 **SECTION 2029se.** 66.1105 (3) (g) of the statutes is created to read:

5 66.1105 (3) (g) Create a standing joint review board that may remain in
6 existence for the entire time that any tax incremental district exists in the city. All
7 of the provisions that apply to a joint review board that is convened under sub. (4m)
8 (a) apply to a standing joint review board that is created under this paragraph. A
9 city may disband a joint review board that is created under this paragraph at any
10 time.

11 **SECTION 2029sf.** 66.1105 (4) (gm) 1. of the statutes is amended to read:

12 66.1105 (4) (gm) 1. Describes the boundaries, which may, but need not, be the
13 same as those recommended by the planning commission, of a tax incremental
14 district with sufficient definiteness to identify with ordinary and reasonable
15 certainty the territory included in the district. The boundaries of the tax incremental
16 district may not include any territory that was not within the boundaries of the city
17 on January 1, 2000, unless 3 years have elapsed since the territory was annexed by
18 the city or unless the city enters into a cooperative plan boundary agreement, under
19 s. 66.0307, with the town from which the territory was annexed. If the city enters
20 into a cooperative plan boundary agreement under s. 66.0307 with the town, the city
21 may compensate the town for tax revenues lost by the town as a result of annexation.

22 The boundaries shall include only those whole units of property as are assessed for
23 general property tax purposes. Property standing vacant for an entire 7-year period
24 immediately preceding adoption of the resolution creating a tax incremental district
25 may not comprise more than 25% of the area in the tax incremental district, unless

1 the tax incremental district is suitable for industrial sites under subd. 4. a. and the
2 local legislative body implements an approved project plan to promote industrial
3 development within the meaning of s. 66.1101. In this subdivision, “vacant property”
4 includes property where the fair market value or replacement cost value of structural
5 improvements on the parcel is less than the fair market value of the land. In this
6 subdivision, “vacant property” does not include property acquired by the local
7 legislative body under ch. 32 or property included within the abandoned Park East
8 freeway corridor or the abandoned Park West freeway corridor in Milwaukee County.

9 **SECTION 2029sg.** 66.1105 (4) (gm) 4. c. of the statutes is amended to read:

10 66.1105 (4) (gm) 4. c. Either the equalized value of taxable property of the
11 district plus all existing districts does not exceed 7% of the total equalized value of
12 taxable property within the city or the equalized value of taxable property of the
13 district plus the value increment of all existing districts within the city does not
14 exceed 5% of the total equalized value of taxable property within the city. The
15 calculations required under this subd. 4. c. shall be based on the most recent values
16 of taxable property of the district that are certified by the department of revenue as
17 of the year in which a resolution is adopted under this paragraph.

18 **SECTION 2029sh.** 66.1105 (4) (gm) 6. of the statutes is created to read:

19 66.1105 (4) (gm) 6. Declares that the district is a blighted area district, a
20 rehabilitation or conservation district, or an industrial district, based on the
21 identification and classification of the property included within the district under
22 par. (c) and subd. 4. a. If the district is not exclusively blighted, rehabilitation or
23 conservation, or industrial, the declaration under this subdivision shall be based on
24 which classification is predominant with regard to the area described in subd. 4. a.

25 **SECTION 2029si.** 66.1105 (4) (h) 2. of the statutes is amended to read:

1 66.1105 (4) (h) 2. Except as provided in subds. 3. and 4., not more than once
2 during the 10 years after the creation of a tax incremental district that was created
3 before October 1, 1995 or 7 years after the date on which any other tax incremental
4 district is created, the planning commission may adopt an amendment to a project
5 plan under subd. 1. to modify the district's boundaries by subtracting territory from
6 the district or by adding territory to the district that is contiguous to the district and
7 that is served by public works or improvements that were created as part of the
8 district's project plan. Expenditures for project costs that are incurred because of an
9 amendment to a project plan to which this subdivision applies may be made for not
10 more than 3 years after the date on which the local legislative body adopts a
11 resolution amending the project plan.

12 **SECTION 2029sj.** 66.1105 (4m) (a) of the statutes is amended to read:

13 66.1105 (4m) (a) Any city that seeks to create a tax incremental district or
14 amend a project plan shall convene a temporary joint review board under this
15 paragraph, or a standing joint review board under sub. (3) (g), to review the proposal.
16 The ~~Except as provided in par. (am),~~ the board shall consist of one representative
17 chosen by the school district that has power to levy taxes on the property within the
18 tax incremental district, one representative chosen by the technical college district
19 that has power to levy taxes on the property within the tax incremental district, one
20 representative chosen by the county that has power to levy taxes on the property
21 within the tax incremental district, one representative chosen by the city and one
22 public member. If more than one school district, more than one union high school
23 district, more than one elementary school district, more than one technical college
24 district or more than one county has the power to levy taxes on the property within
25 the tax incremental district, the unit in which is located property of the tax

1 incremental district that has the greatest value shall choose that representative to
2 the board. The public member and the board's chairperson shall be selected by a
3 majority of the other board members before the public hearing under sub. (4) (a) or
4 (h) 1. is held. All board members shall be appointed and the first board meeting held
5 within 14 days after the notice is published under sub. (4) (a) or (h) 1. Additional
6 meetings of the board shall be held upon the call of any member. The city that seeks
7 to create the tax incremental district or to amend its project plan shall provide
8 administrative support for the board. By majority vote, the board may disband
9 following approval or rejection of the proposal, unless the board is a standing board
10 that is created by the city under sub. (3) (g).

11 **SECTION 2029sk.** 66.1105 (4m) (am) of the statutes is created to read:

12 66.1105 (4m) (am) If a city seeks to create a tax incremental district that is
13 located in a union high school district, the seat that is described under par. (a) for the
14 school board representative to the board shall be held by 2 representatives, each of
15 whom has one-half of a vote. One representative shall be chosen by the union high
16 school district that has the power to levy taxes on the property within the tax
17 incremental district and one representative shall be chosen by the elementary school
18 district that has the power to levy taxes on the property within the tax incremental
19 district.

20 **SECTION 2029sL.** 66.1105 (4m) (b) 2. of the statutes is amended to read:

21 66.1105 (4m) (b) 2. Except as provided in subd. 2m. and subject to subd. 4., no
22 tax incremental district may be created and no project plan may be amended unless
23 the board approves the resolution adopted under sub. (4) (gm) or (h) 1. by a majority
24 vote not less than ~~10 days nor more than 30~~ 14 days after receiving the resolution.
25 The board may not approve the resolution under this subdivision unless the board's

1 approval contains a positive assertion that, in its judgment, the development
2 described in the documents the board has reviewed under subd. 1. would not occur
3 without the creation of a tax incremental district.

4 **SECTION 2029sm.** 66.1105 (4m) (b) 2m. of the statutes is amended to read:

5 66.1105 **(4m)** (b) 2m. The requirement under subd. 2. that a vote by the board
6 take place not less than ~~10 days nor more than 30~~ 14 days after receiving a resolution
7 does not apply to a resolution amending a project plan under sub. (4) (h) 1. if the
8 resolution relates to a tax incremental district, the application for the
9 redetermination of the tax incremental base of which was made in 1998, that is
10 located in a village that was incorporated in 1912, has a population of at least 3,800
11 and is located in a county with a population of at least 108,000.

12 **SECTION 2029sn.** 66.1105 (4m) (b) 4. of the statutes is created to read:

13 66.1105 **(4m)** (b) 4. Not later than 5 working days after submitting its decision
14 under subd. 3., any member of the board may request that the department of revenue
15 review any of the documents listed in subd. 1. to determine whether the information
16 submitted to the board complies with this section or whether any of the information
17 contains a factual inaccuracy. The request must be in writing and must specify which
18 particular fact or item the member believes is incomplete or inaccurate. Not later
19 than 5 working days after receiving a request that complies with the requirements
20 of this subdivision, the department of revenue shall investigate the issues raised in
21 the request and shall send its written response to the board. If the department of
22 revenue determines that the information in the proposal does not comply with this
23 section or contains a factual inaccuracy, the department shall return the proposal to
24 the board. The board shall request that the city resolve the problems in its proposal

1 and resubmit the proposal to the board. The board shall review the resubmitted
2 proposal and vote to approve or deny the proposal as specified in this paragraph.

3 **SECTION 2029so.** 66.1105 (4m) (b) 5. of the statutes is created to read:

4 66.1105 (4m) (b) 5. The board shall notify prospectively the governing body of
5 every local governmental unit that is not represented on the board, and that has
6 power to levy taxes on the property within the tax incremental district, of meetings
7 of the board and of the agendas of each meeting for which notification is given.

8 **SECTION 2029sp.** 66.1105 (4m) (d) of the statutes is created to read:

9 66.1105 (4m) (d) During the 15th year of the tax incremental district's
10 existence, the board may recommend to the department of revenue that a tax
11 incremental district that is suitable for industrial sites under sub. (4) (gm) 4. a. be
12 allowed to remain in existence for up to 5 years after the date on which it would
13 otherwise be required to terminate, for a total of up to 10 years after the last
14 expenditure in the district's project plan is made, as described in sub. (7) (ae). The
15 board may make such a recommendation only if it reviews and reapproves the
16 findings under sub. (4) (gm) 4. c. and reapproves its decision under par. (c).

17 **SECTION 2029sq.** 66.1105 (5) (a) of the statutes is amended to read:

18 66.1105 (5) (a) Upon Subject to sub. (8) (d), upon the creation of a tax
19 incremental district or upon adoption of any amendment subject to par. (c), its tax
20 incremental base shall be determined as soon as reasonably possible.

21 **SECTION 2029sr.** 66.1105 (5) (b) of the statutes is amended to read:

22 66.1105 (5) (b) Upon application in writing by the city clerk, in a form
23 prescribed by the department of revenue, the department shall determine according
24 to its best judgment from all sources available to it the full aggregate value of the
25 taxable property and, except as provided in par. (bm), of the city-owned property in

1 the tax incremental district. ~~The Subject to sub. (8) (d), the department shall certify~~
2 ~~this aggregate valuation to the city clerk, and the aggregate valuation constitutes the~~
3 ~~tax incremental base of the tax incremental district. The city clerk shall complete~~
4 ~~these forms, including forms for the amendment of a project plan, and submit the~~
5 ~~application or amendment forms on or before December 31 of the year the tax~~
6 ~~incremental district is created, as defined in sub. (4) (gm) 2. or, in the case of an~~
7 ~~amendment, on or before December 31 of the year in which the changes to the project~~
8 ~~plan take effect.~~

9 **SECTION 2029st.** 66.1105 (5) (c) of the statutes is amended to read:

10 66.1105 (5) (c) If the city adopts an amendment to the original project plan for
11 any district which includes additional project costs at least part of which will be
12 incurred after the period specified in sub. (6) (am) 1., the tax incremental base for the
13 district shall be redetermined, if sub. (4) (h) 2., 3. or 4. applies to the amended project
14 plan, by adding to the tax incremental base the value of the taxable property and the
15 value of real property owned by the city, other than property described in par. (bm),
16 that is added to the existing district under sub. (4) (h) 2., 3. or 4. or, if sub. (4) (h) 2.,
17 3. or 4. does not apply to the amended project plan, under par. (b), as of the January
18 1 next preceding the effective date of the amendment if the amendment becomes
19 effective between January 2 and September 30, as of the next subsequent January
20 1 if the amendment becomes effective between October 1 and December 31 and if the
21 effective date of the amendment is January 1 of any year, the redetermination shall
22 be made on that date. The tax incremental base as redetermined under this
23 paragraph is effective for the purposes of this section only if it exceeds the original
24 tax incremental base determined under par. (b).

25 **SECTION 2029su.** 66.1105 (5) (ce) of the statutes is amended to read:

1 66.1105 (5) (ce) If the city adopts an amendment, to which sub. (4) (h) 2., 3. or
2 4. applies, the tax incremental base for the district shall be redetermined, by adding
3 to the tax incremental base the value of the taxable property and the value of real
4 property owned by the city, other than property described in par. (bm), that is added
5 to the existing district under sub. (4) (h) 2., 3. or 4., as of the January 1 next preceding
6 the effective date of the amendment if the amendment becomes effective between
7 January 2 and September 30, as of the next subsequent January 1 if the amendment
8 becomes effective between October 1 and December 31 and if the effective date of the
9 amendment is January 1 of any year, the redetermination shall be made on that date.
10 The tax incremental base as redetermined under this paragraph is effective for the
11 purposes of this section only if it exceeds the original tax incremental base
12 determined under par. (b).

13 **SECTION 2029sv.** 66.1105 (5) (d) of the statutes is amended to read:

14 66.1105 (5) (d) The department of revenue may not certify the tax incremental
15 base as provided in par. (b) until it determines that each of the procedures and
16 documents required by sub. (4) (a), (b), (gm) or (h) and par. (b) has been timely
17 completed and all notices required under sub. (4) (a), (b), (gm) or (h) timely given.
18 The facts supporting any document adopted or action taken to comply with sub. (4)
19 (a), (b), (gm) or (h) are not subject to review by the department of revenue under this
20 paragraph, except that notwithstanding the general prohibition against the
21 department's review of the facts supporting any document adopted or action taken
22 to comply with sub. (4) (gm), the department may not certify the tax incremental base
23 as provided in par. (b) until it reviews and approves of the findings that are described
24 in sub. (4) (gm) 4. c.

1 **SECTION 2029sw.** 66.1105 (6) (a) of the statutes is renumbered 66.1105 (6) (a)
2 (intro.) and amended to read:

3 66.1105 **(6)** (a) (intro.) If the joint review board approves the creation of the tax
4 incremental district under sub. (4m), positive tax increments with respect to a tax
5 incremental district are allocated to the city which created the district for each year
6 commencing after the date when a project plan is adopted under sub. (4) (g). The
7 department of revenue may not authorize allocation of tax increments until it
8 determines from timely evidence submitted by the city that each of the procedures
9 and documents required under sub. (4) (d) to (f) has been completed and all related
10 notices given in a timely manner. The department of revenue may authorize
11 allocation of tax increments for any tax incremental district only if the city clerk and
12 assessor annually submit to the department all required information on or before the
13 2nd Monday in June. The facts supporting any document adopted or action taken
14 to comply with sub. (4) (d) to (f) are not subject to review by the department of revenue
15 under this paragraph. After the allocation of tax increments is authorized, the
16 department of revenue shall annually authorize allocation of the tax increment to
17 the city that created the district until the soonest of the following events:

18 1. The department of revenue receives a notice under sub. (8) and the notice
19 has taken effect under sub. (8) (b), ~~27.~~

20 2. Twenty-seven years after the tax incremental district is created if the
21 district is created before October 1, 1995, ~~38.~~

22 3. Thirty-eight years after the tax incremental district is created if the district
23 is created before October 1, 1995, and the project plan is amended under sub. (4) (h)

24 ~~3. or 23~~

1 4. Twenty-three years after the tax incremental district is created if the district
2 is created after September 30, 1995, ~~whichever is sooner~~ and before the effective
3 date of this subdivision [revisor inserts date].

4 **SECTION 2029sx.** 66.1105 (6) (a) 5. of the statutes is created to read:

5 66.1105 **(6)** (a) 5. Fifteen or 20 years, depending on the joint review board's
6 recommendation under sub. (4m) (d) and the department of revenue's action
7 described under sub. (7) (ae), after the tax incremental district is created if the
8 district is created on or after the effective date of this subdivision [revisor inserts
9 date], and if the district is suitable for industrial sites under sub. (4) (gm) 4. a.

10 **SECTION 2029sy.** 66.1105 (6) (a) 6. of the statutes is created to read:

11 66.1105 **(6)** (a) 6. Twenty-six years after the tax incremental district is created
12 if the district is created on or after the effective date of this subdivision [revisor
13 inserts date], and if the district, under sub. (4) (gm) 6., is a blighted area district or
14 a rehabilitation or conservation district.

15 **SECTION 2029sz.** 66.1105 (6) (am) 1. of the statutes is renumbered 66.1105 (6)

16 (am) 1. a. and amended to read:

17 66.1105 **(6)** (am) 1. a. For a tax incremental district that is created after
18 September 30, 1995, and before the effective date of this subd. 1. a. [revisor inserts
19 date]. no expenditure may be made later than 7 years after the tax incremental
20 district is created, ~~and for~~

21 b. For a tax incremental district that is created before October 1, 1995, no
22 expenditure may be made later than 10 years after the tax incremental district is
23 created, except that, for a tax incremental district that is created before October 1,
24 1995, and which receives tax increments under par. (d), no expenditure may be made
25 later than 12 years after the tax incremental district is created.

1 **SECTION 2029tag.** 66.1105 (6) (am) 1. c. of the statutes is created to read:

2 66.1105 **(6)** (am) 1. c. For a tax incremental district that is created on or after
3 the effective date of this subd. 1. c. [revisor inserts date], all expenditures shall
4 be substantially completed no later than 10 years after the tax incremental district
5 is created, except that, with regard to a tax incremental district that has been
6 declared an industrial district under sub. (4) (gm) 6., no expenditure may be made
7 later than 10 years after the industrial tax incremental district is created.

8 **SECTION 2029tb.** 66.1105 (6) (e) 1. d. of the statutes is created to read:

9 66.1105 **(6)** (e) 1. d. The donor tax incremental district has in its special fund,
10 as described under par. (c), sufficient revenues to pay for all project costs that have
11 been incurred, or are expected to be incurred, under the project plan for that district.

12 **SECTION 2029tc.** 66.1105 (6) (e) 2. of the statutes is repealed.

13 **SECTION 2029td.** 66.1105 (7) (ae) of the statutes is created to read:

14 66.1105 **(7)** (ae) Notwithstanding par. (am), 5 years after the last expenditure
15 identified in the project plan is made if the district to which the plan relates is created
16 on or after the effective date of this paragraph [revisor inserts date], and if the
17 district is suitable for industrial sites under sub. (4) (gm) 4. a., except that if the joint
18 review board recommends under sub. (4m) (d) to the department of revenue that the
19 district be allowed to continue in existence for up to an additional 5 years after the
20 date on which the district would otherwise be required to terminate under this
21 paragraph, and if the department of revenue agrees to the recommendation, such a
22 district terminates up to 10 years after the last expenditure identified in the project
23 plan is made.

24 **SECTION 2029te.** 66.1105 (8) (title) of the statutes is amended to read:

25 66.1105 **(8)** (title) NOTICE OF DISTRICT TERMINATION, REPORTING REQUIREMENTS.

1 **SECTION 2029tf.** 66.1105 (8) (c) of the statutes is created to read:

2 66.1105 (8) (c) Not later than 60 days after a city transmits to the department
3 of revenue the notice required under par. (a) the city shall send to the department,
4 on a form prepared by the department, all of the following information that relates
5 to the terminated tax incremental district:

- 6 1. A final accounting of all expenditures made by the city.
- 7 2. The total amount of project costs incurred by the city.
- 8 3. The total amount of positive tax increments received by a city.

9 **SECTION 2029tg.** 66.1105 (8) (d) of the statutes is created to read:

10 66.1105 (8) (d) If a city does not send to the department of revenue the form
11 specified in par. (c) within the time limit specified in par. (c), the department may not
12 certify the tax incremental base of a tax incremental district under sub. (5) (a) and
13 (b) until the form is sent to the department.

14 **SECTION 2029th.** 66.1105 (15) of the statutes is created to read:

15 66.1105 (15) SUBSTANTIAL COMPLIANCE. Substantial compliance with subs. (3),
16 (4) (a), (b), (c), (d), (e), and (f), and (4m) by a city or village that creates, or attempts
17 to create, a tax incremental district is sufficient to give effect to any proceedings
18 conducted under this section if, in the opinion of the department of revenue, any
19 error, irregularity, or informality that exists in the city's or village's attempts to
20 comply with subs. (3), (4) (a), (b), (c), (d), (e), and (f), and (4m) does not affect
21 substantial justice. If the department of revenue determines that a city or village has
22 substantially complied with subs. (3), (4) (a), (b), (c), (d), (e), and (f), and (4m), the
23 department of revenue shall determine the tax incremental base of the district,
24 allocate tax increments, and treat the district in all other respects as if the
25 requirements under subs. (3), (4) (a), (b), (c), (d), (e), and (f), and (4m) had been

1 strictly complied with based on the date that the resolution described under sub. (4)
2 (gm) 2. is adopted.”.

3 **893.** Page 682, line 22: after that line insert:

4 “**SECTION 2029ss.** 66.1105 (5) (bh) of the statutes is created to read:

5 66.1105 (5) (bh) Notwithstanding the time limits in subs. (4) (e) and (4m) (b)
6 2., if the village clerk of a village that created, or attempted to create, a tax
7 incremental district before June 2000 and amended or tried to amend the district’s
8 boundaries in September 2000 files with the department of revenue, not later than
9 November 30, 2000, the forms and application that were originally due on or before
10 December 31, 2000, the tax incremental base of the district shall be calculated by the
11 department of revenue as if the time limits described in subs. (4) (e) and (4m) (b) 2.
12 had been strictly complied with and, until the tax incremental district terminates,
13 the department of revenue shall allocate tax increments and treat the district in all
14 other respects as if the time limits described in subs. (4) (e) and (4m) (b) 2. had been
15 strictly complied with and as if the district were created on January 1, 2000, except
16 that the department of revenue may not certify a value increment under par. (b)
17 before 2002.”.

18 **894.** Page 682, line 23: delete the material beginning with that line and
19 ending on page 684, line 8.

20 **895.** Page 684, line 8: after that line insert:

21 “**SECTION 2049h.** 66.1113 (2) (a) of the statutes is amended to read:

22 66.1113 (2) (a) The governing body of a political subdivision, by a two-thirds
23 vote of the members of the governing body who are present when the vote is taken,
24 may enact an ordinance or adopt a resolution declaring itself to be a premier resort

1 area if, except as provided in par. (e), at least 40% of the equalized assessed value of
2 the taxable property within such political subdivision is used by tourism–related
3 retailers.

4 **SECTION 2049i.** 66.1113 (2) (e) of the statutes is created to read:

5 66.1113 (2) (e) 1. The legislature finds the following with respect to the city of
6 Eagle River:

7 a. That it has an atypical percentage of tax–exempt land within its boundaries
8 that is used for tourism–related purposes.

9 b. That it is the site of national recreational competitions that draw tourism
10 business to the entire northern region of this state.

11 2. The city of Eagle River may enact an ordinance or adopt a resolution
12 declaring itself to be a premier resort area under par. (a) even if less than 40% of the
13 equalized assessed value of the taxable property within Eagle River is used by
14 tourism–related retailers.”.

15 **896.** Page 684, line 9: delete lines 9 to 18.

16 **897.** Page 693, line 7: after “in” insert “, together with the fee required under
17 s. 69.22 (1) (e).”.

18 **898.** Page 698, line 4: delete lines 4 to 6 and substitute:

19 “69.22 (1) (a) Except as provided under ~~par. pars.~~ (c) and (f), \$7 for issuing one
20 certified copy of a vital record and \$~~2~~ 3 for any additional certified copy of the same
21 vital record issued at the same time.”.

22 **899.** Page 699, line 6: after that line insert:

23 “**SECTION 2096b.** 69.22 (1) (e) of the statutes is created to read:

1 69.22 (1) (e) Ten dollars for receiving a death certificate filed by a person
2 required to file a certificate of death under s. 69.18 (1) (b), which shall be forwarded
3 to the state treasurer under sub. (1r).

4 **SECTION 2096bc.** 69.22 (1) (f) of the statutes is created to read:

5 69.22 (1) (f) Eight dollars for issuing a copy of a death certificate, \$1 of which
6 shall be forwarded to the state treasurer under sub. (1r).”.

7 **900.** Page 699, line 14: after that line insert:

8 “**SECTION 2096f.** 69.22 (1r) of the statutes is created to read:

9 69.22 (1r) By the 15th day of the first month following the end of a calendar
10 quarter, the state registrar and any person acting under this subchapter shall
11 forward to the state treasurer the amounts specified in sub. (1) (e) and (f) that are
12 received during the calendar quarter. The state treasurer shall credit all amounts
13 received under this subsection to the cemetery management insurance fund.”.

14 **901.** Page 700, line 10: after that line insert:

15 “**SECTION 11101e.** 69.30 (1) (bg) of the statutes is created to read:

16 69.30 (1) (bg) “Milwaukee County child welfare district” means the Milwaukee
17 County child welfare district created under s. 48.562.

18 **SECTION 2101f.** 69.30 (2) of the statutes is amended to read:

19 69.30 (2) A financial institution, state agency, county department, Wisconsin
20 works agency, service office ~~or~~, family care district, or the Milwaukee County child
21 welfare district or an employee of a financial institution, state agency, county
22 department, Wisconsin works agency, service office ~~or~~, family care district, or the
23 Milwaukee County child welfare district is not subject to s. 69.24 (1) (a) for copying
24 a certified copy of a vital record for use by the financial institution, state agency,

1 county department, Wisconsin works agency, service office or family care district, or
2 the Milwaukee County child welfare district, including use under s. 45.36 (4m), if the
3 copy is marked “FOR ADMINISTRATIVE USE”–.”

4 **SECTION 2102c.** 70.11 (2) of the statutes is amended to read:

5 70.11 (2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION.
6 Property owned by any county, city, village, town, school district, technical college
7 district, public inland lake protection and rehabilitation district, metropolitan
8 sewerage district, municipal water district created under s. 198.22, joint local water
9 authority created under s. 66.0823, family care district under s. 46.2895, or town
10 sanitary district; property owned by the Milwaukee County child welfare district
11 under s. 48.562; lands belonging to cities of any other state used for public parks; land
12 tax–deeded to any county or city before January 2; but any residence located upon
13 property owned by the county for park purposes that is rented out by the county for
14 a nonpark purpose shall not be exempt from taxation. Except as to land acquired
15 under s. 59.84 (2) (d), this exemption shall not apply to land conveyed after
16 August 17, 1961, to any such governmental unit or for its benefit while the grantor
17 or others for his or her benefit are permitted to occupy the land or part thereof in
18 consideration for the conveyance. Leasing the property exempt under this
19 subsection, regardless of the lessee and the use of the leasehold income, does not
20 render that property taxable.”.

21 **902.** Page 701, line 12: after that line insert:

22 “**SECTION 2103m.** 70.11 (12m) of the statutes is created to read:

1 70.11 **(12m)** JEWISH COMMUNITY CENTERS. Property owned by a Jewish
2 community center, if the property is used for moral, religious, and educational
3 purposes and is not used for pecuniary profit of any individual.”.

4 **903.** Page 702, line 23: delete lines 23 to 25.

5 **904.** Page 703, line 1: delete lines 1 to 7.

6 **905.** Page 703, line 14: after “to” insert “automatic teller machines.”.

7 **906.** Page 703, line 19: delete lines 19 to 22.

8 **907.** Page 704, line 22: after that line insert:

9 “**SECTION 2112m.** 70.111 (25) of the statutes is amended to read:

10 70.111 **(25)** DIGITAL BROADCASTING EQUIPMENT. Digital broadcasting equipment
11 owned and used by a radio station ~~or a~~ television station, ~~except that this subsection~~
12 ~~does not apply to digital broadcasting equipment that is owned and used by a~~ or cable
13 television system, as defined in s. ~~66.082~~ 66.0419 (2) (d).”.

14 **908.** Page 705, line 24: after that line insert:

15 “**SECTION 2114h.** 70.32 (2) (c) 1. of the statutes is amended to read:

16 70.32 **(2)** (c) 1. “Agricultural land” means land, exclusive of buildings and
17 improvements and the land necessary for their location and convenience, that is
18 devoted primarily to agricultural use, as defined by rule, if the land is a farm, as
19 defined in sub. (2s) (a) 2., and the owner or lessee of the land files the form under sub.
20 (2s).

21 **SECTION 2114j.** 70.32 (2) (c) 1m. of the statutes is created to read:

22 70.32 **(2)** (c) 1m. “Other” means buildings and improvements located on farms,
23 as defined in sub. (2s) (a) 2., and the land necessary for their location and
24 convenience.”.

1 **909.** Page 706, line 6: after that line insert:

2 “**SECTION 2114p.** 70.32 (2s) of the statutes is created to read:

3 70.32 **(2s)** (a) In this subsection:

4 1. “Department” means the department of revenue.

5 2. “Farm” means a business engaged in activities included in the North
6 American Industry Classification System, 1997 edition, published by the U.S. office
7 of management and budget under any of the following classifications, if the business
8 generated at least \$6,000 in gross receipts from such activities in the year preceding
9 the date that a form is filed under par. (b) or if the business is likely to generate at
10 least \$6,000 in gross receipts from such activities in the year following the date that
11 a form is filed under par. (b):

12 a. Classification 111–Crop production including grow sod, Christmas trees, and
13 ginseng under industry number 111421, but excluding growing nursery product and
14 stock under industry number 111421.

15 b. Classification 112–Animal production.

16 (b) Any person who owns or who is a lessee of land used as a farm shall file a
17 form, as prescribed by the department, with the assessor of each taxation district in
18 which land included in the farm is located no later than March 1 that certifies that
19 the person is the owner or lessee of land used as a farm. The person shall certify on
20 the form that the farm generated at least \$6,000 in gross receipts from the activities
21 described under par. (a) 2. in the preceding year, or is likely to generate at least
22 \$6,000 in gross receipts from such activities in the year following the date that a form
23 is filed under this paragraph. On the form, the person shall specify each such activity
24 and the gross receipts generated or likely to be generated from each activity. For

1 purposes of this subsection, gross receipts from the activities described under par. (a)
2 2. shall be calculated on a per farm basis, regardless of whether the farm is located
3 in more than one taxation district. A person who has filed a form under this
4 paragraph shall only file such a form in a subsequent year, if in that subsequent year
5 the person has acquired or leased additional land to be used as part of the farm.

6 (c) If the use of the person's land has changed so that it may no longer be
7 assessed as agricultural land under sub. (2r), the person who owns or who is the
8 lessee of the land shall notify the clerk of the taxation district in which the person's
9 land is located, on a form prescribed by the department. If the use of the person's land
10 has changed so that it may no longer be assessed as agricultural land under sub. (2r)
11 and the person who owns or who is the lessee of the land does not notify the clerk of
12 the taxation district as provided under this paragraph, the taxation district shall
13 treat the difference between the land's value as agricultural land under sub. (2r) and
14 the land's value under the appropriate classification as provided under sub. (2) (a)
15 as omitted property under s. 70.44 and collect from the owner of the land the penalty
16 under s. 74.48.”.

17 **910.** Page 706, line 15: delete the material beginning with that line and
18 ending on page 708, line 5.

19 **911.** Page 723, line 19: delete the material beginning with that line and
20 ending with page 728, line 17.

21 **912.** Page 728, line 20: delete “(2dx) ~~and~~, (3g), and” and substitute “(2dx),
22 and”.

23 **913.** Page 730, line 18: after that line insert:

24 **“SECTION 2145m.** 71.07 (2di) (b) 1. of the statutes is amended to read:

1 71.07 **(2di)** (b) 1. Except as provided in subd. 2., the credit, including any
2 credits carried over, may be offset only against the amount of the tax otherwise due
3 under this chapter attributable to income from the business operations of the
4 claimant in the development zone; except that a claimant in a development zone
5 under s. 560.795 (1) (e) may offset the credit, including any credits carried over,
6 against the amount of the tax otherwise due under this chapter attributable to all
7 of the claimant's income; and against the tax attributable to income from directly
8 related business operations of the claimant.

9 **SECTION 2145p.** 71.07 (2di) (b) 3. of the statutes is amended to read:

10 71.07 **(2di)** (b) 3. Partnerships, limited liability companies and tax-option
11 corporations may not claim the credit under this subsection, but the eligibility for,
12 and amount of, that credit shall be determined on the basis of their economic activity,
13 not that of their shareholders, partners or members. The corporation, partnership
14 or company shall compute the amount of the credit that may be claimed by each of
15 its shareholders, partners or members and shall provide that information to each of
16 its shareholders, partners or members. Partners, members of limited liability
17 companies and shareholders of tax-option corporations may claim the credit based
18 on the partnership's, company's or corporation's activities in proportion to their
19 ownership interest and may offset it against the tax attributable to their income from
20 the partnership's, company's or corporation's business operations in the
21 development zone; except that partners, members, and shareholders in a
22 development zone under s. 560.795 (1) (e) may offset the credit against the amount
23 of the tax attributable to their income from all of the partnership's, company's, or
24 corporation's business operations; and against the tax attributable to their income

1 from the partnership's, company's or corporation's directly related business
2 operations.”.

3 **914.** Page 731, line 2: after “(e)” insert “and (f)”.

4 **915.** Page 733, line 2: after that line insert:

5 “(hm) Credits claimed under this subsection, including any credits carried over,
6 may be offset only against the amount of the tax otherwise due under this subchapter
7 attributable to income from the business operations of the claimant in the
8 development zone; except that a claimant in a development zone under s. 560.795 (1)
9 (e) may offset credits, including any credits carried over, against the amount of the
10 tax otherwise due under this subchapter attributable to all of the claimant's income;
11 and against the tax attributable to income from directly related business operations
12 of the claimant.”.

13 **916.** Page 733, line 14: after “zone” insert “; except that partners, members,
14 and shareholders in a development zone under s. 560.795 (1) (e) may offset the credit
15 against the amount of the tax attributable to their income from all of the
16 partnership's, company's, or corporation's business operations;”.

17 **917.** Page 734, line 22: after that line insert:

18 “**SECTION 2147d.** 71.07 (5) (a) 10. of the statutes is created to read:

19 71.07 (5) (a) 10. Any amount claimed as a credit under sub. (9t).”.

20 **918.** Page 734, line 22: after that line insert:

21 “**SECTION 2147k.** 71.07 (2dx) (b) (intro.) of the statutes is amended to read:

22 71.07 (2dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and
23 in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person
24 is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3)

1 or 560.797 (4), any person may claim as a credit against taxes imposed on the person's
2 income from the person's business activities in a development zone the following
3 amounts:

4 **SECTION 2147m.** 71.07 (2dx) (be) of the statutes is created to read:

5 71.07 (2dx) (be) *Offset.* A claimant in a development zone under s. 560.795 (1)
6 (e) may offset any credits claimed under this subsection, including any credits
7 carried over, against the amount of the tax otherwise due under this subchapter
8 attributable to all of the claimant's income and against the tax attributable to income
9 from directly related business operations of the claimant.

10 **SECTION 2147p.** 71.07 (2dx) (bg) of the statutes is created to read:

11 71.07 (2dx) (bg) *Other entities.* For claimants in a development zone under s.
12 560.795 (1) (e), partnerships, limited liability companies, and tax-option
13 corporations may not claim the credit under this subsection, but the eligibility for,
14 and amount of, that credit shall be determined on the basis of their economic activity,
15 not that of their shareholders, partners, or members. The corporation, partnership,
16 or company shall compute the amount of the credit that may be claimed by each of
17 its shareholders, partners, or members and shall provide that information to each
18 of its shareholders, partners, or members. Partners, members of limited liability
19 companies, and shareholders of tax-option corporations may claim the credit based
20 on the partnership's, company's, or corporation's activities in proportion to their
21 ownership interest and may offset it against the tax attributable to their income from
22 all of the partnership's, company's, or corporation's business operations and against
23 the tax attributable to their income from the partnership's, company's, or
24 corporation's directly related business operations.”.

1 **919.** Page 734, line 23: delete the material beginning with that line and
2 ending with page 735, line 20.

3 **920.** Page 736, line 12: delete the material beginning with that line and
4 ending with page 738, line 1.

5 **921.** Page 737, line 24: after that line insert:

6 “**SECTION 2150d.** 71.07 (9t) of the statutes is created to read:

7 71.07 **(9t)** ARTISTIC ENDOWMENT CREDIT. (a) *Definition.* In this subsection,
8 “claimant” means a person who files a claim under this subsection.

9 (b) *Filing claims.* For taxable years beginning after December 31, 2002, subject
10 to the limitations provided in this subsection, a claimant may claim as a credit
11 against the tax imposed under s. 71.02, up to the amount of those taxes, an amount
12 equal to 25% of the amount contributed to the artistic endowment fund under s.
13 25.78, up to a maximum \$50 contribution in a taxable year for a claimant who claims
14 the credit as an individual or claims the credit as a married person who files a
15 separate income tax return, up to a maximum \$100 contribution in a taxable year
16 for a claimant and a claimant’s spouse who file a joint return.

17 (c) *Limitations and conditions.* 1. Nonresidents of this state are not eligible
18 for the credit under this subsection, except as provided under subd. 2.

19 2. For a claimant who is a part-year resident of this state and who is a single
20 person or a married person filing a separate return, multiply the credit for which the
21 claimant is eligible under par. (b) by a fraction, the numerator of which is the
22 individual’s Wisconsin adjusted gross income and the denominator of which is the
23 individual’s federal adjusted gross income. If a claimant is married and files a joint
24 return, and if the claimant’s spouse is a nonresident or if the claimant or the

1 claimant's spouse, or both, are part-year residents of this state, multiply the credit
2 for which the claimant is eligible under par. (b) by a fraction, the numerator of which
3 is the couple's joint Wisconsin adjusted gross income and the denominator of which
4 is the couple's joint federal adjusted gross income.

5 3. No new claim may be filed under this subsection for a taxable year that
6 begins after December 31 of the year in which the department determines that the
7 total amount of revenues received by the endowment fund equals \$50,150,000.

8 4. No credit may be allowed under this subsection unless it is claimed within
9 the time period under s. 71.75 (2).

10 **SECTION 2150e.** 71.10 (4) (dg) of the statutes is created to read:

11 71.10 (4) (dg) The artistic endowment credit under s. 71.07 (9t).”.

12 **922.** Page 737, line 24: after that line insert:

13 “**SECTION 2150e.** 71.07 (9) (b) 1. of the statutes is amended to read:

14 71.07 (9) (b) 1. Subject to the limitations under this subsection and except as
15 provided in subds. 2., 4. ~~and~~ 5., and 6., a claimant may claim as a credit against, but
16 not to exceed the amount of, taxes under s. 71.02, 10% of the first \$2,000 of property
17 taxes or rent constituting property taxes, or 10% of the first \$1,000 of property taxes
18 or rent constituting property taxes of a married person filing separately.

19 **SECTION 2150f.** 71.07 (9) (b) 5. of the statutes is amended to read:

20 71.07 (9) (b) 5. For taxable years beginning after December 31, 1999, and
21 before January 1, 2001, subject to the limitations under this subsection a claimant
22 may claim as a credit against, but not to exceed the amount of, taxes under s. 71.02,
23 12% of the first \$2,500 of property taxes or rent constituting property taxes, or 12%

1 of the first \$1,250 of property taxes or rent constituting property taxes of a married
2 person filing separately.

3 **SECTION 2150g.** 71.07 (9) (b) 6. of the statutes is created to read:

4 71.07 **(9)** (b) 6. For taxable years beginning after December 31, 2000, subject
5 to the limitations under this subsection, a claimant may claim as a credit against,
6 but not to exceed the amount of, taxes under s. 71.02, 13.3% of the first \$2,000 of
7 property taxes or rent constituting property taxes, or 13.3% of the first \$1,000 of
8 property taxes or rent constituting property taxes of a married person filing
9 separately.”.

10 **923.** Page 738, line 5: delete lines 5 and 6.

11 **924.** Page 741, line 22: delete “(2dx) and, (3g), and” and substitute “(2dx),
12 and”.

13 **925.** Page 763, line 5: after that line insert:

14 “**SECTION 2160d.** 71.25 (5) (a) 9. of the statutes is amended to read:

15 71.25 **(5)** (a) 9. Interest and dividends ~~if the operations of the payer are unitary~~
16 ~~with those of the payee, or if those operations are not unitary but the investment~~
17 ~~activity from which that income is derived is an integral part of a unitary business~~
18 ~~and the payer and payee are neither affiliates nor related as parent company and~~
19 ~~subsidiary. In this subdivision, “investment activity” includes decision making~~
20 ~~relating to the purchase and sale of stocks and other securities, investing surplus~~
21 ~~funds and the management and record keeping associated with corporate~~
22 ~~investments, not including activities of a broker or other agent in maintaining an~~
23 ~~investment portfolio.~~

24 **SECTION 2160e.** 71.25 (5) (a) 10. of the statutes is amended to read:

1 71.25 (5) (a) 10. ~~Sale of intangible assets if the operations of the company in~~
2 ~~which the investment was made were unitary with those of the investing company,~~
3 ~~or if those operations were not unitary but the investment activity from which that~~
4 ~~gain or loss was derived is an integral part of a unitary business and the companies~~
5 ~~were neither affiliates nor related as parent company and subsidiary. In this~~
6 ~~subdivision, “investment activity” has the meaning given under subd. 9.~~

7 **SECTION 2160g.** 71.25 (5) (b) 1. of the statutes is renumbered 71.25 (5) (b).

8 **SECTION 2160h.** 71.25 (5) (b) 2. of the statutes is repealed.”.

9 **926.** Page 763, line 6: delete the material beginning with that line and ending
10 with page 768, line 6, and substitute:

11 **“SECTION 2169d.** 71.25 (9) (a) of the statutes is amended to read:

12 71.25 (9) (a) The sales factor is a fraction, the numerator of which is the total
13 sales of the taxpayer in this state during the tax period, and the denominator of
14 which is the total sales of the taxpayer everywhere during the tax period. For sales
15 of tangible personal property, the numerator of the sales factor is the sales of the
16 taxpayer during the tax period under par. (b) 1. and 2. plus 50% of the sales of the
17 taxpayer during the tax period under pars. (b) 2m. and 3. and (c). For purposes of
18 determining the numerator of the sales factor for a member of a combined reporting
19 group under s. 71.255 (7), “taxpayer” means the member of a combined reporting
20 group, as defined in s. 71.255 (1) (c), that transferred title to tangible personal
21 property or, for sales other than sales of tangible personal property, that made the
22 sale.”.

23 **927.** Page 768, line 16: after that line insert:

24 **“SECTION 2173x.** 71.26 (1) (b) of the statutes is amended to read:

1 71.26 (1) (b) *Political units.* Income received by the United States, the state,
2 the Milwaukee County child welfare district under s. 48.562, and all counties, cities,
3 villages, towns, school districts, technical college districts, joint local water
4 authorities created under s. 66.0823, family care districts under s. 46.2895, or other
5 political units of this state.”.

6 **928.** Page 768, line 16: after that line insert:

7 “**SECTION 2173d.** 71.255 of the statutes is created to read:

8 **71.255 Combined reporting. (1) DEFINITIONS.** In this section:

9 (a) “Brother–sister parent corporation” means a parent corporation that is a
10 member of a commonly controlled group, if any members of the commonly controlled
11 group are not connected to the parent corporation by stock ownership as described
12 in par. (d) 1. to 5.

13 (b) “Combined report” means a form prescribed by the department that
14 specifies the income of each taxpayer member of a commonly controlled group
15 operating as a unitary business.

16 (c) “Combined reporting group” means the members of a commonly controlled
17 group that are included in a combined report under sub. (2).

18 (d) “Commonly controlled group” means any of the following, but does not
19 include an insurer that is exempt from taxation under s. 71.45 (1):

20 1. A parent corporation and any corporation or chain of corporations that are
21 connected to the parent corporation by direct or indirect ownership by the parent
22 corporation if the parent corporation owns stock representing more than 50% of the
23 voting power of at least one of the connected corporations or if the parent corporation

1 or any of the connected corporations owns stock that cumulatively represents more
2 than 50% of the voting power of each of the connected corporations.

3 2. Any 2 or more corporations if a common owner directly or indirectly owns
4 stock representing more than 50% of the voting power of the corporations or the
5 connected corporations.

6 3. A partnership or limited liability company if a parent corporation or any
7 corporation connected to the parent corporation by common ownership directly or
8 indirectly owns shares representing more than 50% of the shares of the partnership
9 or limited liability company.

10 4. Any 2 or more corporations if stock representing more than 50% of the voting
11 power in each corporation are interests that cannot be separately transferred.

12 5. Any 2 or more corporations if stock representing more than 50% of the voting
13 power is directly owned by, or for the benefit of, family members. In this subdivision,
14 “family members” means an individual or a spouse related by blood, marriage or
15 adoption within the 2nd degree of kinship as computed under s. 852.03 (2), 1995
16 stats.

17 (e) “Corporation” has the meaning given in s. 71.22 (1) or 71.42 (1).

18 (f) “Department” means the department of revenue.

19 (g) “Designated agent” means the taxpayer member of a commonly controlled
20 group who files a group return on behalf of the commonly controlled group.

21 (h) “Group return” means a tax return filed on behalf of the taxpayer members
22 of a commonly controlled group.

23 (i) “Intercompany transaction” means a transaction between corporations,
24 partnerships, or limited liability companies that become members of the same

1 commonly controlled group that is engaged in a unitary business immediately after
2 the transaction.

3 (im) “Partnership” means any entity considered a partnership under section
4 7701 of the Internal Revenue Code.

5 (j) “Separate return” means a return filed by a corporation, regardless of
6 whether the corporation is required to file a tax return under s. 71.24 or 71.44.

7 (k) “Taxpayer member” means a corporation that is subject to tax under s. 71.23
8 (1) or (2) or 71.43, that is a member of a combined reporting group, and that files a
9 combined report under this section.

10 (L) “Top tier corporation” means a member of a commonly controlled group that
11 is not connected with a parent corporation by stock ownership as described in par.

12 (d) 1. to 5., is a parent corporation, or is a brother–sister parent corporation,
13 regardless of whether it is doing business in this state or deriving income from
14 sources in this state, and regardless of whether its income and apportionment factors
15 are excluded from a combined report filed under this section.

16 (m) “Unitary business” means the business activities or operations of an entity
17 that are of mutual benefit to, integrated with, or dependent upon or contribute to
18 activities of at least one other entity, including transactions that serve an operational
19 function, as determined by the department. Two or more businesses are presumed
20 to be a unitary business if the businesses have unity of ownership, operation, and use
21 as indicated by centralized management or a centralized executive force; centralized
22 purchasing, advertising, or accounting; intercorporate sales or leases; intercorporate
23 services; intercorporate debts; intercorporate use of proprietary materials;
24 interlocking directorates; or interlocking corporate officers.

1 **(2) CORPORATIONS REQUIRED TO USE COMBINED REPORTING.** (a) Except as provided
2 in par. (b), a corporation that is subject to the tax imposed under s. 71.23 (1) or (2)
3 or 71.43, that is a member of a commonly controlled group, and that is engaged, in
4 whole or in part, in a unitary business with one or more members of the commonly
5 controlled group shall compute the corporation's income attributable to this state by
6 using the income computation under s. 71.26 or 71.45, the apportionment formula
7 under s. 71.25 (6) or 71.45 (3) and (3m), and the tax credits under s. 71.28 or 71.47
8 of all of the following that are members of the commonly controlled group:

9 1. Any corporation organized or incorporated under the laws of the United
10 States, any state of the United States, the District of Columbia, the Commonwealth
11 of Puerto Rico, any possession of the United States, or any subdivision of the United
12 States, including corporations under sections 931 to 936 of the Internal Revenue
13 Code.

14 2. Any domestic international sales corporation under sections 991 to 994 of the
15 Internal Revenue Code.

16 3. Any foreign sales corporation under sections 921 to 927 of the Internal
17 Revenue Code.

18 4. Any export trade corporation under sections 970 and 971 of the Internal
19 Revenue Code.

20 5. Any corporation regardless of its place of incorporation if the average of its
21 property factor under s. 71.25 (7) and its payroll factor under s. 71.25 (8), for property
22 and payroll within the United States and computed on an annual basis, is at least
23 20% during any part of the taxable year that a corporation is a member of the
24 commonly controlled group.

1 6. Any corporation not described in subds. 1. to 5. to the extent of the
2 corporation's income within the United States and the corporation's property factor
3 under s. 71.25 (7) and payroll factor under s. 71.25 (8) assignable to a location within
4 the United States.

5 (b) A corporation that is subject to the tax imposed under s. 71.23 (1) or (2) or
6 71.43, that is a member of a commonly controlled group, and that is engaged, in whole
7 or in part, in a unitary business with one or more members of the commonly
8 controlled group may compute the corporation's income attributable to this state by
9 using the income computation under s. 71.26 or 71.45, the apportionment formula
10 under s. 71.25 (6) or 71.45 (3) and (3m), and the tax credits under s. 71.28 or 71.47
11 of all the members of the commonly controlled group, regardless of the country in
12 which any member of the commonly controlled group is organized or incorporated or
13 conducts business, if all top tier corporations that are members of the commonly
14 controlled group elect under sub. (3) to compute the corporation's income as provided
15 under this paragraph.

16 **(3) COMPUTATION ELECTION.** (a) A top tier corporation that is a member of a
17 commonly controlled group may elect on the commonly controlled group's behalf, and
18 in the manner prescribed by the department, to compute the income of each
19 corporation that is a member of the commonly controlled group under sub. (2) (b).
20 If more than one member of the commonly controlled group is a top tier corporation,
21 an election under this subsection is not effective unless all top tier corporations elect
22 on the commonly controlled group's behalf, and in the manner prescribed by the
23 department, to compute income under sub. (2) (b).

24 (b) A top tier corporation shall file an election made under par. (a) with the
25 department before the last day of the taxable year. The top tier corporation shall

1 designate a taxable year that corresponds with the taxable year of any taxpayer
2 member that is subject to the tax imposed under s. 71.23 (1) or (2) or 71.43. If the
3 top tier corporation fails to file the election before the last day of the taxable year
4 designated under this paragraph, all members of the commonly controlled group to
5 which the top tier corporation belongs, including the top tier corporation, shall
6 compute income under sub. (2) (a).

7 (c) Except as provided under par. (d), the members of the commonly controlled
8 group subject to an election under this subsection shall compute their income under
9 sub. (2) (b) for 5 taxable years, beginning with the taxable year designated under par.
10 (b). Thereafter, the members of the commonly controlled group shall compute their
11 income under sub. (2) (b) for periods of 5 taxable years and until any top tier
12 corporation that is a member of the commonly controlled group notifies the
13 department, in a manner prescribed by the department, before the last day of the last
14 taxable year in any period of 5 taxable years that the top tier corporation is
15 terminating the election under this subsection. A termination under this paragraph
16 takes effect on the first day of the first taxable year beginning after the top tier
17 corporation notifies the department under this paragraph.

18 (d) The department may grant a request by a top tier corporation to terminate
19 an election under this subsection before the first period of 5 taxable years under par.
20 (c) expires, if the top tier corporation shows good cause for granting the request, as
21 determined by the department and consistent with section 1502 of the Internal
22 Revenue Code.

23 (e) Except as provided in par. (f), if an election by a top tier corporation on behalf
24 of the members of a commonly controlled group under this subsection is terminated,
25 no top tier corporation may make an election on behalf of the members of the same

1 commonly controlled group until 5 taxable years have elapsed from the day that the
2 termination of the original election took effect.

3 (f) The department may grant a request by a top tier corporation to make an
4 election under this subsection before the period of 5 taxable years under par. (e) have
5 elapsed, if the top tier corporation shows good cause for granting the request, as
6 determined by the department and consistent with section 1502 of the Internal
7 Revenue Code.

8 **(4) ACCOUNTING PERIOD.** For purposes of this section, the income under ss. 71.26
9 and 71.45, the apportionment factors under ss. 71.25 and 71.45 and the tax credits
10 under ss. 71.28 and 71.47 of all corporations that are members of a combined
11 reporting group shall be determined by using the same accounting period. If the
12 combined reporting group has a common parent corporation, the accounting period
13 of the common parent corporation shall be used to determine the income, the
14 apportionment factors, and the tax credits of all the corporations that are members
15 of the combined reporting group. If the combined reporting group has no common
16 parent corporation, the income, the apportionment factors, and the tax credits of the
17 combined reporting group shall be determined using the accounting period of the
18 member of the combined reporting group that has the most significant operations on
19 a recurring basis in this state, as determined by the department.

20 **(5) FILING RETURNS.** (a) *Corporations with the same accounting period.*
21 Corporations that must file a combined report under this section and that have the
22 same accounting period may file a group return, as prescribed by the department,
23 that reports the aggregate state franchise or state income tax liability of all of the
24 members of the combined reporting group. Corporations that are required to file a
25 combined report under this section may file separate returns reporting the

1 respective apportionment of the corporation's state franchise or state income tax
2 liability as determined under sub. (2) (a), if each corporation filing a separate return
3 pays its own apportionment of its state franchise or state income tax liability.

4 (b) *Corporations with different accounting periods.* Corporations that are
5 required to file a combined report and that have different accounting periods shall
6 file separate returns and shall use the actual figures from the corporations' financial
7 records to determine the proper income and income-related computations to convert
8 to a common accounting period. Corporations that are required to file a combined
9 report may use a proportional method to convert income to a common accounting
10 period if the results of the proportional method do not materially misrepresent the
11 income apportioned to this state. The apportionment factors under ss. 71.25 and
12 71.45 and the tax credits under ss. 71.28 and 71.47 shall be computed according to
13 the same method used to determine the income under ss. 71.26 and 71.45 for the
14 common accounting period. If a corporation performs an interim closing of its
15 financial records to determine the income attributable to the common accounting
16 period, the actual figures from the interim closing shall be used to convert the
17 apportionment factors and tax credits to the common accounting period.

18 (c) *Designated agent.* 1. For corporations that are subject to this section and
19 that file a group return under par. (a), the parent corporation of the combined
20 reporting group is the sole designated agent for each member of the combined
21 reporting group including the parent corporation, if the parent corporation is a
22 taxpayer member of the combined reporting group and income of the parent
23 corporation is included on the group return. If the parent corporation is not a
24 taxpayer member or if the parent corporation's income is not included on the group
25 return, the taxpayer members may appoint a taxpayer member to be the designated

1 agent. If the parent corporation of the combined reporting group is not eligible to be
2 the designated agent and no taxpayer member is appointed to be the designated
3 agent, the designated agent is the taxpayer member that has the most significant
4 operations in this state on a recurring basis, as determined by the department. The
5 designated agent, as determined under this subdivision, remains the designated
6 agent until the designated agent is no longer a taxpayer member or until the
7 taxpayer members appoint a different designated agent. If the designated agent
8 changes, the combined reporting group shall notify the department of such a change,
9 in a manner prescribed by the department.

10 2. The designated agent shall file the group return under par. (a), shall file for
11 any extensions under s. 71.24 (7) or 71.44 (3), shall file amended reports and claims
12 for refund or credit, and shall send and receive all correspondence with the
13 department regarding a group return. Any notice the department sends to the
14 designated agent is considered a notice sent to all members of the combined reporting
15 group. Any refund with respect to a group return shall be paid to and in the name
16 of the designated agent and shall discharge any liability of the state to any member
17 of a combined reporting group regarding the refund. The combined reporting group
18 filing a group return under par. (a) shall pay all taxes, including estimated taxes, in
19 the designated agent's name. The designated agent shall participate on behalf of the
20 members of the combined reporting group in any investigation or hearing requested
21 by the department regarding a group return and shall produce all information
22 requested by the department regarding a group return. The designated agent may
23 execute a power of attorney on behalf of the members of the combined reporting
24 group. The designated agent shall execute waivers, closing agreements, and other
25 documents regarding a group return filed under par. (a) and any waiver, agreement,

1 or document executed by the designated agent shall be considered as executed by all
2 members of the combined reporting group. If the department acts in good faith with
3 a combined reporting group member that represents itself as the designated agent
4 for the combined reporting group but that combined reporting group member is not
5 the designated agent, any action taken by the department with that combined
6 reporting group member has the same effect as if that combined reporting group
7 member were the actual designated agent for the combined reporting group.

8 (d) *Part-year members.* If a corporation becomes a member of a combined
9 reporting group or ceases to be a member of a combined reporting group after the
10 beginning of a common accounting period, the corporation's income shall be
11 apportioned to this state as follows:

12 1. If the corporation is required to file 2 or more short period federal returns
13 for the common accounting period, the income for the short period that the
14 corporation was a member of a combined reporting group shall be determined as
15 provided under sub. (2), the corporation shall join in filing a combined report for that
16 short period, and the corporation may join in filing a group return for that short
17 period. The income for the remaining short period shall be reported on a separate
18 return under s. 71.25 or 71.45. If the corporation becomes a member of another
19 combined reporting group in the remaining short period, the corporation's income
20 shall be determined for the remaining short period as provided under sub. (2).

21 2. If the corporation is not required to file federal short period returns, the
22 corporation shall file a separate return. Income shall be determined as follows:

23 a. As provided under sub. (2) for any period that the corporation was a member
24 of a combined reporting group.

1 b. On a separate report under s. 71.25 or 71.45 for any period that the
2 corporation was not a member of a combined reporting group.

3 (e) *Amended group return.* The election to file a group return under this section
4 applies to an amended group return that includes the same corporations that joined
5 in the filing of the original group return. Under this section, an amended group
6 return shall be filed as follows:

7 1. If an election to file a group return that is in effect for a taxable year is
8 revoked for the taxable year because the combined reporting group that filed the
9 group return is not subject to sub. (2), as determined by the department, the
10 designated agent for the combined reporting group may not file an amended group
11 return. The designated agent and each corporation that joined in filing the group
12 return shall file a separate amended return. To compute the tax due on a separate
13 amended return, a corporation that files a separate amended return shall consider
14 all of the payments, credits or other amounts, including refunds, that the designated
15 agent allocated to the corporation.

16 2. If a change in tax liability under this section is the result of the removal of
17 a corporation from a combined reporting group because the corporation was not
18 eligible to be a member of the combined reporting group for the taxable year, as
19 determined by the department, the designated agent shall file an amended group
20 return and the ineligible corporation shall file a separate amended return.

21 3. If a corporation erroneously fails to join in the filing of a group return, the
22 designated agent shall file an amended group return that includes the corporation.
23 If a corporation that erroneously fails to join in the filing of a group return has filed
24 a separate return, the corporation shall file an amended separate return that shows

1 no net income, overpayment or underpayment, and shows that the corporation has
2 joined in the filing of a group return.

3 **(6) INCOME COMPUTATION UNDER COMBINED REPORTING.** For the purposes of sub.
4 (2), income attributable to this state shall be determined as follows:

5 (a) Determine the net income of each member of a combined reporting group
6 under s. 71.26 or 71.45, as appropriate, before deducting net business losses. A
7 member of a combined reporting group may determine its loss or net income under
8 s. 71.26 (3) (y), 71.45 (2) (a) 13., or 71.49 (2), as appropriate, regardless of the
9 accounting method used to determine the loss or net income of other members of the
10 combined reporting group. A unitary business with operations in a foreign country
11 shall compute its loss or net income as provided by rule by the department.

12 (b) Adjust each member's income, as determined under par. (a), as provided
13 under s. 71.30.

14 (c) From the amount determined under par. (b), subtract intercompany
15 transactions, as provided by rule by the department, such that intercompany
16 accounts of assets, liabilities, equities, income, costs or expenses are excluded from
17 the income determination to accurately reflect the income, the apportionment
18 factors and the tax credits in a combined report that is filed under this section. An
19 intercompany transaction includes the following:

20 1. Income or gain from sales, exchanges, contributions, or other transfers of
21 tangible or intangible property from a member of the combined reporting group to
22 another member of the combined reporting group.

23 2. Annual rent paid by a member of the combined reporting group to another
24 member of the combined reporting group.

1 3. Annual license fees or royalties paid by a member of the combined reporting
2 group to another member of the combined reporting group.

3 4. Loans, advances, receivables, and similar items that one member of the
4 combined reporting group owes to another member of the combined reporting group,
5 including interest income and interest expense related to these items.

6 5. Stock or other equity of a member of the combined reporting group that is
7 owned or controlled by another member of the combined reporting group.

8 6. Dividends paid out of earnings or profits and paid by a member of the
9 combined reporting group to another member of the combined reporting group.

10 7. Management or service fees paid by a member of the combined reporting
11 group to another member of the combined reporting group.

12 8. Income or expenses allocated or charged by a member of the combined
13 reporting group to another member of the combined reporting group.

14 (d) From the amount determined under par. (c) for each member of a combined
15 reporting group, subtract nonapportionable income, net of related expenses, and add
16 nonapportionable losses, net of related expenses, to determine each member's
17 apportionable net income or apportionable net loss.

18 (e) Calculate the apportionment factors under sub. (7) and multiply each
19 member's apportionable net income or apportionable net loss, as determined under
20 par. (d), by the member's apportionment fraction as determined under sub. (7).

21 (f) To the amount determined under par. (e), add each member's
22 nonapportionable income attributable to this state and subtract each member's
23 nonapportionable losses attributable to this state.

24 (g) If the combined reporting group is not filing a group return, combine the
25 amounts determined under par. (f) for all members of the combined reporting group.

1 (h) If the combined reporting group is filing a group return, combine the
2 amounts determined under par. (f) for all members of the combined reporting group
3 that join in filing the group return.

4 (i) From the amount determined under par. (g) or (h), as appropriate, subtract
5 the combined reporting group's net operating loss as determined under sub. (8).

6 **(7) APPORTIONMENT FACTOR COMPUTATION UNDER COMBINED REPORTING.** For the
7 purposes of sub. (2), this state's apportionment factors are determined as follows:

8 (a) 1. Determine the numerator and the denominator of the apportionment
9 factors as determined under s. 71.25 or 71.45, as appropriate, for each member of the
10 combined reporting group, except as provided in subd. 2.

11 2. If a member of a combined reporting group is not subject to the tax imposed
12 under s. 71.23 or 71.43 because it does not have sufficient connection to this state as
13 a separate entity for income or franchise tax purposes, as determined by the
14 department, the numerator of the member's sales factor under s. 71.25 (9) or
15 apportionment factor under s. 71.45 (3) is zero. If a member of a combined reporting
16 group is a corporation engaged in business wholly within this state, as provided
17 under s. 71.25 (4), the numerator and denominator of the member's apportionment
18 factors is the same. If a member of a combined reporting group is not subject to an
19 income or franchise tax as a separate entity in the state to which a sale is attributed,
20 the sale is attributed to this state.

21 (b) Subtract intercompany transactions under sub. (6) (c) from both the
22 numerators and the denominators as determined under par. (a).

23 (c) Add the denominators of the apportionment factors for each member of the
24 combined reporting group, as determined under par. (a), to arrive at the combined
25 denominators.

1 (d) Compute the apportionment factors for each member of the combined
2 reporting group by dividing the numerator of a member of the combined reporting
3 group as determined under par. (a) by the combined denominator as determined
4 under par. (c).

5 **(8) NET BUSINESS LOSS CARRY-OVER.** (a) For taxable years beginning after
6 December 31, 2001, any net business loss of a corporation that is a member of a
7 combined reporting group as determined under sub. (6) for the taxable year that is
8 not offset against the net income of the other members of the combined reporting
9 group in the same taxable year may be carried forward as provided under s. 71.26
10 (4), except that any net business loss carried forward to a subsequent taxable year
11 may be offset against either the net income of the corporation that incurred the net
12 business loss or the net income of the combined reporting group of which the
13 corporation is a member, in the manner prescribed by rule by the department.

14 (b) A corporation that is a member of a combined reporting group may not carry
15 forward a net business loss from a taxable year beginning before January 1, 2002,
16 if the corporation was not subject to the tax imposed under s. 71.23 or 71.43 for the
17 same taxable year.

18 (c) A corporation that is a member of a combined reporting group and that
19 incurred a Wisconsin net business loss in a taxable year beginning before January
20 1, 2002, that has not been offset against the corporation's net income in subsequent
21 taxable years, may offset the remaining net business loss against the corporation's
22 net income as determined under sub. (6) (i). If the corporation joins in filing a group
23 return under sub. (5) and the corporation's remaining net business loss exceeds the
24 corporation's net income as determined under sub. (6) (i) for the first taxable year
25 beginning after December 31, 2001, that the corporation is subject to this section, the

1 corporation may annually offset up to 20% of the remaining net business loss against
2 the net income of the other members of the combined reporting group that join in
3 filing a group return under sub. (5).

4 **(9) NET INCOME OR LOSS FOR CORPORATIONS WITH DIFFERENT ACCOUNTING PERIODS.**

5 If a taxpayer member has a different accounting period than the common accounting
6 period of the combined reporting group, the combined reporting group shall assign
7 the combined report income or loss for the combined reporting group, as determined
8 under sub. (6) (i), proportionally to the number of months in the taxpayer member's
9 taxable year that are wholly or partly within the combined reporting group's common
10 accounting period. The total amount of income or loss assigned to a taxpayer member
11 under this subsection for the common accounting period shall be used to attribute
12 the taxpayer member's apportionable income to the combined reporting group for the
13 common accounting period.

14 **(10) NET TAX LIABILITY.** (a) A corporation that files a separate return under this
15 section shall determine its net tax liability as follows:

16 1. Multiply the amount determined under sub. (6) (i) for the corporation by the
17 tax rate under s. 71.27 or 71.46, as appropriate.

18 2. From the amount determined under subd. 1., subtract the corporation's tax
19 credits under s. 71.28 or 71.47 based on the corporation's expenses. A corporation
20 may not offset any of its tax credits, or tax credit carry forwards, against the tax
21 liability of any other member of the combined reporting group to which the
22 corporation belongs.

23 (b) A combined reporting group that files a group return under this section shall
24 determine its net tax liability as follows:

1 1. Multiply the amount determined under sub. (6) (i) for the combined reporting
2 group by the tax rate under s. 71.27 or 71.46, as appropriate.

3 2. From the amount determined under subd. 1., subtract the tax credits under
4 s. 71.27 and 71.47 for all taxpayer members of the combined reporting group.

5 **(11) ESTIMATED TAX PAYMENTS.** (a) For the first 2 taxable years that a group
6 return is filed under this section, estimated taxes under s. 71.29 and 71.48 may be
7 paid on a group basis or on a separate basis. The amount of any separate estimated
8 taxes paid in the first 2 taxable years that a group return is filed shall be credited
9 against the group's tax liability. The designated agent shall notify the department
10 of any estimated taxes paid on a separate basis in the first 2 taxable years that a
11 group return is filed.

12 (b) If a group return is filed for 2 consecutive taxable years, estimated taxes
13 under s. 71.29 and 71.48 shall be paid on a group basis for each subsequent taxable
14 year until such time as separate returns are filed by the corporations that were
15 members of a combined reporting group that filed group returns under this section.
16 For each taxable year in which combined estimated taxes are paid under this
17 subsection, the department shall consider the combined reporting group filing a
18 group return to be one taxpayer for purposes of computing interest on the
19 underpayment of estimated taxes. If a corporation subject to this section files a
20 separate return in a taxable year following a year in which the corporation joined in
21 filing a group return, the amount of any estimated tax payments made on a group
22 basis for the previous year shall be credited against the tax liability of the corporation
23 that files a separate return, as allocated by the designated agent with the
24 department's approval.

1 (c) If a combined reporting group pays estimated taxes on a group basis for a
2 taxable year or for any part of a taxable year, and the members of the combined
3 reporting group file separate returns for the taxable year, the designated agent, with
4 the department's approval, shall allocate the estimated tax payments among the
5 members of the combined reporting group.

6 (d) If estimated taxes are paid on a group basis for a taxable year but the group
7 does not file a group return for the taxable year and did not file a group return for
8 the previous taxable year, the estimated tax shall be credited to the member of the
9 combined reporting group that made the estimated tax payment on the group's
10 behalf.

11 (e) If a combined reporting group that will file a group return applies for a
12 refund of estimated taxes under s. 71.29 (3m), the department shall determine the
13 combined reporting group's eligibility for a refund on a group basis.

14 **(12) INTEREST FOR UNDERPAYMENT OF ESTIMATED TAX.** (a) *General.* The amount
15 of interest that is due for an underpayment of estimated taxes under sub. (11) shall
16 be computed as follows:

17 1. For the first year in which a combined reporting group files a group return,
18 the amount of interest that is due for an underpayment of estimated taxes shall be
19 determined by using the aggregate of the tax and income shown on the returns filed
20 by the members of the combined reporting group for the previous year.

21 2. For any year in which a combined reporting group files a group return, the
22 department shall determine if the combined reporting group qualifies for the
23 exception to interest under s. 71.29 (7) (b) by using the aggregate of the amount of
24 the tax liability and the amount of the net income of all members of the combined
25 reporting group.

1 3. For any year in which a combined reporting group files a group return, the
2 department shall determine if the installment provisions under s. 71.29 (9) or (10)
3 apply to the combined reporting group by using the aggregate of the amount of the
4 tax liability and the amount of the net income of all members of the combined
5 reporting group.

6 4. For estimated taxes paid under sub. (11) (c), the amount of interest that is
7 due from a member of a combined reporting group for an underpayment of estimated
8 taxes paid by the member shall be determined by using the member's separate items
9 from the group return filed for the previous year and the member's allocated share
10 of the combined estimated tax payments for the current year. The designated agent
11 shall report the member's allocated share of the combined estimated tax payments
12 for the current year to the department, in the manner prescribed by the department.

13 (b) *Entering a group.* If a corporation becomes a member of a combined
14 reporting group during a common accounting period under sub. (4), the combined
15 reporting group shall make the following adjustments to determine the amount of
16 interest that is due for an underpayment of estimated taxes:

17 1. If a corporation becomes a member of a combined reporting group at the
18 beginning of a common accounting period, the combined reporting group shall
19 include with the corresponding items on the group return for the previous common
20 accounting period the separate items shown on the corporation's return for the
21 previous taxable year.

22 2. If a corporation is not a member of a combined reporting group for an entire
23 common accounting period, the combined reporting group shall include with the
24 corresponding items on the group return for the current taxable year the

1 corporation's separate items for that portion of the common accounting period that
2 the corporation was a member of the combined reporting group.

3 3. To determine the separate items under subs. 1. and 2., if a corporation is
4 a member of a combined reporting group during a portion of a common accounting
5 period in which the corporation becomes a member of another combined reporting
6 group, the corporation's separate items shall include the separate items that are
7 attributed to the corporation by the designated agent of the first combined reporting
8 group.

9 (c) *Leaving a group.* If a corporation leaves a combined reporting group during
10 a common accounting period under sub. (4), the combined reporting group shall make
11 the following adjustments to determine the amount of interest that is due for an
12 underpayment of estimated taxes:

13 1. If a corporation leaves a combined reporting group before the first day of a
14 common accounting period, the commonly controlled group shall exclude the
15 separate items that the designated agent of the combined reporting group attributed
16 to the corporation for the preceding common accounting period from the
17 corresponding items of the combined reporting group for the preceding common
18 accounting period.

19 2. If a corporation leaves a combined reporting group after the first day of a
20 common accounting period, the combined reporting group shall exclude the separate
21 items that the designated agent of the combined reporting group attributed to the
22 corporation for the common accounting period from the corresponding items of the
23 combined reporting group for the current common accounting period.

24 3. A corporation that leaves a combined reporting group shall use the separate
25 items that the designated agent of the combined reporting group attributed to the

1 corporation to determine the amount of interest that is owed for any underpayment
2 of estimated taxes under sub. (12) for the first taxable year beginning after the day
3 that the corporation leaves the combined reporting group or, for a corporation that
4 has a different accounting period than the combined reporting group, for the portion
5 of the corporation's separate taxable year that remains after the day that the
6 corporation leaves the combined reporting group.

7 **(13) ASSESSMENT NOTICE.** If the department sends a notice of taxes that are
8 owed by a combined reporting group to the designated agent of a combined reporting
9 group, the notice shall name each corporation that joined in filing the group return
10 related to the notice during any part of the period covered by the notice. The
11 department's failure to name a corporation on a notice under this subsection shall
12 not invalidate the notice as to the unnamed corporation. Any levy, lien or other
13 proceeding to collect the amount of a tax assessment under this section shall name
14 the corporation from which the department shall collect the assessment. If a
15 corporation that joined in the filing of a group return leaves the combined reporting
16 group, the department shall send the corporation a copy of any notice sent to the
17 combined reporting group under this subsection if the corporation notifies the
18 department that the corporation is no longer a member of the combined reporting
19 group and if the corporation requests in writing that the department send notices
20 under this subsection to the corporation. The department's failure to comply with
21 a corporation's request to receive a notice does not affect the tax liability of the
22 corporation.

23 **(14) LIABILITY FOR TAX, INTEREST AND PENALTY.** If members of a combined
24 reporting group file a group return, the members of the combined reporting group
25 shall be jointly and severally liable for any combined tax, interest or penalty. The

1 liability of a member of a combined reporting group for any combined tax, interest
2 or penalty shall not be reduced by an agreement with another member of the
3 combined reporting group or by an agreement with another person.

4 **(15) PRESUMPTIONS AND BURDEN OF PROOF.** A commonly controlled group shall
5 be presumed to be engaged in a unitary business and all of the income of the unitary
6 business shall be presumed to be apportionable business income under this section.
7 A corporation, partnership or limited liability company has the burden of proving
8 that it is not a member of a commonly controlled group that is subject to this section.
9 The department shall promulgate rules to implement this subsection.

10 **(16) INFORMATION.** (a) A member of a commonly controlled group shall retain
11 any information, and provide such information to the department at the
12 department's request, that the department considers necessary to administer this
13 section, including all documents submitted to or obtained from the Internal Revenue
14 Service or other states regarding income and taxing jurisdiction.

15 (b) A member of a commonly controlled group shall identify, at the department's
16 request, the name, job title, and address of the member's principal officers or
17 employees who have substantial knowledge of, and access to, documents that specify
18 the pricing policies, profit centers, cost centers, and methods of allocating income and
19 expenses among cost centers related to the operations of the member.

20 (c) A member of a commonly controlled group shall retain all information
21 provided under par. (a) during any period for which the member's tax liability to this
22 state is subject to adjustment, including any period in which the state may assess
23 additional income or franchise taxes, an appeal of the member's tax assessment is
24 pending, or a suit related to the member's tax liability is pending.”.

1 **929.** Page 768, line 17: delete lines 17 to 19.

2 **930.** Page 768, line 24: delete “and (5)” and substitute “(5), and (9t)”.

3 **931.** Page 769, line 1: delete “(1ds) and, and (3g)” and substitute “(1ds), and”.

4 **932.** Page 793, line 5: after that line insert:

5 “**SECTION 2175dn.** 71.26 (3) (L) of the statutes is amended to read:

6 71.26 **(3)** (L) Section 265 is excluded and replaced by the rule that any amount
7 otherwise deductible under this chapter that is directly or indirectly related to
8 income wholly exempt from taxes imposed by this chapter or to losses from the sale
9 or other disposition of assets the gain from which would be exempt under this
10 paragraph if the assets were sold or otherwise disposed of at a gain is not deductible.
11 In this paragraph, “wholly exempt income”, for corporations subject to franchise or
12 income taxes, includes ~~amounts received from affiliated or subsidiary corporations~~
13 ~~for interest, dividends or capital gains that, because of the degree of common~~
14 ~~ownership, control or management between the payor and payee, are not subject to~~
15 taxes under this chapter. In this paragraph, “wholly exempt income”, for
16 corporations subject to income taxation under this chapter, also includes interest on
17 obligations of the United States. In this paragraph, “wholly exempt income” does not
18 include income excludable, not recognized, exempt or deductible under specific
19 provisions of this chapter. If any expense or amount otherwise deductible is
20 indirectly related both to wholly exempt income or loss and to other income or loss,
21 a reasonable proportion of the expense or amount shall be allocated to each type of
22 income or loss, in light of all the facts and circumstances.”.

23 **933.** Page 793, line 5: after that line insert:

24 “**SECTION 2175f.** 71.26 (3) (e) 1. of the statutes is amended to read:

1 71.26 (3) (e) 1. So that payments for wages, salaries, commissions, and bonuses
2 of employees and officers may be deducted only if the name, address, and amount
3 paid to each resident of this state to whom compensation of \$600 or more has been
4 paid during the taxable year is reported or if the department of revenue is satisfied
5 that failure to report has resulted in no revenue loss to this state. A deduction for
6 wages, salaries, commissions, and bonuses paid to an employee or officer shall not
7 exceed an amount equal to the wages, salaries, commissions, and bonuses paid to the
8 corporation's lowest paid full-time employee multiplied by 25."

9 **934.** Page 793, line 22: after that line insert:

10 **"SECTION 2176dm.** 71.26 (3) (x) of the statutes is amended to read:

11 71.26 (3) (x) Sections 1501 to 1505, 1551, 1552, 1563 and 1564 (relating to
12 consolidated returns) are excluded, except to the extent that they pertain to
13 intercompany transactions and the carry forward of net business loss under s.
14 71.255.

15 **SECTION 2176dp.** 71.26 (4) of the statutes is amended to read:

16 71.26 (4) NET BUSINESS LOSS CARRY-FORWARD. A corporation, except a tax-option
17 corporation or an insurer to which s. 71.45 (4) applies, may offset against its
18 Wisconsin net business income any Wisconsin net business loss sustained in any of
19 the next 15 preceding taxable years, if the corporation was subject to taxation under
20 this chapter in the taxable year in which the loss was sustained, to the extent not
21 offset by other items of Wisconsin income in the loss year and by Wisconsin net
22 business income of any year between the loss year and the taxable year for which an
23 offset is claimed. For purposes of this subsection Wisconsin net business income or
24 loss shall consist of all the income attributable to the operation of a trade or business

1 in this state, less the business expenses allowed as deductions in computing net
2 income. The Wisconsin net business income or loss of corporations engaged in
3 business within and without the state shall be determined under s. 71.255 or 71.25
4 (6) and (10) to (12). Nonapportionable losses having a Wisconsin situs under s. 71.25
5 (5) (b) shall be included in Wisconsin net business loss; and nonapportionable income
6 having a Wisconsin situs under s. 71.25 (5) (b), whether taxable or exempt, shall be
7 included in other items of Wisconsin income and Wisconsin net business income for
8 purposes of this subsection.”.

9 **935.** Page 793, line 22: after that line insert:

10 “**SECTION 2176m.** 71.28 (1di) (b) 1. of the statutes is amended to read:

11 71.28 (1di) (b) 1. Except as provided in subd. 2., the credit, including any
12 credits carried over, may be offset only against the amount of the tax otherwise due
13 under this chapter attributable to income from the business operations of the
14 claimant in the development zone; except that a claimant in a development zone
15 under s. 560.795 (1) (e) may offset the credit, including any credits carried over,
16 against the amount of the tax otherwise due under this chapter attributable to all
17 of the claimant’s income; and against the tax attributable to income from directly
18 related business operations of the claimant.

19 **SECTION 2176p.** 71.28 (1di) (b) 3. of the statutes is amended to read:

20 71.28 (1di) (b) 3. Partnerships, limited liability companies and tax-option
21 corporations may not claim the credit under this subsection, but the eligibility for,
22 and amount of, that credit shall be determined on the basis of their economic activity,
23 not that of their shareholders, partners or members. The corporation, partnership
24 or limited liability company shall compute the amount of the credit that may be

1 claimed by each of its shareholders, partners or members and shall provide that
2 information to each of its shareholders, partners or members. Partners, members
3 of limited liability companies and shareholders of tax–option corporations may claim
4 the credit based on the partnership’s, company’s or corporation’s activities in
5 proportion to their ownership interest and may offset it against the tax attributable
6 to their income from the partnership’s, company’s or corporation’s business
7 operations in the development zone; except that partners, members, and
8 shareholders in a development zone under s. 560.795 (1) (e) may offset the credit
9 against the amount of the tax attributable to their income from all of the
10 partnership’s, company’s, or corporation’s business operations; and against the tax
11 attributable to their income from the partnership’s, company’s or corporation’s
12 directly related business operations.”.

13 **936.** Page 794, line 5: after “(e)” insert “and (f)”.

14 **937.** Page 796, line 5: after that line insert:

15 “(hm) Credits claimed under this subsection, including any credits carried over,
16 may be offset only against the amount of the tax otherwise due under this subchapter
17 attributable to income from the business operations of the claimant in the
18 development zone; except that a claimant in a development zone under s. 560.795 (1)
19 (e) may offset credits, including any credits carried over, against the amount of the
20 tax otherwise due under this subchapter attributable to all of the claimant’s income;
21 and against the tax attributable to income from directly related business operations
22 of the claimant.”.

23 **938.** Page 796, line 17: after “zone” insert “; except that partners, members,
24 and shareholders in a development zone under s. 560.795 (1) (e) may offset the credit

1 against the amount of the tax attributable to their income from all of the
2 partnership's, company's, or corporation's business operations;”.

3 **939.** Page 797, line 24: after that line insert:

4 “**SECTION 2178k.** 71.28 (1dx) (b) (intro.) of the statutes is amended to read:

5 71.28 (1dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and
6 in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person
7 is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3)
8 or 560.797 (4), any person may claim as a credit against taxes imposed on the person's
9 income from the person's business activities in a development zone under this
10 subchapter the following amounts:

11 **SECTION 2178m.** 71.28 (1dx) (be) of the statutes is created to read:

12 71.28 (1dx) (be) *Offset.* A claimant in a development zone under s. 560.795 (1)
13 (e) may offset any credits claimed under this subsection, including any credits
14 carried over, against the amount of the tax otherwise due under this subchapter
15 attributable to all of the claimant's income and against the tax attributable to income
16 from directly related business operations of the claimant.

17 **SECTION 2178p.** 71.28 (1dx) (bg) of the statutes is created to read:

18 71.28 (1dx) (bg) *Other entities.* For claimants in a development zone under s.
19 560.795 (1) (e), partnerships, limited liability companies, and tax-option
20 corporations may not claim the credit under this subsection, but the eligibility for,
21 and amount of, that credit shall be determined on the basis of their economic activity,
22 not that of their shareholders, partners, or members. The corporation, partnership,
23 or company shall compute the amount of the credit that may be claimed by each of
24 its shareholders, partners, or members and shall provide that information to each

1 of its shareholders, partners, or members. Partners, members of limited liability
2 companies, and shareholders of tax–option corporations may claim the credit based
3 on the partnership’s, company’s, or corporation’s activities in proportion to their
4 ownership interest and may offset it against the tax attributable to their income from
5 all of the partnership’s, company’s, or corporation’s business operations and against
6 the tax attributable to their income from the partnership’s, company’s, or
7 corporation’s directly related business operations.”.

8 **940.** Page 797, line 25: delete the material beginning with that line and
9 ending on page 798, line 22.

10 **941.** Page 798, line 22: after that line insert:

11 “**SECTION 2179m.** 71.29 (2) of the statutes is amended to read:

12 71.29 (2) WHO SHALL PAY. ~~Every~~ Except as provided in s. 71.255 (11), every
13 corporation subject to tax under s. 71.23 (1) or (2) and every virtually exempt entity
14 subject to tax under s. 71.125 or 71.23 (1) or (2) shall pay an estimated tax.”.

15 **942.** Page 798, line 22: after that line insert:

16 “**SECTION 2179d.** 71.28 (9t) of the statutes is created to read:

17 71.28 (9t) ARTISTIC ENDOWMENT CREDIT. (a) *Definition.* In this subsection,
18 “claimant” means a person who files a claim under this subsection.

19 (b) *Filing claims.* For taxable years beginning after December 31, 2002, subject
20 to the limitations provided in this subsection, a claimant may claim as a credit
21 against the tax imposed under s. 71.23, up to the amount of those taxes, an amount
22 equal to 25% of the amount contributed to the artistic endowment fund under s.
23 25.78, up to a maximum \$500 contribution in a taxable year.

1 (c) *Limitations and conditions.* 1. No new claim may be filed under this
2 subsection for a taxable year that begins after December 31 of the year in which the
3 department determines that the total amount of revenues received by the
4 endowment fund equals \$50,150,000.

5 2. No credit may be allowed under this subsection unless it is claimed within
6 the time period under s. 71.75 (2).

7 (d) *Administration.* Subsection (4) (e) and (g), as it applies to the credit under
8 sub. (4), applies to the credit under this subsection.

9 **SECTION 2179h.** 71.30 (3) (bm) of the statutes is created to read:

10 71.30 (3) (bm) Artistic endowment credit under s. 71.28 (9t).”.

11 **943.** Page 799, line 1: delete lines 1 and 2.

12 **944.** Page 799, line 5: delete “(1dx) and (3).” and substitute “(1dx) and (3)”.

13 **945.** Page 799, line 6: delete “and (3g)”.

14 **946.** Page 821, line 17: after that line insert:

15 “**SECTION 2184d.** 71.44 (1) (e) of the statutes is created to read:

16 71.44 (1) (e) A corporation that is a member of a commonly controlled group,
17 as defined in s. 71.255 (1) (d), and engaged in a unitary business, as defined in s.
18 71.255 (1) (m), shall file a tax return under s. 71.255.”.

19 **947.** Page 822, line 7: delete the material beginning with that line and ending
20 with page 826, line 6.

21 **948.** Page 826, line 16: after that line insert:

22 “**SECTION 2190m.** 71.46 (3) of the statutes is repealed.”.

23 **949.** Page 826, line 16: after that line insert:

24 “**SECTION 2190m.** 71.47 (1di) (b) 1. of the statutes is amended to read:

1 71.47 **(1di)** (b) 1. Except as provided in subd. 2., the credit, including any
2 credits carried over, may be offset only against the amount of the tax otherwise due
3 under this chapter attributable to income from the business operations of the
4 claimant in the development zone; except that a claimant in a development zone
5 under s. 560.795 (1) (e) may offset the credit, including any credits carried over,
6 against the amount of the tax otherwise due under this chapter attributable to all
7 of the claimant's income; and against the tax attributable to income from directly
8 related business operations of the claimant.

9 **SECTION 2190p.** 71.47 (1di) (b) 3. of the statutes is amended to read:

10 71.47 **(1di)** (b) 3. Partnerships, limited liability companies and tax–option
11 corporations may not claim the credit under this subsection, but the eligibility for,
12 and amount of, that credit shall be determined on the basis of their economic activity,
13 not that of their shareholders, partners or members. The corporation, partnership
14 or limited liability company shall compute the amount of the credit that may be
15 claimed by each of its shareholders, partners or members and shall provide that
16 information to each of its shareholders, partners or members. Partners, members
17 of limited liability companies and shareholders of tax–option corporations may claim
18 the credit based on the partnership's, company's or corporation's activities in
19 proportion to their ownership interest and may offset it against the tax attributable
20 to their income from the partnership's, company's or corporation's business
21 operations in the development zone; except that a claimant in a development zone
22 under s. 560.795 (1) (e) may offset the credit, including any credits carried over,
23 against the amount of the tax otherwise due under this chapter attributable to all
24 of the claimant's income; and against the tax attributable to their income from the
25 partnership's, company's or corporation's directly related business operations.”.

1 **950.** Page 826, line 24: after “(e)” insert “and (f)”.

2 **951.** Page 828, line 24: after that line insert:

3 “(hm) Credits claimed under this subsection, including any credits carried over,
4 may be offset only against the amount of the tax otherwise due under this subchapter
5 attributable to income from the business operations of the claimant in the
6 development zone; except that a claimant in a development zone under s. 560.795 (1)
7 (e) may offset credits, including any credits carried over, against the amount of the
8 tax otherwise due under this subchapter attributable to all of the claimant’s income;
9 and against the tax attributable to income from directly related business operations
10 of the claimant.”.

11 **952.** Page 829, line 12: after “zone” insert “; except that partners, members,
12 and shareholders in a development zone under s. 560.795 (1) (e) may offset the credit
13 against the amount of the tax attributable to their income from all of the
14 partnership’s, company’s, or corporation’s business operations;”.

15 **953.** Page 830, line 19: after that line insert:

16 “**SECTION 2192k.** 71.47 (1dx) (b) (intro.) of the statutes is amended to read:

17 71.47 (**1dx**) (b) *Credit.* (intro.) Except or provided in pars. (be) and (bg) and
18 in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person
19 is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3)
20 or 560.797 (4), any person may claim as a credit against taxes imposed on the person’s
21 income from the person’s business activities in a development zone under this
22 subchapter the following amounts:

23 **SECTION 2192m.** 71.47 (1dx) (be) of the statutes is created to read:

1 71.47 (1dx) (be) *Offset*. A claimant in a development zone under s. 560.795 (1)
2 (e) may offset any credits claimed under this subsection, including any credits
3 carried over, against the amount of the tax otherwise due under this subchapter
4 attributable to all of the claimant’s income and against the tax attributable to income
5 from directly related business operations of the claimant.

6 **SECTION 2192p.** 71.47 (1dx) (bg) of the statutes is created to read:

7 71.47 (1dx) (bg) *Other entities*. For claimants in a development zone under s.
8 560.795 (1) (e), partnerships, limited liability companies, and tax–option
9 corporations may not claim the credit under this subsection, but the eligibility for,
10 and amount of, that credit shall be determined on the basis of their economic activity,
11 not that of their shareholders, partners, or members. The corporation, partnership,
12 or company shall compute the amount of the credit that may be claimed by each of
13 its shareholders, partners, or members and shall provide that information to each
14 of its shareholders, partners, or members. Partners, members of limited liability
15 companies, and shareholders of tax–option corporations may claim the credit based
16 on the partnership’s, company’s, or corporation’s activities in proportion to their
17 ownership interest and may offset it against the tax attributable to their income from
18 all of the partnership’s, company’s, or corporation’s business operations and against
19 the tax attributable to their income from the partnership’s, company’s, or
20 corporation’s directly related business operations.”.

21 **954.** Page 830, line 20: delete the material beginning with that line and
22 ending with page 831, line 18.

23 **955.** Page 831, line 18: after that line insert:

24 **“SECTION 2193m.** 71.48 of the statutes is amended to read:

1 **71.48 Payments of estimated taxes.** Sections Except as provided in s.
2 71.255 (11), ss. 71.29 and 71.84 (2) shall apply to insurers subject to taxation under
3 this chapter.”.

4 **956.** Page 831, line 18: after that line insert:

5 “**SECTION 2193d.** 71.47 (9t) of the statutes is created to read:

6 71.47 **(9t)** ARTISTIC ENDOWMENT CREDIT. (a) *Definition.* In this subsection,
7 “claimant” means a person who files a claim under this subsection.

8 (b) *Filing claims.* For taxable years beginning after December 31, 2002, subject
9 to the limitations provided in this subsection, a claimant may claim as a credit
10 against the tax imposed under s. 71.43, up to the amount of those taxes, an amount
11 equal to 25% of the amount contributed to the artistic endowment fund under s.
12 25.78, up to a maximum \$500 contribution in a taxable year.

13 (c) *Limitations and conditions.* 1. No new claim may be filed under this
14 subsection for a taxable year that begins after December 31 of the year in which the
15 department determines that the total amount of revenues received by the
16 endowment fund equals \$50,150,000.

17 2. No credit may be allowed under this subsection unless it is claimed within
18 the time period under s. 71.75 (2).

19 (d) *Administration.* Section 71.28 (4) (e) and (g), as it applies to the credit under
20 s. 71.28 (4), applies to the credit under this subsection.

21 **SECTION 2193h.** 71.49 (1) (bm) of the statutes is created to read:

22 71.49 **(1)** (bm) Artistic endowment credit under s. 71.47 (9t).”.

23 **957.** Page 831, line 22: delete lines 22 and 23.

24 **958.** Page 831, line 23: after that line insert:

1 **“SECTION 2199m.** 71.84 (2) (a) of the statutes is amended to read:

2 71.84 (2) (a) Except as provided in s. 71.29 (7), in the case of any underpayment
3 of estimated tax under s. 71.255, 71.29 or 71.48 there shall be added to the aggregate
4 tax for the taxable year interest at the rate of 12% per year on the amount of the
5 underpayment for the period of the underpayment. For corporations, except as
6 provided in par. (b), “period of the underpayment” means the time period from the
7 due date of the instalment until either the 15th day of the 3rd month beginning after
8 the end of the taxable year or the date of payment, whichever is earlier. If 90% of the
9 tax shown on the return is not paid by the 15th day of the 3rd month following the
10 close of the taxable year, the difference between that amount and the estimated taxes
11 paid, along with any interest due, shall accrue delinquent interest under s. 71.91 (1)
12 (a).”.

13 **959.** Page 832, line 6: delete “(b)”.

14 **960.** Page 832, line 8: delete lines 8 to 11 and substitute:

15 “72.01 (11m) “Federal credit” means the federal estate tax credit in effect on
16 December 31, 2000.”.

17 **961.** Page 832, line 13: delete lines 13 to 16 and substitute:

18 “72.01 (11n) “Federal estate tax” means the federal estate tax in effect on
19 December 31, 2000.”.

20 **962.** Page 833, line 13: delete the material beginning with “and” and ending
21 with “2002,” on line 14.

22 **963.** Page 836, line 5: delete lines 5 to 9.

23 **964.** Page 836, line 24: after that line insert:

24 **“SECTION 2205n.** 73.03 (57) of the statutes is created to read:

1 73.03 (57) To create, and update, a manual on the tax incremental finance
2 program under s. 66.1105. The manual shall contain the rules relating to the
3 program, common problems faced by cities and villages under the program, possible
4 side effects on the use of tax incremental financing, and any other information the
5 department determines is appropriate. The department may consult with, and
6 solicit the views of, any interested person while preparing or updating the manual.”.

7 **965.** Page 836, line 24: after that line insert:

8 “**SECTION 2205n.** 73.03 (57) of the statutes is created to read:

9 73.03 (57) To include on the forms on which the artistic endowment credits are
10 claimed, under ss. 71.07 (9t), 71.28 (9t), and 71.47 (9t), a statement that a taxpayer
11 may contribute amounts to the artistic endowment fund under s. 25.78 that exceed
12 the amount for which a credit may be claimed by reducing the taxpayer’s refund or
13 by increasing the taxpayer’s payment for tax liability, with the proceeds to be
14 deposited into the fund.”.

15 **966.** Page 838, line 18: after that line insert:

16 “**SECTION 2226d.** 74.48 of the statutes is repealed.

17 **SECTION 2226e.** 74.485 of the statutes is created to read:

18 **74.485 Penalty for converting agricultural land. (1) DEFINITIONS.** In this
19 section, “agricultural land” has the meaning given in s. 70.32 (2) (c) 1.

20 **(2) PENALTY.** Except as provided in sub. (4), a person who owns land that has
21 been assessed as agricultural land under s. 70.32 (2r) and who converts the land’s
22 use so that the land is not eligible to be assessed as agricultural land under s. 70.32
23 (2r), as determined by the county treasurer, shall pay a penalty to the county in which
24 the land is located in an amount equal to the number of acres converted multiplied

1 by the amount of the difference between the average fair market value of an acre of
2 agricultural land sold in the county in the year before the year that the person
3 converts the land, as determined under sub. (3), and the average equalized value of
4 an acre of agricultural land in the county in the year before the year that the person
5 converts the land, as determined under sub. (3), multiplied by the following:

6 (a) Five percent, if the converted land is more than 30 acres.

7 (b) Seven and one-half percent, if the converted land is 30 acres or less but at
8 least 10 acres.

9 (c) Ten percent, if the converted land is less than 10 acres.

10 **(3) VALUE DETERMINATION.** Annually, the department of revenue shall
11 determine the average equalized value of an acre of agricultural land in each county
12 in the previous year, as provided under s. 70.57, and the average fair market value
13 of an acre of agricultural land sold in each county in the previous year based on the
14 sales in each county in the previous year of parcels of agricultural land that are 38
15 acres or more to buyers who intend to use the land as agricultural land.

16 **(4) EXCEPTIONS AND DEFERRAL.** (a) A person who owns land that has been
17 assessed as agricultural land under s. 70.32 (2r) and who converts the land's use so
18 that the land is not eligible to be assessed as agricultural land under s. 70.32 (2r) is
19 not subject to a penalty under sub. (2) if the amount of the penalty determined under
20 sub. (2) represents less than \$25 for each acre of converted land.

21 (b) If a person owes a penalty under sub. (2), the treasurer of the county in
22 which the person's land is located may defer payment of the penalty to the succeeding
23 taxable year if the person demonstrates to the treasurer that the person's land will
24 be used as agricultural land in the succeeding taxable year. A person who receives
25 a deferral under this paragraph is not subject to the penalty under sub. (2) related

1 to the deferral, if the person's land is used as agricultural land in the succeeding
2 taxable year. If the land of a person who receives a deferral under this paragraph
3 is not used as agricultural land in the succeeding taxable year, the person shall pay
4 the penalty with interest at the rate of 1% a month, or fraction of a month, from the
5 date that the treasurer granted a deferral to the date that the penalty is paid.

6 **(5) PAYMENT.** Except as provided in sub. (4), a person who owes a penalty under
7 sub. (2) shall pay the penalty to the county in which the person's land related to the
8 penalty is located no later than 30 days after the date that the penalty is assessed.
9 A penalty that is not paid on the date it is due is considered delinquent and shall be
10 paid with interest at the rate of 1% a month, or fraction of a month, from the date that
11 the penalty is assessed to the date that the penalty is paid. The county shall collect
12 an unpaid penalty as a special charge against the land related to the penalty.

13 **(6) DISTRIBUTION.** A county that collects a penalty under this section shall
14 distribute 50% of the amount of the penalty to the taxation district in which the land
15 related to the penalty is located. If the land related to the penalty is located in 2 or
16 more taxation districts, the county shall distribute 50% of the amount of the penalty
17 to the taxation districts in proportion to the equalized value of the land related to the
18 penalty that is located in each taxation district. A taxation district shall distribute
19 50% of any amount it receives under this subsection to an adjoining taxation district,
20 if the taxation district in which the land related to the penalty is located annexed the
21 land related to the penalty from the adjoining taxation district in either of the 2 years
22 preceding a distribution under this subsection.

23 **(7) NOTICE.** A person who owns land that has been assessed as agricultural land
24 under s. 70.32 (2r) and who sells the land shall notify the buyer of the land of all of
25 the following:

1 (a) That the land has been assessed as agricultural land under s. 70.32 (2r).

2 (b) Whether the person who owns the land and who is selling the land has been
3 assessed a penalty under sub. (2) related to the land.

4 (c) Whether the person who owns the land and who is selling the land has been
5 granted a deferral under sub. (4) related to the land.

6 **(8) REGISTER OF DEEDS.** The county register of deeds shall inform the county
7 treasurer of all sales of agricultural land located in the county.

8 **(9) ADMINISTRATION.** The county in which the land as described in sub. (1) is
9 located shall administer the penalty under this section.”.

10 **967.** Page 843, line 5: after that line insert:

11 “**SECTION 2243s.** 77.51 (7m) of the statutes is created to read:

12 77.51 (7m) “Mobile telecommunications service” means a commercial mobile
13 radio service, as defined in 47 CFR 20.3.”.

14 **968.** Page 843, line 5: after that line insert:

15 “**SECTION 2243m.** Subchapter VI of chapter 76 [precedes 76.94] of the statutes
16 is created to read:

17 **CHAPTER 76**

18 **SUBCHAPTER VI**

19 **MUNICIPAL TELECOMMUNICATIONS TAX**

20 **76.94 Definitions.** In this subchapter:

21 **(1)** “Access revenues” mean revenues resulting from charges for
22 telecommunications services and facilities, including charges to a telephone
23 company, that permit subscriber telecommunications to originate or terminate

1 between a point or points in one telephone exchange and a point or points in another
2 telephone exchange.

3 (2) “Gross revenues” include revenues derived from local and rural exchange
4 service; toll business gross revenues; access revenues, except access revenues
5 derived from telecommunications services that originate or terminate from a point
6 or points in this state to a point or points in the same local access and transport area
7 and 14.5% of all other access revenues generated from intrastate service; all other
8 operating revenues from providing telecommunications services; and any such
9 revenues recovered in the year that were written off as not collectible in a previous
10 year. “Gross revenues” do not include excise taxes on telephone service or facilities
11 or revenues written off as not collectible in the year.

12 (3) “Local access and transport area” means a geographic area encompassing
13 one telephone exchange or 2 or more contiguous telephone exchanges.

14 (3) “Mobile telecommunications services” means commercial mobile radio
15 service, as defined in 47 CFR 20.3.

16 (4) “Municipality” means a city, village, or town.

17 (5) “Service address” means the location from which telecommunications
18 services originate or terminate, except that for mobile telecommunications services,
19 “service address” means the customer’s place of primary use of the mobile
20 telecommunications services, as determined under P.L. 106–252.

21 (6) “Telecommunications services” mean transmitting high quality two-way
22 interactive switched voice or data communications or messages.

23 (7) “Telephone company” means a business that provides telecommunications
24 services.

1 **(8)** “Telephone exchange” means the portion of an area served by a telephone
2 company that is included in the exchange rate determined by the public service
3 commission.

4 **76.95 Imposition.** Notwithstanding s. 66.0611, a municipality may, by
5 ordinance, impose a tax on a telephone company at the rate of 2% of the telephone
6 company’s gross revenues in a calendar quarter attributable to intrastate
7 telecommunications services that originate from or are received at a service address
8 located in the municipality. The ordinance shall be effective on the first day of the
9 calendar quarter beginning after the municipality enacts the ordinance.

10 **76.96 Returns and payments.** The tax imposed under this subchapter is due
11 and payable to the municipality on January 15, April 15, July 15, and October 15,
12 based on the telephone company’s gross revenues from the most recent calendar
13 quarter ending before such date. A telephone company that is subject to the tax
14 imposed under this subchapter shall submit a return with each payment, as
15 prescribed by the department of revenue, that specifies the gross revenues that are
16 subject to the tax imposed under this subchapter.

17 **76.97 Customer billing.** A telephone company may not identify any tax or
18 any portion of the tax paid under this subchapter as a separate charge to a telephone
19 company customer on the customer’s bill.

20 **76.98 Administration.** A municipality that imposes the tax under this
21 subchapter may examine the records, books, accounts, and other documents of a
22 telephone company that is subject to the tax imposed under this subchapter; take any
23 action and conduct any proceedings to administer the tax imposed under this
24 subchapter; and impose interest and penalties for failure to submit a report or
25 payment as provided under this subchapter.”.

1 **969.** Page 843, line 5: after that line insert:

2 “**SECTION 2243m.** 77.51 (8) of the statutes is amended to read:

3 77.51 **(8)** “Newspaper” means those publications ~~which~~ that are commonly
4 understood to be newspapers and ~~which~~ that are printed and distributed periodically
5 at daily, weekly, or other short intervals for the dissemination of current news and
6 information of a general character and of a general interest to the public. In addition,
7 any publication ~~which qualifies~~ that is eligible for compensation or a fee as a
8 newspaper under s. 985.03 (1) is a newspaper. “Newspaper” also includes
9 advertising supplements if they are printed by a newspaper and distributed as a
10 component part of one of that newspaper’s publications or if they are printed by a
11 newspaper or a commercial printer and sold to a newspaper for inclusion in
12 publications of that newspaper. A “newspaper” does not include handbills, circulars,
13 flyers, or the like, advertising supplements not described in this subsection ~~which~~
14 that are distributed with a newspaper, nor any publication ~~which~~ that is issued to
15 supply information on certain subjects of interest to particular groups, unless such
16 publication otherwise qualifies as a newspaper within this subsection. In this
17 subsection, advertising is not considered news of a general character and of a general
18 interest.”.

19 **970.** Page 843, line 14: after that line insert:

20 “**SECTION 2244u.** 77.52 (2) (a) 5. of the statutes is renumbered 77.52 (2) (a) 5.

21 a. and amended to read:

22 77.52 **(2)** (a) 5. a. The sale of telecommunications services, except mobile
23 telecommunications services under subd. 5. b., that either originate or terminate in
24 this state; except services that are obtained by means of a toll-free number, that

1 originate outside this state and that terminate in this state; and are charged to a
2 service address in this state, regardless of the location where that charge is billed or
3 paid, and the sale of the rights to purchase telecommunications services, including
4 purchasing reauthorization numbers, by paying in advance and by using an access
5 number and authorization code.

6 **SECTION 2244uc.** 77.52 (2) (a) 5. b. of the statutes is created to read:

7 77.52 (2) (a) 5. b. The sale of mobile telecommunications services, if the
8 customer's place of primary use of the mobile telecommunications services is in this
9 state, as determined under P.L. 106–252. If P.L. 106–252, or the application of P.L.
10 106–252, is found unconstitutional, the sale of mobile telecommunications services
11 is subject to the tax imposed under this section as provided in subd. 5. a.”

12 **971.** Page 847, line 2: after that line insert:

13 “**SECTION 2245h.** 77.525 of the statutes is amended to read:

14 **77.525 Reduction to prevent double taxation.** Any person who is subject
15 to the tax under s. 77.52 (2) (a) 5. a. on telecommunications services that terminate
16 in this state and who has paid a similar tax on the same services to another state may
17 reduce the amount of the tax remitted to this state by an amount equal to the similar
18 tax properly paid to another state on those services or by the amount due this state
19 on those services, whichever is less. That person shall refund proportionally to the
20 persons to whom the tax under s. 77.52 (2) (a) 5. a. was passed on an amount equal
21 to the amounts not remitted.”

22 **972.** Page 847, line 2: after that line insert:

23 “**SECTION 2245g.** 77.53 (17m) of the statutes is amended to read:

1 77.53 (17m) This section does not apply to a boat purchased by a person
2 domiciled in a state contiguous to this state ~~by a person domiciled in that state~~ if the
3 boat is berthed in this state’s boundary waters adjacent to the state of the domicile
4 of the purchaser and if the transaction was an exempt occasional sale under the laws
5 of the state in which the ~~purchase was made~~ purchaser is domiciled.”.

6 **973.** Page 847, line 2: after that line insert:

7 “**SECTION 2245dm.** 77.524 of the statutes is created to read:

8 **77.524 Seller and 3rd-party liability. (1)** In this subsection:

9 (a) “Certified automated system” means software that is certified jointly by the
10 states that are signatories to the agreement, as defined in s. 77.65 (2) (a), and that
11 is used to calculate the sales tax and use tax imposed under this subchapter and
12 subch. V on a transaction by each appropriate jurisdiction, to determine the amount
13 of tax to remit to the appropriate state, and to maintain a record of the transaction.

14 (b) “Certified service provider” means an agent that is certified jointly by the
15 states that are signatories to the agreement, as defined in s. 77.65 (2) (a), and that
16 performs all of a seller’s sales tax and use tax functions related to the seller’s retail
17 sales.

18 (c) “Seller” has the meaning given in s. 77.65 (2) (e).

19 **(2)** A certified service provider is the agent of the seller with whom the certified
20 service provider has contracted and is liable for the sales and use taxes that are due
21 the state on all sales transactions that the provider processes for a seller, except as
22 provided in sub. (3).

23 **(3)** A seller that contracts with a certified service provider is not liable for sales
24 and use taxes that are due the state on transactions that the provider processed,

1 unless the seller has misrepresented the type of items that the seller sells or has
2 committed fraud. The seller is subject to an audit on transactions that the certified
3 service provider processed only if there is probable cause to believe that the seller has
4 committed fraud or made a material misrepresentation. The seller is subject to an
5 audit on transactions that the certified service provider does not process. The states
6 that are signatories to the agreement, as defined in s. 77.65 (2) (a), may jointly check
7 the seller's business system and review the seller's business procedures to determine
8 if the certified service provider's system is functioning properly and to determine the
9 extent to which the seller's transactions are being processed by the certified service
10 provider.

11 (4) A person that provides a certified automated system is responsible for the
12 system's proper functioning and is liable to this state for tax underpayments that are
13 attributable to errors in the system's functioning. A seller that uses a certified
14 automated system is responsible and liable to this state for reporting and remitting
15 sales and use tax.

16 (5) A seller that has a proprietary system for determining the amount of tax
17 that is due on transactions and that has signed an agreement with the states that
18 are signatories to the agreement, as defined in 77.65 (2) (a), establishing a
19 performance standard for the system is liable for the system's failure to meet the
20 performance standard.”.

21 **974.** Page 847, line 3: delete lines 3 to 5.

22 **975.** Page 847, line 15: after that line insert:

23 **“SECTION 2246t.** 77.72 (3) (b) of the statutes is amended to read:

1 77.72 (3) (b) *Exceptions.* ~~Communication~~ A communication service has a situs
2 where the customer is billed for the service if the customer calls collect or pays by
3 credit card. Mobile telecommunications services have a situs at the customer's place
4 of primary use of the services, as determined under P.L. 106–252. Towing services
5 have a situs at the location to which the vehicle is delivered. Services performed on
6 tangible personal property have a situs at the location where the property is
7 delivered to the buyer.”.

8 **976.** Page 847, line 15: after that line insert:

9 “**SECTION 2246p.** 77.65 of the statutes is created to read:

10 **77.65 Uniform sales and use tax administration. (1) SHORT TITLE.** This
11 section shall be known as the “Uniform Sales and Use Tax Administration Act.”

12 **(2) DEFINITIONS.** In this section:

13 (a) “Agreement” means the streamlined sales and use tax agreement.

14 (b) “Department” means the department of revenue.

15 (c) “Person” means an individual, trust, estate, fiduciary, partnership, limited
16 liability company, limited liability partnership, corporation, or any other legal entity.

17 (d) “Sales tax” means the tax imposed under ss. 77.52, 77.57, and 77.71 (1).

18 (e) “Seller” means any person who sells, leases, or rents personal property or
19 services.

20 (f) “State” means any state of the United States and the District of Columbia.

21 (g) “Use tax” means the tax imposed under ss. 77.53 and 77.71 (2), (3), and (4).

22 **(3) DEPARTMENT AUTHORITY.** The department may enter into the agreement to
23 simplify and modernize sales tax and use tax administration in order to
24 substantially reduce the tax compliance burden for all sellers and for all types of

1 commerce. The department may act jointly with other states that are signatories to
2 the agreement to establish standards for the certification of a certified service
3 provider and certified automated system and to establish performance standards for
4 multistate sellers. The department may promulgate rules to administer this section,
5 may procure jointly with other states that are signatories to the agreement goods and
6 services in furtherance of the agreement, and may take other actions reasonably
7 required to implement this section. The secretary of revenue or the secretary's
8 designee may represent this state before the states that are signatories to the
9 agreement.

10 **(4) AGREEMENT REQUIREMENTS.** The department may not enter into the
11 agreement unless the agreement requires that a state that is a signatory to the
12 agreement do all of the following:

13 (a) Limit the number of state sales and use tax rates.

14 (b) Limit the application of any maximums on the amount of state sales and
15 use tax that is due on a transaction.

16 (c) Limit thresholds on the application of sales and use tax.

17 (d) Establish uniform standards for the sourcing of transactions to the
18 appropriate taxing jurisdictions, for administering exempt sales, and for sales and
19 use tax returns and remittances.

20 (e) Develop and adopt uniform definitions related to sales and use tax.

21 (f) Provide, with all states that are signatories to the agreement, a central
22 electronic registration system that allows a seller to register to collect and remit sales
23 and use taxes for all states that are signatories to the agreement.

24 (g) Provide that the state shall not use a seller's registration with the central
25 electronic registration system under par. (f), and the subsequent collection and

1 remittance of sales and use taxes in the states that are signatories to the agreement,
2 to determine whether the seller has sufficient connection with the state for the
3 purpose of imposing any tax.

4 (h) Restrict variances between the state tax bases and local tax bases.

5 (i) Administer all sales and use taxes imposed by local jurisdictions within the
6 state so that sellers who collect and remit such taxes are not required to register with,
7 or submit returns or taxes to, local jurisdictions and are not subject to audits by local
8 jurisdictions.

9 (j) Restrict the frequency of changes in any local sales and use tax rates and
10 provide notice of any such changes.

11 (k) Establish effective dates for the application of local jurisdictional boundary
12 changes to local sales and use tax rates and provide notice of any such changes.

13 (L) Provide monetary allowances to sellers and certified service providers as
14 outlined in the agreement.

15 (m) Certify compliance with the agreement before entering into the agreement
16 and maintain compliance with the agreement.

17 (n) Adopt a uniform policy, with the states that are signatories to the
18 agreement, for certified service providers that protects a consumer's privacy and
19 maintains tax information confidentiality.

20 (o) Appoint, with the states that are signatories to the agreement, an advisory
21 council to consult with in administering the agreement. The advisory council shall
22 consist of private sector representatives and representatives from states that are not
23 signatories to the agreement.

24 **(5) COOPERATING STATES.** The agreement entered into under this section is an
25 accord among cooperating states to further their governmental functions and

1 provides a mechanism among the cooperating states to establish and maintain a
2 cooperative, simplified system for the application and administration of sales and
3 use taxes that are imposed by each state that is a signatory to the agreement.

4 **(6) LIMITED BINDING AND BENEFICIAL EFFECT.** (a) The agreement entered into
5 under this section binds, and inures to the benefit of, only the states that are
6 signatories to the agreement. Any benefit that a person may receive from the
7 agreement is established by this state’s law and not by the terms of the agreement.

8 (b) No person shall have any cause of action or defense under the agreement
9 or because of the department entering into the agreement. No person may challenge
10 any action or inaction by any department, agency, other instrumentality of this state,
11 or any political subdivision of this state on the ground that the action or inaction is
12 inconsistent with the agreement.

13 (c) No law of this state, or the application of such law, may be declared invalid
14 on the ground that the law, or the application of such law, is inconsistent with the
15 agreement.

16 **(7) RELATIONSHIP TO STATE LAW.** No provision of the agreement in whole or in part
17 invalidates or amends any law of this state and the state becoming a signatory to the
18 agreement shall not amend or modify any law of this state.”.

19 **977.** Page 847, line 15: after that line insert:

20 “**SECTION 2246md.** 77.54 (46) of the statutes is created to read:

21 77.54 **(46)** The gross receipts from the sale of and the storage, use, or other
22 consumption of water slides, including support structures, attachments, and parts
23 for water slides, but excluding underground piping, foundations, and wholly or
24 partially underground pools that are additions or improvements to real property.”.

1 **978.** Page 847, line 15: after that line insert:

2 “**SECTION 2246s.** 77.54 (46) of the statutes is created to read:

3 77.54 **(46)** The gross receipts from the sale of and the storage, use, or other
4 consumption of digital broadcasting equipment purchased and used by a radio or
5 television station.

6 **SECTION 2246v.** 77.65 of the statutes is created to read:

7 **77.65 Onetime rebate of sales tax paid for digital broadcasting**
8 **equipment. (1) DEFINITIONS.** In this section:

9 (a) “Claimant” means a sole proprietorship, a partnership, a limited liability
10 company, or a corporation that files a claim under this section.

11 (b) “Department” means the department of revenue.

12 **(2) CLAIMS.** A claimant may claim a rebate under this section in an amount
13 equal to the amount of the tax imposed under s. 77.52 or 77.53 that the claimant paid
14 beginning on July 1, 2001, and ending on June 30, 2003, on the purchase of digital
15 broadcasting equipment that the claimant uses in the operation of a radio or
16 television station. The claimant shall claim the rebate on a form prescribed by the
17 department and shall submit the form to the department no earlier than July 1,
18 2003, and no later than November 1, 2003.

19 **(3) PAYMENT.** The department shall certify the amount of the rebate for which
20 the claimant is eligible to the department of administration for payment to the
21 claimant by check, share draft, or other draft paid from the appropriation under s.
22 20.835 (2) (an) no later than November 30, 2003.

1 **(4) LIMITATION.** If a claimant who is eligible to claim a rebate under this section
2 does not submit a claim to the department, as provided under sub. (2), by November
3 1, 2003, the claimant’s right to the rebate lapses.

4 **(5) SUNSET.** This section does not apply after November 30, 2003.”.

5 **979.** Page 849, line 13: delete “and (3g).”.

6 **980.** Page 850, line 2: delete the material beginning with that line and ending
7 on page 851, line 15.

8 **981.** Page 852, line 11: after that line insert:

9 “**SECTION 2258d.** 79.01 (1) of the statutes is amended to read:

10 79.01 **(1)** There is established an account in the general fund entitled the
11 “Expenditure Restraint Program Account”– Account.” There shall be appropriated
12 to that account \$25,000,000 in 1991, in 1992_i, and in 1993_i; \$42,000,000 in 1994_i;
13 \$48,000,000 in each year beginning in 1995 and ending in 1999 and_i; \$57,000,000 in
14 the year 2000 and in the year 2001; \$57,570,000 in 2002; and \$58,145,700 in 2003
15 and in each year thereafter.

16 **SECTION 2280m.** 79.03 (3c) (f) of the statutes is amended to read:

17 79.03 **(3c)** (f) *Distribution amount.* If the total amounts calculated under pars.
18 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
19 paid to each eligible municipality shall be paid on a prorated basis. The total amount
20 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
21 in 1996 and ending in 1999 and_i; \$11,000,000 in the year 2000 and in the year 2001;
22 \$11,110,000 in 2002; and \$11,221,100 in 2003 and in each year thereafter.

23 **SECTION 2281d.** 79.03 (4) of the statutes is amended to read:

1 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and
2 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
3 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
4 In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.
5 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
6 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
7 municipalities and \$168,981,800 to counties. In Beginning in 1995 and subsequent
8 years ending in 2001, the total amounts to be distributed under ss. 79.03, 79.04 and
9 79.06 from s. 20.835 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to
10 counties. In 2002, the total amounts to be distributed under ss. 79.03, 79.04, and
11 79.06 from s. 20.835 (1) (d) are \$769,092,800 to municipalities and \$170,671,600 to
12 counties. In 2003 and subsequent years, the total amounts to be distributed under
13 ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) are \$776,783,700 to municipalities
14 and \$172,378,300 to counties.

15 **SECTION 2281e.** 79.03 (5) of the statutes is created to read:

16 79.03 (5) (a) In 2002 and 2003, each municipality shall receive a shared
17 revenue payment under this section that is equal to the amount of the payment it
18 received in the previous year, multiplied by 101%. In 2004 and in subsequent years,
19 each municipality shall receive a shared revenue payment under this section that is
20 equal to the amount of the payment it received in 2003.

21 (b) The department of revenue shall use the population amounts it used to
22 determine the November 2000, shared revenue payments to municipalities to
23 calculate corrections to such payments in 2001, as provided under s. 79.08. The
24 department of revenue shall use the population amounts it used to estimate

1 payments under s. 79.015 in September 2000, to calculate actual and corrected 2001
2 shared revenue payments to municipalities.”.

3 **982.** Page 854, line 3: after that line insert:

4 “**SECTION 2285d.** 79.058 (3) (c) of the statutes is amended to read:

5 79.058 (3) (c) In the year 2000 and ~~subsequent years~~ in 2001, \$20,763,800.

6 **SECTION 2285e.** 79.058 (3) (d) of the statutes is created to read:

7 79.058 (3) (d) In 2002, \$20,971,400.

8 **SECTION 2285f.** 79.085 (3) (e) of the statutes is created to read:

9 79.085 (3) (e) In 2003 and subsequent years, \$21,181,100.”.

10 **983.** Page 854, line 3: after that line insert:

11 “**SECTION 2285m.** 79.05 (2) (c) of the statutes is amended to read:

12 79.05 (2) (c) Its municipal budget_{;i} exclusive of principal and interest on
13 long-term debt and exclusive of payments of the revenue sharing payments under
14 s. 66.0305 and recycling fee payments under s. 289.645_{;i} for the year of the statement
15 under s. 79.015 increased over its municipal budget as adjusted under sub. (6)_{;i}
16 exclusive of principal and interest on long-term debt and exclusive of payments of
17 the revenue sharing payments under s. 66.0305 and recycling fee payments under
18 s. 289.645_{;i} for the year before that year by less than the sum of the inflation factor
19 and the valuation factor, rounded to the nearest 0.10%.”.

20 **984.** Page 858, line 25: after that line insert:

21 “**SECTION 2302k.** 84.013 (6g) of the statutes is created to read:

22 84.013 (6g) Notwithstanding s. 13.489 (1m) the department shall conduct a
23 study of the STH 11/USH 14 transportation corridor between Janesville and I 43 in
24 Rock and Walworth counties to evaluate alternatives to improve the capacity and

1 safety of transportation in the corridor. The department shall consult with local
2 units of government to determine the design and methodology of the study, and shall
3 cooperate with the city of Janesville and the counties of Rock and Walworth in
4 completing the study. If the department concludes after the study that
5 improvements in the corridor require construction of a major highway project on
6 STH 11 and USH 14, the department shall include the project in its report submitted
7 to the transportation projects commission under s. 13.489 (2) no later than
8 September 15, 2004, for review by the commission under s. 13.489 (4).”.

9 **985.** Page 861, line 17: after that line insert:

10 “(7g) The Marquette interchange reconstruction project shall include an exit
11 at the intersection of Plankinton Avenue and I 794. Notwithstanding ss. 84.29 (6)
12 and 84.295 (7), the department shall keep an exit at Plankinton Avenue open for
13 travel during the Marquette interchange reconstruction project.

14 (7m) Construction work on the Marquette interchange reconstruction project
15 shall be performed on a 24-hour basis.

16 (7r) Notwithstanding ss. 84.01 (13), 84.06 (2) (a), and 84.075 (1), in the use of
17 any state funds for the Marquette interchange reconstruction project, the
18 department shall attempt to ensure that 5% of the total amount expended in each
19 fiscal year is paid to minority businesses certified by the department of commerce
20 under s. 560.036 (2). In attempting to meet this goal, the department may award any
21 contract to a minority business that submits a qualified responsible bid that is no
22 more than 5% higher than the low bid.”.

23 **986.** Page 865, line 20: after that line insert:

24 “SECTION 2307g. 84.076 (2) (a) of the statutes is amended to read:

1 84.076 **(2)** (a) The secretary shall administer a demonstration and training
2 program for the purpose of developing the capability of disadvantaged businesses to
3 participate in construction projects funded under s. 20.395 (3) (bq), (bv), (bx), (cq),
4 (cv), (cx), (eq), (ev), and (ex). ~~From the amounts appropriated under those~~
5 ~~paragraphs, the secretary shall allocate \$4,000,000 each fiscal year for the awarding~~
6 ~~of contracts under this section. The secretary shall attempt to ensure that 75% of the~~
7 ~~amount so allocated each fiscal year is for the awarding of contracts under this~~
8 ~~section to minority businesses. The secretary may award 100% of the amount so~~
9 ~~allocated each fiscal year to one disadvantaged business.~~

10 **SECTION 2307gm.** 84.077 of the statutes is created to read:

11 **84.077 Small business demonstration and training program. (1)** In this
12 section, “small business” means a business whose average gross receipts over the
13 previous 3 years is \$4,500,000 or less, if the person or persons owning the business
14 have a net worth of \$750,000 or less.

15 **(2)** (a) The secretary shall administer a demonstration and training program
16 for the purpose of developing the capability of small businesses to participate in
17 construction projects funded under s. 20.395 (2) (dq), (dv), (dx), (fq), (fv), and (fx) and
18 (3) (bq), (bv), (bx), (cq), (cv), (cx), (eq), (ev), and (ex). From the amounts appropriated
19 under those paragraphs, the secretary shall allocate \$25,000,000 each fiscal year for
20 the awarding of contracts under this section. The estimated cost of contracts funded
21 from the allocation under this section shall be between \$50,000 and \$750,000. The
22 secretary may award a contract from the amount allocated to a joint venture that
23 includes a small business. In deciding which contracts to award from the amount
24 allocated each fiscal year, the department shall consult with representatives of the

1 transportation contracting industry, including businesses owned by minorities and
2 women.

3 (b) The secretary shall establish requirements for programs of
4 preapprenticeship training and management and technical assistance designed to
5 develop the expertise of small businesses in transportation construction.”.

6 **987.** Page 865, line 20: after that line insert:

7 “**SECTION 2307h.** 84.075 (1) of the statutes is amended to read:

8 84.075 (1) In purchasing services under s. 84.01 (13), in awarding construction
9 contracts under s. 84.06, and in contracting with private contractors and agencies
10 under s. 84.07, the department of transportation shall attempt to ensure that 5% of
11 the total amount expended in each fiscal year is paid to contractors, subcontractors,
12 and vendors ~~which are minority businesses, as defined under s. 560.036 (1) (e) 1 that~~
13 are minority businesses certified by the department of commerce under s. 560.036
14 (2). In attempting to meet this goal, the department of transportation may award
15 any contract to a minority business that submits a qualified responsible bid that is
16 no more than 5% higher than the low bid.

17 **SECTION 2307i.** 84.075 (2) of the statutes is amended to read:

18 84.075 (2) The contractor shall report to the department of transportation any
19 amount of the contract paid to subcontractors and vendors ~~which that~~ are minority
20 businesses certified by the department of commerce under s. 560.036 (2).

21 **SECTION 2307j.** 84.075 (3) of the statutes is amended to read:

22 84.075 (3) The department of transportation shall at least semiannually, or
23 more often if required by the department of administration, report to the department
24 of administration the total amount of money it has paid to contractors,

1 subcontractors, and vendors ~~which~~ that are minority businesses under ss. 84.01 (13),
2 84.06, and 84.07 and the number of contacts with minority businesses in connection
3 with proposed purchases and contracts. In its reports, the department of of
4 transportation shall include only amounts paid to businesses certified by the
5 department of commerce under s. 560.036 (2) as minority businesses.

6 **SECTION 2307jk.** 84.076 (1) (c) of the statutes is amended to read:

7 84.076 (1) (c) “Minority business” ~~has the meaning given under s. 560.036 (1)~~
8 ~~(e) 1~~ means a business that is certified by the department of commerce under s.
9 560.036 (2).”.

10 **988.** Page 865, line 20: after that line insert:

11 “**SECTION 2307c.** 84.06 (2) (a) of the statutes is amended to read:

12 84.06 (2) (a) All such highway improvements shall be executed by contract
13 based on bids unless the department finds that another method as provided in sub.
14 (3) or (4) would be more feasible and advantageous. Bids shall be advertised for in
15 the manner determined by the department. Except as provided in s. ss. 84.014 (7r)
16 and 84.075, the contract shall be awarded to the lowest competent and responsible
17 bidder as determined by the department. If the bid of the lowest competent bidder
18 is determined by the department to be in excess of the estimated reasonable value
19 of the work or not in the public interest, all bids may be rejected. The department
20 shall, so far as reasonable, follow uniform methods of advertising for bids and may
21 prescribe and require uniform forms of bids and contracts. Except as provided in par.
22 (b), the secretary shall enter into the contract on behalf of the state. Every such
23 contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87, and 16.89, but
24 ss. 16.528, 16.752, and 16.754 apply to the contract. Any such contract involving an

1 expenditure of \$1,000 or more shall not be valid until approved by the governor. The
2 secretary may require the attorney general to examine any contract and any bond
3 submitted in connection with the contract and report on its sufficiency of form and
4 execution. The bond required by s. 779.14 (1m) is exempt from approval by the
5 governor and shall be subject to approval by the secretary. This subsection also
6 applies to contracts with private contractors based on bids for maintenance under s.
7 84.07.”.

8 **989.** Page 868, line 25: after that line insert:

9 “SECTION 2311m. 85.07 (9) of the statutes is created to read:

10 85.07 (9) HIGHWAY SAFETY AND MOTOR VEHICLE CONTACTS; ANALYSIS OF
11 INFORMATION; ANNUAL REPORT. (a) In this subsection, “motor vehicle contact” has the
12 meaning given in s. 165.842 (1) (d).

13 (b) Annually the department shall analyze the information forwarded to the
14 department under s. 165.842 (4) (c) by the department of justice concerning motor
15 vehicle contacts made during the previous year by law enforcement agencies to
16 determine, along with any other relevant information, all of the following:

17 1. The effects, if any, of motor vehicle contacts on state and local traffic law
18 enforcement.

19 2. Whether certain motor vehicle driving patterns and driver behavior have
20 contributed to the frequency of motor vehicle accidents, injuries, and death.

21 3. Specific enforcement strategies that may promote highway safety, including
22 the selection of specified areas for increased traffic law enforcement.

23 4. Other activities that may promote highway safety, such as highway
24 redesigning, increased signage, and modifying any existing speed limits.

1 (c) For each year, the department shall prepare an annual report that
2 summarizes the analysis of the information under par. (b) and that describes the
3 methods and conclusions of its analysis of the information. On or before June 30,
4 2003, and on or before each June 30 thereafter, the department shall submit the
5 annual report required under this subsection to the legislature under s. 13.172 (2),
6 to the governor, and to the director of state courts.”.

7 **990.** Page 868, line 25: delete that line.

8 **991.** Page 870, line 13: delete lines 13 to 16.

9 **992.** Page 871, line 11: delete “\$56,811,800” and substitute “\$57,368,700”.

10 **993.** Page 872, line 4: delete “\$15,166,900” and substitute “\$15,315,600”.

11 **994.** Page 872, line 24: delete “\$21,008,300” and substitute “\$21,214,300”.

12 **995.** Page 873, line 16: delete “\$5,674,400” and substitute “\$5,730,000”.

13 **996.** Page 878, line 10: after that line insert:

14 “**SECTION 2340q.** 85.53 (3) of the statutes is amended to read:

15 85.53 (3) Grants under this section shall be paid from the appropriations under
16 s. 20.395 (5) (jr) and (jt). The amount of a grant may not exceed 80% of the amount
17 expended by an eligible applicant for services related to the program.”.

18 **997.** Page 878, line 23: after that line insert:

19 “**SECTION 2340vg.** 86.03 (5m) of the statutes is created to read:

20 **86.03 (5m)** TREES AND OTHER VEGETATION BLOCKING VIEW OF BUSINESS OR SIGN.

21 (a) In this subsection, “vegetation” means any tree, shrub, hedge, or other foliage.

22 (b) Notwithstanding any other provision of this section, if any vegetation
23 located in a highway right-of-way prevents the operator of a vehicle traveling on a

1 highway at the posted speed limit from viewing for 6 uninterrupted seconds a
2 business premises located adjacent to the highway right-of-way, a sign located on
3 a business premises adjacent to the highway right-of-way that advertises the
4 business to motorists on the adjacent highway, or any sign erected under this chapter
5 or s. 84.30 that is permitted to be located in or adjacent to the highway right-of-way,
6 any person who maintains a majority ownership interest in the business adjacent to
7 the highway right-of-way or in any business advertised on a sign identified in this
8 paragraph may trim or remove any obstructing vegetation located in the highway
9 right-of-way if all of the following requirements are met:

10 1. The person pays for the cost of trimming or removing the obstructing
11 vegetation, including the cost of cleanup and disposal, and for replacing any removed
12 vegetation, including the cost of purchasing and planting the replacement
13 vegetation.

14 2. If the person has removed vegetation, the person replaces the removed
15 vegetation with comparable vegetation along the same highway right-of-way,
16 provided that the person may not locate replacement vegetation in a manner that
17 obstructs, or will obstruct in the foreseeable future, the view from the highway of
18 another existing business or sign identified in this paragraph.

19 3. No state funds are expended for the trimming, removal, or replacement of
20 vegetation under this paragraph.

21 4. With respect to a sign identified in this paragraph, the owner of the land on
22 which the sign is erected does not object to the trimming or removal of vegetation.”.

23 **998.** Page 879, line 12: delete “\$1,790” and substitute “\$1,825”.

24 **999.** Page 879, line 19: delete “\$88,312,900” and substitute “\$90,044,600”.

1 **1000.** Page 880, line 1: delete “\$277,843,200” and substitute “\$283,291,100”.

2 **1001.** Page 880, line 3: after that line insert:

3 “**SECTION 2345m.** 86.30 (10c) of the statutes is created to read:

4 **86.30 (10c)** AID PAYMENTS FOR CALENDAR YEAR 2002. (a) 1. For calendar year 2002,
5 the department shall determine the percentage change between the amount of
6 moneys appropriated for distribution under this section to counties for calendar year
7 2002 and the amount of moneys appropriated for distribution under this section to
8 counties for calendar year 2001.

9 2. Notwithstanding sub. (2) (a), (b), and (d) and s. 86.303 (5) (e), (f), (h), and (i),
10 the amount of aid payable to each county in calendar year 2002 shall be the amount
11 paid to that county for calendar year 2001, plus an amount equal to the percentage
12 determined under subd. 1. of the amount paid to the county for calendar year 2001.

13 (b) 1. For calendar year 2002, the department shall determine the percentage
14 change between the amount of moneys appropriated for distribution under this
15 section to municipalities for calendar year 2002 and the amount of moneys
16 appropriated for distribution under this section to municipalities for calendar year
17 2001.

18 2. Notwithstanding sub. (2) (a), (b), and (d) and s. 86.303 (5) (e), (f), (h), and (i),
19 the amount of aid payable to each municipality in calendar year 2002 shall be the
20 amount paid to that municipality for calendar year 2001, plus an amount equal to
21 the percentage determined under subd. 1. of the amount paid to the municipality for
22 calendar year 2001.

23 **SECTION 2345n.** 86.30 (10g) of the statutes is created to read:

1 **86.30 (10g)** AID PAYMENTS FOR CALENDAR YEAR 2003. (a) 1. For calendar year
2 2003, the department shall determine the percentage change between the amount
3 of moneys appropriated for distribution under this section to counties for calendar
4 year 2003 and the amount of moneys appropriated for distribution under this section
5 to counties for calendar year 2002.

6 2. Notwithstanding sub. (2) (a), (b), and (d) and s. 86.303 (5) (e), (f), (h), and (i),
7 the amount of aid payable to each county in calendar year 2003 shall be the amount
8 paid to that county for calendar year 2002, plus an amount equal to the percentage
9 determined under subd. 1. of the amount paid to the county for calendar year 2002.

10 (b) 1. For calendar year 2003, the department shall determine the percentage
11 change between the amount of moneys appropriated for distribution under this
12 section to municipalities for calendar year 2003 and the amount of moneys
13 appropriated for distribution under this section to municipalities for calendar year
14 2002.

15 2. Notwithstanding sub. (2) (a), (b), and (d) and s. 86.303 (5) (e), (f), (h), and (i),
16 the amount of aid payable to each municipality in calendar year 2003 shall be the
17 amount paid to that municipality for calendar year 2002, plus an amount equal to
18 the percentage determined under subd. 1. of the amount paid to the municipality for
19 calendar year 2002.”.

20 **1002.** Page 880, line 4: delete lines 4 to 8.

21 **1003.** Page 881, line 5: delete lines 5 to 10.

22 **1004.** Page 881, line 11: delete lines 11 to 20.

23 **1005.** Page 881, line 25: delete “at least”.

24 **1006.** Page 882, line 1: delete “at least”.

1 **1007.** Page 882, line 16: after that line insert:

2 “**SECTION 2383m.** 93.07 (1) of the statutes is amended to read:

3 **93.07 (1) REGULATIONS.** To make and enforce such regulations, not inconsistent
4 with law, as it may deem necessary for the exercise and discharge of all the powers
5 and duties of the department, and to adopt such measures and make such
6 regulations as are necessary and proper for the ~~enforcement by the state of~~
7 department to carry out its duties and powers under chs. 93 to 100, which regulations
8 ~~shall have the force of law.~~

9 **SECTION 2383p.** 93.07 (23) of the statutes is created to read:

10 **93.07 (23) CONSUMER PROTECTION ADMINISTRATION.** To administer ss. 100.01 to
11 100.03, 100.05 to 100.07, 100.14, 100.183 to 100.19, 100.201, 100.206, 100.208,
12 100.21, 100.22, 100.235, 100.265, 100.27, 100.285 to 100.297, 100.30, 100.33 to
13 100.36, 100.45, 100.47, 100.48, and 100.51 and to enforce ss. 100.206, 100.21, 100.30,
14 and 100.51.

15 **SECTION 2383q.** 93.07 (24) of the statutes is amended to read:

16 **93.07 (24) ENFORCEMENT OF LAWS.** To enforce or assist in the enforcement of chs.
17 88 and 93 to 100 and all other laws entrusted to its administration, and especially:

18 (a) To enforce the laws administered by the department regarding the
19 production, manufacture and sale, offering or exposing for sale or having in
20 possession with intent to sell, of any dairy, food or drug product.

21 (b) To enforce the laws administered by the department regarding the
22 adulteration or misbranding of any articles of food, drink, condiment or drug.

23 (c) To inspect any milk, butter, cheese, lard, syrup, coffee, tea or other article
24 of food, drink, condiment or drug made or offered for sale within this state which it

1 may suspect or have reason to believe, under the laws administered by the
2 department, to be impure, unhealthful, misbranded, adulterated or counterfeit, or
3 in any way unlawful.

4 (d) To prosecute or cause to be prosecuted, under the laws administered by the
5 department, any person engaged in the manufacture or sale, offering or exposing for
6 sale or having in possession with intent to sell, of any adulterated dairy product or
7 of any adulterated, misbranded, counterfeit, or otherwise unlawful article or articles
8 of food, drink, condiment or drug.

9 **SECTION 2387m.** 93.18 (3) of the statutes is amended to read:

10 93.18 (3) The department of justice, after acting pursuant to s. 100.37 or 100.41
11 to 100.43 to order the sale or distribution of any substance, article, furnishing, fabric,
12 product or related material ceased, shall give written notice of its finding to the
13 manufacturer, seller or other person responsible for placing the item in the channels
14 of trade in this state. After such notice no person may sell, remove or otherwise
15 dispose of such item except as directed by the department. Any person affected by
16 such notice may demand a prompt hearing to determine the validity of the
17 department's findings. The hearing, if requested, shall be held as expeditiously as
18 possible but not later than 30 days after notice. A request for hearing does not
19 operate to stay enforcement of the order during the pendency of the hearing. The
20 person petitioning for a hearing shall be entitled to the same rights specified under
21 sub. (2).

22 **SECTION 2387r.** 93.18 (7) of the statutes is created to read:

23 93.18 (7) The department of justice shall follow the procedures under subs. (1),
24 (2), (4), (5), and (6) in enforcing the provisions of ch. 100 that are administered by the
25 department of justice.

1 **SECTION 2388m.** 93.20 (1) of the statutes is amended to read:

2 **93.20 (1) DEFINITION.** In this section, “action” means an action that is
3 commenced in court by, or on behalf of, the department of agriculture, trade and
4 consumer protection to enforce chs. 88, 91 to 100 or 127 or an action that is
5 commenced in court by the department of justice to enforce ch. 100.

6 **SECTION 2389k.** 93.22 (1) of the statutes is amended to read:

7 **93.22 (1)** In cases arising under chs. 88 and 93 to ~~100~~ 99 and ss. 100.206, 100.21,
8 100.30, and 100.51, the department may be represented by its attorney.

9 **SECTION 2389m.** 93.22 (2) of the statutes is amended to read:

10 **93.22 (2)** The department may, with the approval of the governor, appoint
11 special counsel to prosecute or assist in the prosecution of any case arising under chs.
12 88 and 93 to ~~100~~ 99 and ss. 100.206, 100.21, 100.30, and 100.51. The cost of such
13 special counsel shall be charged to the appropriation for the department.”.

14 **1008.** Page 882, line 24: after that line insert:

15 “**SECTION 2394j.** 93.75 of the statutes is repealed.”.

16 **1009.** Page 888, line 10: after that line insert:

17 “**SECTION 2397e.** 94.73 (3m) (r) of the statutes is amended to read:

18 **94.73 (3m) (r)** The cost of providing alternative sources of drinking water,
19 except that, subject to sub. (6) (b) to (f), the department may reimburse a responsible
20 person who applies for reimbursement a total of not more than \$20,000 \$50,000 for
21 the replacement or restoration of private wells or for connection to a public or private
22 water source if the department or the department of natural resources orders the
23 well replacement or restoration or the connection in response to a discharge.”.

24 **1010.** Page 889, line 1: after that line insert:

1 **“SECTION 2405d.** 100.07 (6) of the statutes is amended to read:

2 100.07 **(6)** ~~Action~~ Upon request of the department, an action to enjoin violation
3 of this section may be commenced and prosecuted by the department of justice in the
4 name of the state in any court having equity jurisdiction.

5 **SECTION 2405g.** 100.171 (7) (b) of the statutes is amended to read:

6 100.171 **(7)** (b) Whoever intentionally violates this section may be fined not
7 more than \$10,000 or imprisoned for not more than 3 years or both. A person
8 intentionally violates this section if the violation occurs after the department of
9 justice or a district attorney has notified the person by certified mail that the person
10 is in violation of this section.

11 **SECTION 2405h.** 100.171 (8) (intro.) of the statutes is amended to read:

12 100.171 **(8)** ENFORCEMENT. (intro.) The department of justice shall investigate
13 violations of this section. The department of justice or any district attorney may on
14 behalf of the state:

15 **SECTION 2405j.** 100.173 (4) (intro.) of the statutes is amended to read:

16 100.173 **(4)** (intro.) The department of justice shall investigate violations of this
17 section. The department of justice, or any district attorney upon informing the
18 department of justice, may, on behalf of the state, do any of the following:

19 **SECTION 2405k.** 100.173 (4) (a) of the statutes is amended to read:

20 100.173 **(4)** (a) Bring an action for temporary or permanent injunctive relief in
21 any court of competent jurisdiction for any violation of this section. The relief sought
22 by the department of justice or district attorney may include the payment by a
23 promoter into an escrow account of an amount estimated to be sufficient to pay for
24 ticket refunds. The court may, upon entry of final judgment, award restitution when

1 appropriate to any person suffering loss because of violations of this section if proof
2 of such loss is submitted to the satisfaction of the court.

3 **SECTION 2405m.** 100.174 (5) (intro.) of the statutes is amended to read:

4 100.174 (5) (intro). The department of justice or any district attorney may on
5 behalf of the state:

6 **SECTION 2405n.** 100.174 (6) of the statutes is amended to read:

7 100.174 (6) The department of justice shall investigate violations of and
8 enforce this section.

9 **SECTION 2405p.** 100.175 (5) (a) (intro.) of the statutes is amended to read:

10 100.175 (5) (a) (intro.) No person may collect or by contract require a buyer to
11 pay more than \$100 for dating services before the buyer receives or has the
12 opportunity to receive those services unless the person selling dating services
13 establishes proof of financial responsibility by maintaining any of the following
14 commitments approved by the department of justice in an amount not less than
15 \$25,000:

16 **SECTION 2405q.** 100.175 (5) (b) of the statutes is amended to read:

17 100.175 (5) (b) The commitment described in par. (a) shall be established in
18 favor of or made payable to the state, for the benefit of any buyer who does not receive
19 a refund under the contractual provision described in sub. (3). The person selling
20 dating services shall file with the department of justice any agreement, instrument
21 or other document necessary to enforce the commitment against the person selling
22 dating services or any relevant 3rd party, or both.

23 **SECTION 2405r.** 100.175 (7) (a) (intro.) of the statutes is amended to read:

24 100.175 (7) (a) (intro.) The department of justice or any district attorney may
25 on behalf of the state:

1 **SECTION 2405rm.** 100.175 (7) (b) of the statutes is amended to read:

2 100.175 (7) (b) The department of justice may bring an action in circuit court
3 to recover on a financial commitment maintained under sub. (5) against a person
4 selling dating services or relevant 3rd party, or both, on behalf of any buyer who does
5 not receive a refund due under the contractual provision described in sub. (3).

6 **SECTION 2405s.** 100.177 (1) (bm) of the statutes is created to read:

7 100.177 (1) (bm) Notwithstanding s. 93.01 (3), “department” means the
8 department of justice.

9 **SECTION 2405t.** 100.178 (1) (b) of the statutes is amended to read:

10 100.178 (1) (b) Notwithstanding s. 93.01 (3), “department” means the
11 department of ~~health and family services~~ justice.

12 **SECTION 2405u.** 100.18 (11) (a) of the statutes is amended to read:

13 100.18 (11) (a) The department of ~~agriculture, trade and consumer protection~~
14 justice shall enforce this section. Actions to enjoin violation of this section or any
15 regulations thereunder may be commenced and prosecuted by the department of of
16 justice in the name of the state in any court having equity jurisdiction. This remedy
17 is not exclusive.

18 **SECTION 2405um.** 100.18 (11) (b) 3. of the statutes is amended to read:

19 100.18 (11) (b) 3. No action may be commenced under this section more than
20 3 years after the occurrence of the unlawful act or practice which is the subject of the
21 action. No injunction may be issued under this section which would conflict with
22 general or special orders of the department of of justice or any statute, rule or
23 regulation of the United States or of this state.

24 **SECTION 2405wc.** 100.18 (11) (c) 1. of the statutes is amended to read:

1 100.18 (11) (c) 1. Whenever the department of justice has reason to believe that
2 a person is in possession, custody or control of any information or documentary
3 material relevant to the enforcement of this section it may require that person to
4 submit a statement or report, under oath or otherwise, as to the facts and
5 circumstances concerning any activity in the course of trade or commerce; examine
6 under oath that person with respect to any activity in the course of trade or
7 commerce; and execute in writing and cause to be served upon such person a civil
8 investigative demand requiring the person to produce any relevant documentary
9 material for inspection and copying.

10 **SECTION 2405we.** 100.18 (11) (c) 2. of the statutes is amended to read:

11 100.18 (11) (c) 2. The department of justice, in exercising powers under this
12 subsection, may issue subpoenas, administer oaths and conduct hearings to aid in
13 any investigation.

14 **SECTION 2405wg.** 100.18 (11) (c) 3. of the statutes is amended to read:

15 100.18 (11) (c) 3. Service of any notice by the department of justice requiring
16 a person to file a statement or report, or service of a subpoena upon a person, or
17 service of a civil investigative demand shall be made in compliance with the rules of
18 civil procedure of this state.

19 **SECTION 2405wj.** 100.18 (11) (c) 4. of the statutes is amended to read:

20 100.18 (11) (c) 4. If a person fails to file any statement or report, or fails to
21 comply with any civil investigative demand, or fails to obey any subpoena issued by
22 the department of justice, such person may be coerced as provided in s. 885.12, except
23 that no person shall be required to furnish any testimony or evidence under this
24 subsection which might tend to incriminate the person.

25 **SECTION 2406m.** 100.18 (11) (d) of the statutes is amended to read:

1 100.18 (11) (d) ~~The department or the department of justice, after consulting~~
2 ~~with the department,~~ or any district attorney, upon informing the department of
3 justice, may commence an action in circuit court in the name of the state to restrain
4 by temporary or permanent injunction any violation of this section. The court may
5 in its discretion, prior to entry of final judgment, make such orders or judgments as
6 may be necessary to restore to any person any pecuniary loss suffered because of the
7 acts or practices involved in the action, provided proof thereof is submitted to the
8 satisfaction of the court. ~~The department and the department of justice may~~
9 ~~subpoena persons and require the production of books and other documents, and the~~
10 ~~department of justice may request the department to exercise its authority under~~
11 ~~par. (c) to aid in the investigation of alleged violations of this section.~~

12 **SECTION 2407d.** 100.18 (11) (e) of the statutes is amended to read:

13 100.18 (11) (e) In lieu of instituting or continuing an action pursuant to this
14 section, ~~the department or the department of justice~~ may accept a written assurance
15 of discontinuance of any act or practice alleged to be a violation of this section from
16 the person who has engaged in such act or practice. The acceptance of such assurance
17 by ~~either the department or the department of justice~~ shall be deemed acceptance by
18 ~~the other state officials enumerated in par. (d)~~ any district attorney if the terms of
19 the assurance so provide. An assurance entered into pursuant to this section shall
20 not be considered evidence of a violation of this section, provided that violation of
21 such an assurance shall be treated as a violation of this section, and shall be
22 subjected to all the penalties and remedies provided therefor.

23 **SECTION 2407g.** 100.182 (5) (a) of the statutes is amended to read:

24 100.182 (5) (a) Any district attorney, after informing the department of justice,
25 or the department of justice may seek a temporary or permanent injunction in circuit

1 court to restrain any violation of this section. Prior to entering a final judgment the
2 court may award damages to any person suffering monetary loss because of a
3 violation. The department of justice may subpoena any person or require the
4 production of any document to aid in investigating alleged violations of this section.

5 **SECTION 2407m.** 100.182 (5) (b) of the statutes is amended to read:

6 100.182 (5) (b) In lieu of instituting or continuing an action under this
7 subsection, the department of justice may accept a written assurance from a violator
8 of this section that the violation has ceased. If the terms of the assurance so provide,
9 its acceptance by the department of justice prevents all district attorneys from
10 prosecuting the violation. An assurance is not evidence of a violation of this section
11 but violation of an assurance is subject to the penalties and remedies of violating this
12 section.

13 **SECTION 2407r.** 100.20 (2) (a) of the statutes is amended to read:

14 100.20 (2) (a) The department of justice, after public hearing, may issue
15 general orders forbidding methods of competition in business or trade practices in
16 business which are determined by the department of justice to be unfair. The
17 department of justice, after public hearing, may issue general orders prescribing
18 methods of competition in business or trade practices in business which are
19 determined by the department of justice to be fair.”.

20 **1011.** Page 889, line 3: after “department” insert “of justice”.

21 **1012.** Page 889, line 8: after that line insert:

22 “**SECTION 2421m.** 100.26 (9) of the statutes is repealed.”.

23 **1013.** Page 889, line 8: after that line insert:

24 “**SECTION 2408m.** 100.20 (3) of the statutes is amended to read:

1 100.20 (3) The department of justice, after public hearing, may issue a special
2 order against any person, enjoining such person from employing any method of
3 competition in business or trade practice in business which is determined by the
4 department of justice to be unfair or from providing service in violation of sub. (1t).
5 The department of justice, after public hearing, may issue a special order against any
6 person, requiring such person to employ the method of competition in business or
7 trade practice in business which is determined by the department of justice to be fair.

8 **SECTION 2409b.** 100.20 (4) of the statutes is amended to read:

9 100.20 (4) ~~The if the department of justice may file a written complaint with~~
10 ~~the department alleging that the has reason to believe that a person named is~~
11 ~~employing unfair methods of competition in business or unfair trade practices in~~
12 ~~business or both. Whenever such a complaint is filed, it shall be the duty of the~~
13 ~~department of justice to proceed, after proper notice and in accordance with its rules,~~
14 ~~to the hearing and adjudication of the matters alleged, and a representative of the~~
15 ~~department of justice designated by the attorney general may appear before the~~
16 ~~department in such proceedings. The department of justice shall be entitled to~~
17 ~~judicial review of the decisions and orders of the department under ch. 227 matter.~~

18 **SECTION 2409c.** 100.20 (6) of the statutes is amended to read:

19 100.20 (6) The department of justice may commence an action in circuit court
20 in the name of the state to restrain by temporary or permanent injunction the
21 violation of any order issued under this section. The court may in its discretion, prior
22 to entry of final judgment make such orders or judgments as may be necessary to
23 restore to any person any pecuniary loss suffered because of the acts or practices
24 involved in the action, provided proof thereof is submitted to the satisfaction of the

1 court. The department of justice may ~~use its authority in ss. 93.14 and 93.15 to~~
2 investigate violations of any order issued under this section.

3 **SECTION 2409d.** 100.201 (6) (d) of the statutes is amended to read:

4 100.201 (6) (d) The failure to pay fees under this subsection within the time
5 provided under par. (c) is a violation of this section. The department of justice may
6 also commence an action to recover the amount of any overdue fees plus interest at
7 the rate of 2% per month for each month that the fees are delinquent.

8 **SECTION 2409e.** 100.201 (8m) (intro.) of the statutes is amended to read:

9 100.201 (8m) JURISDICTION. (intro.) This section shall apply to transactions,
10 acts or omissions which take place in whole or in part outside this state. In any action
11 or administrative proceeding the department of justice has jurisdiction of the person
12 served under s. 801.11 when any act or omission outside this state by the defendant
13 or respondent results in local injury or may have the effect of injuring competition
14 or a competitor in this state or unfairly diverts trade or business from a competitor,
15 if at the time:

16 **SECTION 2409f.** 100.201 (9) (b) of the statutes is amended to read:

17 100.201 (9) (b) The department, after public hearing held under s. 93.18, may
18 issue a special order against any person requiring such person to cease and desist
19 from acts, practices or omissions determined by the department to violate this
20 section. Such orders shall be subject to judicial review under ch. 227. Any violation
21 of a special order issued hereunder shall be punishable as a contempt under ch. 785
22 in the manner provided for disobedience of a lawful order of a court, upon the filing
23 of an affidavit by the department of justice of the commission of such violation in any
24 court of record in the county where the violation occurred.

25 **SECTION 2409g.** 100.201 (9) (c) of the statutes is amended to read:

1 100.201 **(9)** (c) The department of justice, in addition to or in lieu of any other
2 remedies herein provided, may apply to a circuit court for a temporary or permanent
3 injunction to prevent, restrain or enjoin any person from violating this section or any
4 special order of the department of agriculture, trade and consumer protection issued
5 hereunder under this section, without being compelled to allege or prove that an
6 adequate remedy at law does not exist.

7 **SECTION 2409p.** 100.205 (7) of the statutes is amended to read:

8 100.205 **(7)** The department of justice, or any district attorney on informing the
9 department of justice, may commence an action in circuit court in the name of the
10 state to restrain by temporary or permanent injunction any violation of this section.
11 The court may, before entry of final judgment and after satisfactory proof, make
12 orders or judgments necessary to restore to any person any pecuniary loss suffered
13 because of a violation of this section. The department of justice may conduct
14 hearings, administer oaths, issue subpoenas and take testimony to aid in its
15 investigation of violations of this section.

16 **SECTION 2409r.** 100.205 (8) of the statutes is amended to read:

17 100.205 **(8)** The department of justice or any district attorney may commence
18 an action in the name of the state to recover a forfeiture to the state of not more than
19 \$10,000 for each violation of this section.

20 **SECTION 2410m.** 100.207 (6) (b) 1. of the statutes is amended to read:

21 100.207 **(6)** (b) 1. The department of justice, ~~after consulting with the~~
22 ~~department of agriculture, trade and consumer protection~~, or any district attorney
23 upon informing the department of ~~agriculture, trade and consumer protection~~
24 justice, may commence an action in circuit court in the name of the state to restrain
25 by temporary or permanent injunction any violation of this section. Injunctive relief

1 may include an order directing telecommunications providers, as defined in s. 196.01
2 (8p), to discontinue telecommunications service provided to a person violating this
3 section or ch. 196. Before entry of final judgment, the court may make such orders
4 or judgments as may be necessary to restore to any person any pecuniary loss
5 suffered because of the acts or practices involved in the action if proof of these acts
6 or practices is submitted to the satisfaction of the court.

7 **SECTION 2411m.** 100.207 (6) (b) 2. of the statutes is amended to read:

8 100.207 (6) (b) 2. The department ~~may exercise its authority under ss. 93.14~~
9 ~~to 93.16 and 100.18 (11) (c) to~~ of justice shall administer this section. The department
10 ~~and the department of justice may subpoena persons and,~~ require the production of
11 books and other documents, and ~~the department of justice may request the~~
12 ~~department of agriculture, trade and consumer protection to exercise its authority~~
13 ~~to aid in the investigation of~~ investigate alleged violations of this section.

14 **SECTION 2412m.** 100.207 (6) (c) of the statutes is amended to read:

15 100.207 (6) (c) Any person who violates subs. (2) to (4) shall be required to
16 forfeit not less than \$25 nor more than \$5,000 for each offense. Forfeitures under this
17 paragraph shall be enforced by the department of justice, ~~after consulting with the~~
18 ~~department of agriculture, trade and consumer protection,~~ or, upon informing the
19 department of justice, by the district attorney of the county where the violation
20 occurs.

21 **SECTION 2412q.** 100.207 (6) (e) of the statutes is amended to read:

22 100.207 (6) (e) Subject to par. (em), the department of justice shall promulgate
23 rules under this section.

24 **SECTION 2413c.** 100.207 (6) (em) 1. of the statutes is amended to read:

1 100.207 (6) (em) 1. Before preparing any proposed rule under this section, the
2 department of justice shall form an advisory group to suggest recommendations
3 regarding the content and scope of the proposed rule. The advisory group shall
4 consist of one or more persons who may be affected by the proposed rule,~~a~~
5 ~~representative from the department of justice~~ and a representative from the public
6 service commission.

7 **SECTION 2413e.** 100.207 (6) (em) 2. of the statutes is amended to read:

8 100.207 (6) (em) 2. The department of justice shall submit the
9 recommendations under subd. 1., if any, to the legislature as part of the report
10 required under s. 227.19 (2) ~~and to the board of agriculture, trade and consumer~~
11 ~~protection.~~

12 **SECTION 2413g.** 100.208 (2) (intro.) of the statutes is amended to read:

13 100.208 (2) (intro.) The department of justice shall notify the public service
14 commission if any of the following conditions exists:

15 **SECTION 2413h.** 100.208 (2) (b) of the statutes is amended to read:

16 100.208 (2) (b) The department of justice has issued an order under s. 100.20
17 (3) prohibiting a telecommunications provider from engaging in an unfair trade
18 practice or method of competition.

19 **SECTION 2413j.** 100.209 (3) of the statutes is amended to read:

20 100.209 (3) RULES AND LOCAL ORDINANCES ALLOWED. This section does not
21 prohibit the department of justice from promulgating a rule or from issuing an order
22 consistent with its authority under this chapter that gives a subscriber greater rights
23 than the rights under sub. (2) or prohibit a city, village or town from enacting an
24 ordinance that gives a subscriber greater rights than the rights under sub. (2).

25 **SECTION 2413k.** 100.209 (4) (b) of the statutes is amended to read:

1 100.209 (4) (b) The department of justice and the district attorneys of this state
2 have concurrent authority to institute civil proceedings under this section.

3 **SECTION 2413m.** 100.2095 (6) (b) of the statutes is amended to read:

4 100.2095 (6) (b) The department of justice may commence an action in the
5 name of the state to restrain by temporary or permanent injunction a violation of sub.
6 (3), (4) or (5). Before entry of final judgment, the court may make any necessary
7 orders to restore to any person any pecuniary loss suffered by the person because of
8 the violation.

9 **SECTION 2413n.** 100.2095 (6) (c) of the statutes is amended to read:

10 100.2095 (6) (c) The department of justice or any district attorney may
11 commence an action in the name of the state to recover a forfeiture to the state of not
12 less than \$100 nor more than \$10,000 for each violation of sub. (3), (4) or (5).

13 **SECTION 2413p.** 100.21 (2) (a) of the statutes is amended to read:

14 100.21 (2) (a) No person may make an energy savings or safety claim without
15 a reasonable and currently accepted scientific basis for the claim when the claim is
16 made. Making an energy savings or safety claim without a reasonable and currently
17 accepted scientific basis is also an unfair method of competition and trade practice
18 prohibited under s. 100.20.

19 **SECTION 2413r.** 100.21 (4) (a) (intro.) of the statutes is amended to read:

20 100.21 (4) (a) (intro.) The department may, after public hearing, issue general
21 or special orders ~~under s. 100.20~~:

22 **SECTION 2413t.** 100.22 (4) (b) of the statutes is amended to read:

23 100.22 (4) (b) The department of justice may, without alleging or proving that
24 no other adequate remedy at law exists, bring an action to enjoin violations of this

1 section or a special order issued under this section in the circuit court for the county
2 where the alleged violation occurred.

3 **SECTION 2418m.** 100.235 (11) (a) of the statutes is amended to read:

4 100.235 (11) (a) *Forfeiture.* Any person who violates this section or any rule
5 promulgated or order issued under this section may be required to forfeit not less
6 than \$100 nor more than \$10,000. Notwithstanding s. 165.25 (1), the department
7 may commence an action to recover a forfeiture under this paragraph.

8 **SECTION 2421m.** 100.26 (6) of the statutes is amended to read:

9 100.26 (6) ~~The department, the department of justice, after consulting with the~~
10 ~~department, or any district attorney may commence an action in the name of the~~
11 ~~state to recover a civil forfeiture to the state of not less than \$100 nor more than~~
12 ~~\$10,000 for each violation of~~ Any person violating an injunction issued under s.
13 100.18, 100.182 or 100.20 (6). ~~The department of agriculture, trade and consumer~~
14 ~~protection or any district attorney may commence an action in the name of the state~~
15 ~~to recover a civil~~ is subject to a forfeiture of not less than \$100 nor more than \$10,000
16 for each violation. Any person violating an order issued under s. 100.20 is subject
17 to a forfeiture to the state of not less than \$100 nor more than \$10,000 for each
18 violation of an order issued under s. 100.20.”.

19 **1014.** Page 890, line 8: delete lines 8 to 12 and substitute:

20 “**SECTION 2426b.** 100.261 (3) (b) 1. of the statutes is renumbered 100.261 (3)
21 (b) and amended to read:

22 100.261 (3) (b) The state treasurer shall deposit the consumer protection
23 assessment amounts imposed for a violation of ch. 98, a rule promulgated under ch.
24 98, or an ordinance enacted under ch. 98 in the general fund and shall credit them

1 to the appropriation account under s. 20.115 (1) (jb), subject to the limit under subd.
2 ~~2.~~ par. (c).”.

3 **1015.** Page 890, line 16: after that line insert:

4 “**SECTION 2429d.** 100.264 (2) (intro.) of the statutes is amended to read:

5 100.264 (2) SUPPLEMENTAL FORFEITURE. (intro.) If a fine or a forfeiture is
6 imposed on a person for a violation under s. 100.16, 100.17, 100.18, 100.182, 100.183,
7 100.20, 100.205, 100.207, 100.21, 100.30 (3), 100.35, 100.44 ~~or~~, 100.46, or 100.52 (10)
8 (b) or a rule promulgated under one of those sections, the person shall be subject to
9 a supplemental forfeiture not to exceed \$10,000 for that violation if the conduct by
10 the defendant, for which the violation was imposed, was perpetrated against an
11 elderly person or disabled person and if the court finds that any of the following
12 factors is present:”.

13 **1016.** Page 890, line 16: after that line insert:

14 “**SECTION 2430b.** 100.30 (2) (a) of the statutes is repealed.

15 **SECTION 2430d.** 100.30 (2) (am) 1m. of the statutes is repealed.

16 **SECTION 2430f.** 100.30 (2) (b) of the statutes is amended to read:

17 100.30 (2) (b) “Cost to retailer” and “cost to wholesaler” as defined in pars. (am)
18 and (c) mean bona fide costs; and purchases made by retailers, or wholesalers,
19 wholesalers of motor vehicle fuel and refiners at prices which that cannot be justified
20 by prevailing market conditions within this state shall not be used in determining
21 cost to the retailer and cost to the wholesaler. ~~Prices at which purchases of~~
22 ~~merchandise other than motor vehicle fuel are made by retailers or wholesalers~~
23 ~~cannot be justified by prevailing market conditions in this state when they are below~~
24 ~~the lowest prices at which the manufacturer or producer of such merchandise sells~~

1 ~~to other retailers or wholesalers in this state. Prices at which sales of motor vehicle~~
2 ~~fuel are made by retailers, wholesalers, wholesalers of motor vehicle fuel and refiners~~
3 ~~cannot be justified by prevailing market conditions in this state when they are below~~
4 ~~the applicable cost to retailers and cost to wholesalers specified under pars. (am) and~~
5 ~~(e).~~

6 **SECTION 2430g.** 100.30 (2) (c) 1g. of the statutes is repealed.

7 **SECTION 2430j.** 100.30 (2) (c) 1r. of the statutes is repealed.

8 **SECTION 2430k.** 100.30 (2) (cg) of the statutes is repealed.

9 **SECTION 2430kb.** 100.30 (2) (cj) of the statutes is amended to read:

10 100.30 (2) (cj) “Existing price of a competitor” means a price being
11 simultaneously offered to a buyer for merchandise of like quality and quantity by a
12 person who is a direct competitor of the retailer; or wholesaler, ~~wholesaler of motor~~
13 ~~vehicle fuel or refiner~~ and from whom the buyer can practicably purchase the
14 merchandise.

15 **SECTION 2430kd.** 100.30 (2) (cL) of the statutes is repealed.

16 **SECTION 2430kf.** 100.30 (2) (cm) of the statutes is repealed.

17 **SECTION 2430kh.** 100.30 (2) (d) of the statutes is amended to read:

18 100.30 (2) (d) “Replacement cost” means the cost computed as specified in par.
19 (am) or (c) at which the merchandise sold could have been bought by the retailer; or
20 ~~wholesaler or wholesaler of motor vehicle fuel~~ at any time if bought in the same
21 quantity as the retailer’s, or wholesaler’s ~~or wholesaler of motor vehicle fuel’s~~ last
22 purchase of the said merchandise.

23 **SECTION 2430kj.** 100.30 (2) (e) of the statutes is amended to read:

24 100.30 (2) (e) “Retailer” includes every person engaged in the business of
25 making sales at retail within this state, other than sales of motor vehicle fuel, but,

1 in the case of a person engaged in the business of selling both at retail and at
2 wholesale, such term shall be applied only to the retail portion of such business.

3 **SECTION 2430kL.** 100.30 (2) (g) of the statutes is amended to read:

4 100.30 (2) (g) “Sell”, “sale” or “sold” includes any advertising or offer to sell
5 or any transfer of merchandise where title is retained by the retailer, or wholesaler,
6 ~~wholesaler of motor vehicle fuel or refiner~~ as security for the payment of the purchase
7 price. In determining the selling price of merchandise by wholesalers, ~~wholesalers~~
8 ~~of motor vehicle fuel,~~ and retailers ~~and refiners~~ under this section, all fractions of a
9 cent shall be carried to the next full cent.

10 **SECTION 2430km.** 100.30 (2) (j) of the statutes is repealed.

11 **SECTION 2430kn.** 100.30 (2) (m) of the statutes is repealed.

12 **SECTION 2430ko.** 100.30 (2m) (a) of the statutes is amended to read:

13 100.30 (2m) (a) When one or more items of merchandise, other than motor
14 vehicle fuel, are furnished or sold in combination with or on condition of the purchase
15 of one or more other items, or are so advertised, all items shall be included in
16 determining cost under sub. (2) (am) or (c); and if any of the items included therein
17 are separately priced, such separate price shall be subject to the requirements of this
18 section.

19 **SECTION 2430kp.** 100.30 (2m) (c) of the statutes is repealed.

20 **SECTION 2430ks.** 100.30 (3) of the statutes is amended to read:

21 100.30 (3) ILLEGALITY OF LOSS LEADERS. Any sale of any item of merchandise
22 ~~either,~~ other than motor vehicle fuel, by a retailer, or wholesaler, ~~wholesaler of motor~~
23 ~~vehicle fuel or refiner~~, at less than cost as defined in this section with the intent or
24 effect of inducing the purchase of other merchandise or of unfairly diverting trade
25 from a competitor, impairs and prevents fair competition, injures public welfare and

1 is unfair competition and contrary to public policy and the policy of this section. Such
2 sales are prohibited. Evidence of any sale of any item of merchandise, other than
3 motor vehicle fuel, by any retailer, or wholesaler, ~~wholesaler of motor vehicle fuel or~~
4 ~~refiner~~ at less than cost as defined in this section shall be prima facie evidence of
5 intent or effect to induce the purchase of other merchandise, or to unfairly divert
6 trade from a competitor, or to otherwise injure a competitor.

7 **SECTION 2430kt.** 100.30 (5) (a) of the statutes is amended to read:

8 100.30 (5) (a) The department may issue a special order as provided in s. 93.18
9 against a retailer, or wholesaler, ~~wholesaler of motor vehicle fuel or refiner~~ requiring
10 the person to cease and desist from violating this section in the sale of cigarettes or
11 other tobacco products, or fermented malt beverages, intoxicating liquor or wine or
12 ~~motor vehicle fuel~~. The department or a district attorney may commence an action
13 on behalf of the state against a retailer, or wholesaler, ~~wholesaler of motor vehicle~~
14 ~~fuel or refiner~~ who violates a special order issued under this paragraph to recover a
15 forfeiture of not less than \$200 nor more than \$5,000 for each violation.

16 **SECTION 2430kv.** 100.30 (5m) of the statutes is repealed.

17 **SECTION 2430kx.** 100.30 (6) (a) 7. of the statutes is amended to read:

18 100.30 (6) (a) 7. The price of merchandise is made in good faith to meet an
19 existing price of a competitor and is based on evidence in the possession of the
20 retailer, or wholesaler, ~~wholesaler of motor vehicle fuel or refiner~~ in the form of an
21 advertisement, proof of sale or receipted purchase, price survey or other business
22 record maintained by the retailer, or wholesaler, ~~wholesaler of motor vehicle fuel or~~
23 ~~refiner~~ in the ordinary course of trade or the usual conduct of business.

24 **SECTION 2430m.** 100.30 (6) (a) 9. of the statutes is repealed.

25 **SECTION 2430n.** 100.30 (7) of the statutes is repealed.”.

1 **1017.** Page 890, line 16: after that line insert:

2 “**SECTION 2430L.** 100.30 (5r) of the statutes is created to read:

3 100.30 **(5r)** PRIVATE CAUSE OF ACTION; SALE OF TOBACCO PRODUCTS. Any person
4 who is injured or threatened with injury as a result of a sale or purchase of cigarettes
5 or other tobacco products in violation of this section may bring an action against the
6 person who violated this section for temporary or permanent injunctive relief or an
7 action against the person for 3 times the amount of any monetary loss sustained or
8 an amount equal to \$2,000, whichever is greater, multiplied by each day of continued
9 violation, together with costs, including accounting fees and reasonable attorney
10 fees, notwithstanding s. 814.04 (1). An association of cigarette wholesalers may
11 bring the action on behalf of the person injured or threatened with injury and be
12 entitled to the same relief as the person injured or threatened with injury.”.

13 **1018.** Page 890, line 16: after that line insert:

14 “**SECTION 2427b.** 100.261 (3) (d) of the statutes is created to read:

15 100.261 **(3)** (d) The state treasurer shall deposit the consumer protection
16 assessment amounts imposed for a violation of this chapter, a rule promulgated
17 under this chapter, or an ordinance enacted under this chapter in the general fund
18 and shall credit them to the appropriation account under s. 20.455 (1) (g), subject to
19 the limit under par. (e).

20 **SECTION 2427d.** 100.261 (3) (e) of the statutes is created to read:

21 100.261 **(3)** (e) The amount credited to the appropriation account under s.
22 20.455 (1) (g) may not exceed \$185,000 in each fiscal year.”.

23 **1019.** Page 890, line 16: after that line insert:

24 “**SECTION 2428m.** 100.263 of the statutes is amended to read:

1 **100.263 Recovery.** In addition to other remedies available under this chapter,
2 the court may award ~~the department~~ the reasonable and necessary costs of
3 investigation and an amount reasonably necessary to remedy the harmful effects of
4 the violation and the court may award ~~the department of justice~~ the reasonable and
5 necessary expenses of prosecution, including attorney fees, from any person who
6 violates this chapter. The ~~department and the department of justice~~ amounts
7 awarded under this subsection shall deposit be deposited in the state treasury for
8 deposit in the general fund ~~all moneys that the court awards to the department, the~~
9 ~~department of justice or the state under this section.~~ Ten percent of the money
10 deposited in the general fund that was awarded under this section for the costs of
11 investigation and the expenses of prosecution, including attorney fees, shall be
12 credited to the appropriation account under s. 20.455 (1) (gh).

13 **SECTION 2429g.** 100.28 (4) (b) of the statutes is amended to read:

14 100.28 (4) (b) In lieu of or in addition to forfeitures under par. (a), the
15 department of justice may seek an injunction restraining any person from violating
16 this section.

17 **SECTION 2429m.** 100.28 (4) (c) of the statutes is amended to read:

18 100.28 (4) (c) The department of justice, or any district attorney upon the
19 request of the department of justice, may commence an action in the name of the
20 state under par. (a) or (b).

21 **SECTION 2430c.** 100.31 (4) of the statutes is amended to read:

22 100.31 (4) PENALTIES. For any violation of this section, the department of
23 justice or a district attorney may commence an action on behalf of the state to recover
24 a forfeiture of not less than \$100 nor more than \$10,000 for each offense. Each
25 delivery of a drug sold to a purchaser at a price in violation of this section and each

1 separate day in violation of an injunction issued under this section is a separate
2 offense.

3 **SECTION 2430f.** 100.31 (5) of the statutes is amended to read:

4 100.31 (5) SPECIAL REMEDIES. The department of justice or a district attorney
5 may bring an action to enjoin a violation of this section without being compelled to
6 allege or prove that an adequate remedy at law does not exist. An action under this
7 subsection may be commenced and prosecuted by the department of justice or a
8 district attorney, in the name of the state, in a circuit court in the county where the
9 offense occurred or in Dane County, notwithstanding s. 801.50.

10 **SECTION 2430h.** 100.37 (1) (am) of the statutes is created to read:

11 100.37 (1) (am) Notwithstanding s. 93.01 (3), “department” means the
12 department of justice.

13 **SECTION 2432g.** 100.38 (5) of the statutes is amended to read:

14 100.38 (5) INSPECTION. The department of justice shall enforce this section by
15 inspection, chemical analyses or any other appropriate method and the department
16 of justice may promulgate such rules as are necessary to effectively enforce this
17 section.

18 **SECTION 2432j.** 100.38 (6) of the statutes is amended to read:

19 100.38 (6) ENFORCEMENT. It is unlawful to sell any antifreeze which is
20 adulterated or misbranded. In addition to the penalties provided under sub. (7), the
21 department of justice may bring an action to enjoin violations of this section.

22 **SECTION 2432m.** 100.41 (1) (bn) of the statutes is created to read:

23 100.41 (1) (bn) Notwithstanding s. 93.01 (3), “department” means the
24 department of justice.

25 **SECTION 2432p.** 100.42 (1) (cm) of the statutes is created to read:

1 100.42 (1) (cm) Notwithstanding s. 93.01 (3), “department” means the
2 department of justice.

3 **SECTION 2433g.** 100.43 (1) (am) of the statutes is created to read:

4 100.43 (1) (am) Notwithstanding s. 93.01 (3), “department” means the
5 department of justice.

6 **SECTION 2433m.** 100.44 (5) of the statutes is amended to read:

7 100.44 (5) ENFORCEMENT. For any violation of sub. (3), the department of justice
8 may, on behalf of the state, bring an action in any court of competent jurisdiction for
9 the recovery of forfeitures authorized under sub. (4), for temporary or permanent
10 injunctive relief and for any other appropriate relief. The court may make any order
11 or judgment that is necessary to restore to any person any pecuniary loss suffered
12 because of a violation of sub. (3) if proof of the loss is shown to the satisfaction of the
13 court.”.

14 **1020.** Page 890, line 17: delete lines 17 to 25.

15 **1021.** Page 890, line 25: after that line insert:

16 “**SECTION 2435.** 100.52 (title) of the statutes is created to read:

17 **100.52** (title) **Telephone solicitations.**

18 **SECTION 2436.** 100.52 (1) (title) of the statutes is created to read:

19 100.52 (1) (title) DEFINITIONS.

20 **SECTION 2437b.** 100.52 (1) (a) of the statutes is created to read:

21 100.52 (1) (a) “Affiliate,” when used in relation to any person, means another
22 person who owns or controls, is owned or controlled by, or is under common
23 ownership or control with such person.

24 **SECTION 2438b.** 100.52 (1) (b) of the statutes is created to read:

1 100.52 (1) (b) “Basic local exchange service” has the meaning in s. 196.01 (1g).

2 **SECTION 2439b.** 100.52 (1) (c) of the statutes is created to read:

3 100.52 (1) (c) “Nonprofit organization” means a corporation, association, or
4 organization described in section 501 (c) (3), (4), (5), or (19) of the Internal Revenue
5 Code that is exempt from taxation under section 501 (a) of the Internal Revenue
6 Code.

7 **SECTION 2440b.** 100.52 (1) (d) of the statutes is created to read:

8 100.52 (1) (d) “Nonresidential customer” means a person, other than a
9 residential customer, who is furnished with telecommunications service by a
10 telecommunications utility.

11 **SECTION 2440d.** 100.52 (1) (e) of the statutes is created to read:

12 100.52 (1) (e) “Nonsolicitation directory” means the directory established in
13 rules promulgated by the department under sub. (2) (b).

14 **SECTION 2440f.** 100.52 (1) (f) of the statutes is created to read:

15 100.52 (1) (f) “Residential customer” means an individual who is furnished
16 with basic local exchange service by a telecommunications utility, but does not
17 include an individual who operates a business at his or her residence.

18 **SECTION 2440h.** 100.52 (1) (g) of the statutes is created to read:

19 100.52 (1) (g) “Telecommunications service” has the meaning given in s. 196.01
20 (9m).

21 **SECTION 2440j.** 100.52 (1) (h) of the statutes is created to read:

22 100.52 (1) (h) “Telecommunications utility” has the meaning given in s. 196.01
23 (10).

24 **SECTION 2440L.** 100.52 (1) (j) of the statutes is created to read:

1 100.52 (1) (j) “Telephone solicitor” means a person, other than a nonprofit
2 organization or an employee or contractor of a nonprofit organization, that employs
3 or contracts with an individual to make a telephone solicitation.

4 **SECTION 2440n.** 100.52 (2) of the statutes is created to read:

5 100.52 (2) NONSOLICITATION DIRECTORY LISTING. (a) Upon a request by a
6 residential customer, the department shall include in the nonsolicitation directory
7 a listing indicating that the residential customer does not want to receive any
8 telephone solicitation made on behalf of a telephone solicitor.

9 (b) The department shall promulgate rules for establishing, maintaining, and
10 semiannually updating a directory that includes listings of residential customers
11 who do not wish to receive telephone solicitations made on behalf of telephone
12 solicitors. The rules promulgated under this paragraph shall establish requirements
13 and procedures for a residential customer to request a listing in the directory. The
14 rules shall also require a residential customer who requests a listing in the directory
15 to notify the department on a biennial basis if the residential customer wishes to
16 continue to be included in the directory. The department shall eliminate a
17 residential customer from the directory if the customer does not make the biennial
18 notification.

19 (c) Except for copies of the nonsolicitation directory that are provided to
20 registered telephone solicitors under par. (d), the nonsolicitation directory is not
21 subject to inspection, copying, or receipt under s. 19.35 (1) and may not be released
22 by the department.

23 (d) The department shall, on a semiannual basis, make the nonsolicitation
24 directory available by electronic transmission only to telephone solicitors who are
25 registered under sub. (3). Upon the request of a telephone solicitor registered under

1 sub. (3), the department shall also provide a printed copy of the nonsolicitation
2 directory to the telephone solicitor. A telephone solicitor who receives a copy of the
3 directory, or to whom the directory is made available by electronic transmission,
4 under this paragraph may not solicit or accept from any person, directly or indirectly,
5 anything of value in exchange for providing the person with any information
6 included in the copy.

7 **SECTION 2441b.** 100.52 (3) of the statutes is created to read:

8 100.52 (3) REGISTRATION OF TELEPHONE SOLICITORS. (a) The department shall
9 promulgate rules that require any telephone solicitor who requires an employee or
10 contractor to make a telephone solicitation to a residential customer in this state to
11 register with the department, obtain a registration number from the department,
12 and pay a registration fee to the department. The amount of the registration fee shall
13 be based on the cost of establishing the nonsolicitation directory, and the amount that
14 an individual telephone solicitor is required to pay shall be based on the number of
15 telephone lines used by the telephone solicitor to make telephone solicitations. The
16 rules shall also require a telephone solicitor that registers with the department to
17 pay an annual registration renewal fee to the department. The amount of the
18 registration renewal fee shall be based on the cost of maintaining the nonsolicitation
19 directory.

20 (b) The department shall promulgate rules that require an individual who
21 makes a telephone solicitation on behalf of a telephone solicitor to identify at the
22 beginning of the telephone conversation each of the following:

- 23 1. The telephone solicitor.
- 24 2. If different than the telephone solicitor, the person selling the property,
25 goods, or services, or receiving the contribution, donation, grant, or pledge of money,

1 credit, property, or other thing of any kind, that is the reason for the telephone
2 solicitation.

3 **SECTION 2442b.** 100.52 (4) (title) of the statutes is created to read:

4 100.52 (4) (title) TELEPHONE SOLICITOR REQUIREMENTS.

5 **SECTION 2442d.** 100.52 (4) (a) 2. and 3. of the statutes are created to read:

6 100.52 (4) (a) 2. Make a telephone solicitation to a residential customer if the
7 nonsolicitation directory that is provided or made available to the telephone solicitor
8 under sub. (2) (d) includes a listing for the residential customer.

9 3. Make a telephone solicitation to a nonresidential customer if the
10 nonresidential customer has provided notice by mail to the telephone solicitor that
11 the nonresidential customer does not wish to receive telephone solicitations.

12 **SECTION 2442f.** 100.52 (4) (b) of the statutes is created to read:

13 100.52 (4) (b) A telephone solicitor may not do any of the following:

14 1. Require an employee or contractor to make a telephone solicitation to a
15 person in this state unless the telephone solicitor is registered with the department
16 under the rules promulgated under sub. (3) (a).

17 2. Require an employee or contractor to make a telephone solicitation that
18 violates par. (a).

19 **SECTION 2442h.** 100.52 (4) (c) of the statutes is created to read:

20 100.52 (4) (c) A telephone solicitor or employee or contractor of a telephone
21 solicitor that makes a telephone solicitation to a nonresidential customer shall, upon
22 the request of the nonresidential customer, provide the mailing address for notifying
23 the telephone solicitor that the nonresidential customer does not wish to receive
24 telephone solicitations.

25 **SECTION 2443b.** 100.52 (5) of the statutes is created to read:

1 **100.52 (5) NONPROFIT ORGANIZATION REQUIREMENTS.** A nonprofit organization or
2 an employee or contractor of a nonprofit organization may not make a telephone
3 solicitation to a residential customer if the residential customer has provided notice
4 by telephone, mail, or facsimile transmission to the nonprofit organization that the
5 residential customer does not wish to receive telephone solicitations. A nonprofit
6 organization may not require an employee or contractor to make a telephone
7 solicitation that violates this subsection.

8 **SECTION 2444b.** 100.52 (6) of the statutes is created to read:

9 **100.52 (6) EXCEPTIONS.** Subsections (4) (a) 2. and 3. and (5) do not apply to a
10 telephone solicitation that satisfies any of the following:

11 (a) The telephone solicitation is made to a recipient in response to the
12 recipient's express written request for the telephone solicitation.

13 (b) The telephone solicitation is made to a recipient who is a current client of
14 the person selling the property, goods, or services, or receiving the contribution,
15 donation, grant, or pledge of money, credit, property, or other thing of any kind, that
16 is the reason for the telephone solicitation. This paragraph does not apply if the
17 recipient is a current client of an affiliate of such a person, but is not a current client
18 of such a person.

19 **SECTION 2445b.** 100.52 (7) of the statutes is created to read:

20 **100.52 (7) TERRITORIAL APPLICATION.** This section applies to any interstate
21 telephone solicitation received by a person in this state and to any intrastate
22 telephone solicitation.

23 **SECTION 2446b.** 100.52 (8) of the statutes is created to read:

1 100.52 (8) PRIVATE CAUSE OF ACTION. Any person who suffers damages as the
2 result of another person violating this section may bring an action against the person
3 who violated this section to recover the amount of those damages.

4 **SECTION 2446d.** 100.52 (9) of the statutes is created to read:

5 100.52 (9) ENFORCEMENT. The department shall investigate violations of this
6 section and may bring an action for temporary or permanent injunctive or other relief
7 for any violation of this section.

8 **SECTION 2446f.** 100.52 (10) of the statutes is created to read:

9 100.52 (10) PENALTIES. (a) Except as provided in par. (b), a person who violates
10 this section may be required to forfeit not less than \$100 nor more than \$500 for each
11 violation.

12 (b) A telephone solicitor that violates sub. (4) or a nonprofit organization that
13 violates sub. (5) may be required to forfeit not less than \$1,000 nor more than \$10,000
14 for each violation.”.

15 **1022.** Page 890, line 25: after that line insert:

16 “**SECTION 2446q.** 101.01 (4) of the statutes is amended to read:

17 101.01 (4) “Employer” means any person, firm, corporation, state, county,
18 town, city, village, school district, sewer district, drainage district, or family care
19 district ~~and, the Milwaukee County child welfare district, or any~~ other public or
20 quasi-public ~~corporations~~ corporation as well as any agent, manager,
21 representative, or other person having control or custody of any employment, place
22 of employment, or of any employee.”.

23 **1023.** Page 890, line 25: after that line insert:

24 “**SECTION 2447x.** 101.02 (15) (a) of the statutes is amended to read:

1 101.02 (15) (a) The department has such supervision of every employment,
2 place of employment and public building in this state as is necessary adequately to
3 enforce and administer all laws and all lawful orders requiring such employment,
4 place of employment or public building to be safe, and requiring the protection of the
5 life, health, safety and welfare of every employe in such employment or place of
6 employment and every frequenter of such place of employment, and the safety of the
7 public or tenants in any such public building. This Except for the purposes of
8 enforcing and administering ss. 101.22, 101.25, and 101.255, this paragraph does not
9 apply to occupational safety and health issues covered by standards established and
10 enforced by the federal occupational safety and health administration.

11 **SECTION 2448f.** 101.02 (20) (a) of the statutes is amended to read:

12 101.02 (20) (a) For purposes of this subsection, “license” means a license,
13 permit or certificate of certification or registration issued by the department under
14 ss. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a),
15 101.178 (2) or (3) (a), 101.25 (3), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82
16 (2), 101.87, 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15,
17 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

18 **SECTION 2448h.** 101.02 (21) (a) of the statutes is amended to read:

19 101.02 (21) (a) In this subsection, “license” means a license, permit or
20 certificate of certification or registration issued by the department under s. 101.09
21 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178
22 (2) or (3) (a), 101.25 (3), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (2), 101.87,
23 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15, 145.16,
24 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).”.

1 **1024.** Page 890, line 25: after that line insert:

2 “**SECTION 2434g.** 100.46 (1) of the statutes is amended to read:

3 100.46 **(1)** ENERGY CONSERVATION STANDARDS. The department of justice may by
4 rule adopt energy conservation standards for products that have been established in
5 or promulgated under 42 USC 6291 to 6309.

6 **SECTION 2434i.** 100.46 (2) of the statutes is amended to read:

7 100.46 **(2)** PROHIBITED ACTS; ENFORCEMENT. No person may sell at retail, install
8 or cause to be installed any product that is not in compliance with rules promulgated
9 under sub. (1). In addition to other penalties and enforcement procedures, the
10 department of justice may apply to a court for a temporary or permanent injunction
11 restraining any person from violating a rule adopted under sub. (1).

12 **SECTION 2434k.** 100.50 (6) (b) of the statutes is amended to read:

13 100.50 **(6)** (b) In lieu of or in addition to the remedy under par. (a), the
14 department of justice may seek an injunction restraining any person from violating
15 this section.

16 **SECTION 2434m.** 100.50 (6) (c) of the statutes is amended to read:

17 100.50 **(6)** (c) The department of justice, or any district attorney upon the
18 request of the department of justice, may commence an action in the name of the
19 state under par. (a) or (b).”.

20 **1025.** Page 898, line 20: after that line insert:

21 “**SECTION 2489m.** 101.175 (3) (intro.) of the statutes is amended to read:

22 101.175 **(3)** (intro.) The department, in consultation with the department of
23 agriculture, ~~trade and consumer protection~~ justice, shall establish by rule quality

1 standards for local energy resource systems which do not impede development of
2 innovative systems but which do.”.

3 **1026.** Page 898, line 25: after that line insert:

4 “**SECTION 2490b.** 101.19 (1) (ig) of the statutes is created to read:

5 101.19 (1) (ig) Authorizing crane operator certification programs under s.
6 101.22 (2).

7 **SECTION 2490c.** 101.19 (1) (ir) of the statutes is created to read:

8 101.19 (1) (ir) Certifying master ironworkers and journeymen ironworkers
9 under s. 101.25 (3).

10 **SECTION 2490f.** 101.22 of the statutes is created to read:

11 **101.22 Crane operators. (1) DEFINITION.** In this section, “crane” means a
12 power-operated hoisting machine that is used in construction, demolition, or
13 excavation work, that has a power-operated winch and load line, and that has a
14 power-operated boom that moves laterally by the rotation of the machine on a
15 carrier. “Crane” does not include a forklift, a digger derrick truck, a bucket truck,
16 a boom truck used for sign erection, or a machine with a movable bridge carrying a
17 movable or fixed hoisting mechanism and traveling on an overhead, fixed, runway
18 structure.

19 **(2) CERTIFICATION.** (a) *Certification required.* Except as provided in sub. (5),
20 no individual may operate a crane with a lifting capacity of 15 tons or more in this
21 state without a valid crane operator certificate, received from a crane operator
22 certification program authorized by the department under sub. (3).

23 (b) *Employer liability.* No employer may permit an employee to perform work
24 in violation of par. (a).

1 (c) *Contractor and subcontractor liability.* No person who is under a contract
2 to construct an improvement to land may permit an agent of the person, or an
3 independent contractor under contract with the person, to perform work on the
4 improvement in violation of par. (a).

5 **(3) CERTIFICATION PROGRAMS.** (a) *Generally.* Except as provided in sub. (4), the
6 department shall administer a program under which the department authorizes
7 crane operator certification programs to grant certificates that satisfy sub. (2) (a).

8 (b) *Required components of certification programs.* The department may
9 authorize a crane operator certification program only if all of the following are
10 satisfied:

11 1. The program requires an individual who is applying for a certificate to
12 satisfactorily complete a written examination regarding safe crane operation.

13 2. The program requires an individual who is applying for a certificate to meet
14 physical standards necessary for safe crane operation, consistent with any national
15 standard that the department determines is appropriate.

16 3. The program requires an individual who is applying for a certificate to
17 satisfactorily complete a practical examination regarding safe crane operation,
18 unless the individual is applying for recertification and provides sufficient evidence
19 that the individual has safely completed at least 1,000 hours of crane operation
20 during the 5–year period before the date of the application for recertification.

21 4. The program is consistent with any applicable certification and
22 recertification requirements established by the federal occupational safety and
23 health administration and, to the extent feasible, the National Commission for the
24 Certification of Crane Operators.

25 5. The program issues a crane operator certificate that has a term of 5 years.

1 (c) *Rules.* The department shall promulgate rules to administer the program
2 established under par. (a).

3 (d) *List.* The department shall maintain a list of crane operator certification
4 programs authorized by the department.

5 **(4) FEDERAL APPROVAL.** The department shall submit to the federal secretary
6 of labor a plan for the certification of crane operators under this section, if required
7 to do so under 29 USC 667 (b), and shall request the federal secretary of labor to
8 approve the plan. The plan submitted by the department shall be consistent with
9 all of the provisions of this section. If no approval is required under 29 USC 667 (b)
10 or if an approval that is consistent with all of the provisions of this section is granted
11 and in effect, the department shall implement the program under this section. If
12 approval is required under 29 USC 667 (b), the department may not implement the
13 program under this section unless an approval that is consistent with all of the
14 provisions of this section is granted and in effect.

15 **(5) EXCEPTIONS.** (a) *Lack of federal approval.* Subsection (2) (a) does not apply
16 if approval of the department's plan for the certification of crane operators is required
17 under 29 USC 667 (b) but is not granted and in effect.

18 (b) *Other exceptions.* Subsection (2) (a) does not apply to any of the following:

19 1. An individual who is receiving training as a crane operator, if the individual
20 is under the direct supervision of a crane operator who holds a valid crane operator
21 certificate, received from a crane operator certification program authorized by the
22 department under sub. (3).

23 2. An individual who is a member of a uniformed service, as defined in s. 6.22
24 (1) (c), or who is a member of the U.S. merchant marine, if the individual is

1 performing work for the uniformed service of which the individual is a member or for
2 the U.S. merchant marine, respectively.

3 3. An individual who is operating a crane for personal use on a premises that
4 is owned or leased by the individual.

5 4. An individual who is operating a crane in an attempt to remedy an
6 emergency.

7 5. An individual who is an employee or subcontractor of a public utility, as
8 defined in s. 196.01 (5), a cooperative association organized under ch. 185 for the
9 purpose of producing or furnishing heat, light, power, or water to its members only,
10 a telecommunications carrier, as defined in s. 196.01 (8m), a commercial mobile radio
11 service provider, as defined in s. 196.01 (2g), or an alternative telecommunications
12 utility under s. 196.01 (1d) (f), and who is operating a crane within the scope of his
13 or her employment or contract.

14 6. An individual who is operating a crane in the construction, operation, or
15 maintenance of an electric substation.

16 7. An individual who is affected by a collective bargaining agreement that
17 contains provisions that are inconsistent with sub. (2) (a).

18 **(6) PENALTIES.** Any person who violates sub. (2) may be fined not more than
19 \$500 or imprisoned for not more than 3 months or both.

20 **SECTION 2490h.** 101.25 of the statutes is created to read:

21 **101.25 Master and journeymen ironworkers. (1) DEFINITION.** In this
22 section, “ironworker” means an individual who does any of the following:

23 (a) Raises, places, or unites girders, columns, and other structural steel
24 members.

1 (b) Positions and secures reinforcing rods or post tensioning cables during
2 on-site construction of buildings or bridges.

3 (c) Installs prefabricated, ornamental metalwork.

4 (d) Erects precast girders during on-site construction of bridges.

5 **(2) CERTIFICATION.** (a) *Certificate required.* Except as provided in sub. (5), no
6 individual may perform work as an ironworker in this state without a master
7 ironworker or journeyman ironworker certificate obtained from the department.
8 Except as provided in sub. (5), an individual with a master ironworker or journeyman
9 ironworker certificate shall perform work as an ironworker consistent with the rules
10 promulgated under sub. (3) (d).

11 (b) *Employer liability.* No employer may permit an employee to perform work
12 in violation of par. (a).

13 (c) *Contractor and subcontractor liability.* No person who is under a contract
14 to construct an improvement to land may permit an agent of the person, or an
15 independent contractor under contract with the person, to perform work on the
16 improvement in violation of par. (a).

17 **(3) ADMINISTRATION.** (a) *Master ironworkers.* Except as provided in sub. (4),
18 the department shall administer a program for the certification of master
19 ironworkers. The department may certify an individual as a master ironworker only
20 if all of the following apply:

21 1. The individual satisfactorily completes a written examination regarding
22 ironworking, unless the individual applies for recertification and provides sufficient
23 evidence that the individual has safely completed at least 5,000 hours of work as a
24 master ironworker or journeyman ironworker during the 5-year period before the
25 date of the application for recertification and has successfully completed at least 30

1 hours of training approved by the department during the 5–year period before the
2 date of the application for recertification.

3 2. The individual holds a valid journeyman ironworker certificate for at least
4 one year before the date of the individual’s application for certification as a master
5 ironworker, unless the individual has successfully completed an ironworker
6 apprenticeship program that is approved by the department of commerce and the
7 department of workforce development.

8 (b) *Journeyman ironworkers.* Except as provided in sub. (4), the department
9 shall administer a program for the certification of journeymen ironworkers. The
10 department may certify an individual as a journeyman ironworker only if all of the
11 following apply:

12 1. The individual satisfactorily completes a written examination regarding
13 ironworking, unless the individual applies for recertification and provides sufficient
14 evidence that the individual has safely completed at least 5,000 hours of work as a
15 journeyman ironworker during the 5–year period before the date of the application
16 for recertification and has successfully completed at least 15 hours of training
17 approved by the department during the 5–year period before the date of the
18 application for recertification.

19 2. The individual successfully completes an ironworker apprenticeship
20 program that is approved by the department of commerce and the department of
21 workforce development, or safely completes at least 8,000 hours of work in the
22 ironworking trade, before the date of the individual’s application for certification as
23 a journeyman ironworker.

24 (c) *Term.* A master ironworker certificate or journeyman ironworker certificate
25 issued by the department has a term of 5 years.

1 (d) *Rules.* The department shall promulgate rules to administer the program
2 established under this subsection. The rules shall specify the tasks related to
3 ironworking that an individual certified as a master ironworker may perform and
4 that an individual certified as a journeyman ironworker may perform. To the extent
5 feasible, the rules shall be consistent with national standards applicable to
6 ironworkers. The department of commerce shall promulgate any rules with regard
7 to approved ironworker apprenticeship programs in consultation with the
8 department of workforce development.

9 **(4) FEDERAL APPROVAL.** The department shall submit to the federal secretary
10 of labor a plan for the certification of ironworkers under this section, if required to
11 do so under 29 USC 667 (b), and shall request the federal secretary of labor to approve
12 the plan. The plan submitted by the department shall be consistent with all of the
13 provisions of this section. If no approval is required under 29 USC 667 (b) or if an
14 approval that is consistent with all of the provisions of this section is granted and in
15 effect, the department shall implement the program under this section. If approval
16 is required under 29 USC 667 (b), the department may not implement the program
17 under this section unless an approval that is consistent with all of the provisions of
18 this section is granted and in effect.

19 **(5) EXCEPTIONS.** (a) *Lack of federal approval.* Subsection (2) (a) does not apply
20 if approval of the department's plan for the certification of ironworkers is required
21 under 29 USC 667 (b) but is not granted and in effect.

22 (b) *Other exceptions.* Subsection (2) (a) does not apply to any of the following:

23 1. An individual who is receiving training as an ironworker, if the individual
24 is under the direct supervision of an ironworker who holds a valid master ironworker
25 certificate received from the department.

1 2. An individual who is enrolled in and performing tasks that are within the
2 scope of an ironworker apprenticeship program that is approved by the department
3 of commerce and by the department of workforce development.

4 3. An individual who is a member of a uniformed service, as defined in s. 6.22
5 (1) (c), or who is a member of the U.S. merchant marine, if the individual is
6 performing work for the uniformed service of which the individual is a member or for
7 the U.S. merchant marine, respectively.

8 4. An individual who is performing ironwork on a premises that is owned or
9 leased by the individual.

10 5. An individual who is performing ironwork in an attempt to remedy an
11 emergency.

12 6. An individual who is positioning and securing reinforcing rods during the
13 construction of a road, sidewalk, or parking lot. Under this subdivision, the
14 construction of a bridge is not the construction of a road.

15 7. An individual who is performing ironwork within the scope of his or her
16 employment, if the individual is employed to do primarily any of the following:

17 a. Install, assemble, construct, or repair electrical work.

18 b. Install, adjust, repair, or dismantle fire protection and fire control systems.

19 c. Erect, install, or repair transmission poles, fabricated metal transmission
20 towers, outdoor substations, switch racks, or similar electrical structures, electric
21 cables, and related auxiliary equipment for high-voltage transmission and
22 distribution power lines that are used to conduct energy between generating
23 stations, substations, and consumers.

24 d. Install, repair, alter, or recondition gas distribution pipeline.

1 e. Install or repair residential potable water lines, gravity waste disposal
2 systems inside curb or fence lines, plumbing fixtures, and plumbing appliances such
3 as dishwashers and water heaters.

4 f. Lay out, assemble, install, or maintain pipe systems, pipe supports, and
5 related hydraulic and pneumatic equipment for steam, hot water, heating, cooling,
6 lubricating, or industrial production and processing systems.

7 8. An individual who is affected by a collective bargaining agreement that
8 contains provisions that are inconsistent with sub. (2) (a).

9 **(6) PENALTIES.** Any person who violates sub. (2) may be fined not more than
10 \$500 or imprisoned for not more than 3 months or both.

11 **SECTION 2490j.** 101.255 of the statutes is created to read:

12 **101.255 Ironworker ratios. (1) DEFINITIONS.** In this section:

13 (a) “Apprentice ironworker” means an individual who is enrolled in an
14 ironworker apprenticeship program that is approved by the department of commerce
15 and by the department of workforce development.

16 (b) “Master ironworker” means an individual who is certified as a master
17 ironworker by the department of commerce under s. 101.25.

18 **(2) RULES.** Except as provided in sub. (3), the department shall promulgate
19 rules specifying a minimum number of master ironworkers that are required to
20 provide work at a construction site, and a maximum number of apprentice
21 ironworkers and individuals training as ironworkers that are permitted to provide
22 work at a construction site, in order to provide for the safety of individuals at the
23 construction site. The department may vary the minimum and maximum numbers
24 established under the rules based upon the type of work being performed at the
25 construction site. The rules do not apply to an individual who is affected by a

1 collective bargaining agreement that contains provisions that are inconsistent with
2 the rules.

3 (3) FEDERAL APPROVAL. The department shall submit to the federal secretary
4 of labor a plan for enforcing the minimum and maximum numbers established under
5 sub. (2), if required to do so under 29 USC 667 (b), and shall request the federal
6 secretary of labor to approve the plan. The plan submitted by the department shall
7 be consistent with all of the provisions of sub. (2). If no approval is required under
8 29 USC 667 (b) or if an approval that is consistent with all of the provisions of sub.
9 (2) is granted and in effect, the department shall promulgate and enforce the rules
10 required under sub. (2). If approval is required under 29 USC 667 (b), the
11 department may not promulgate or enforce the rules required under sub. (2) unless
12 an approval that is consistent with all of the provisions of sub. (2) is granted and in
13 effect.”.

14 **1027.** Page 901, line 9: after that line insert:

15 “SECTION 2531w. Subchapter IV (title) of chapter 101 [precedes 101.80] of the
16 statutes is amended to read:

17 **CHAPTER 101**

18 **SUBCHAPTER IV**

19 **INSPECTION OF ELECTRICAL**

20 **CONSTRUCTION AND CERTIFICATION**

21 **OF MASTER ELECTRICIAN, AND**

22 **ELECTRICAL CONTRACTORS,**

23 **JOURNEYMEN AND BEGINNING**

24 **ELECTRICIANS**

1 **SECTION 2531y.** 101.815 of the statutes is created to read:

2 **101.815 Outdoor lighting. (1)** The department shall promulgate rules
3 establishing voluntary guidelines relating to the design, construction, installation,
4 and use of outdoor light fixtures and lamps used in outdoor light fixtures. The
5 guidelines shall include provisions to achieve all of the following:

6 (a) Improved energy efficiency of outdoor lighting.

7 (b) Appropriate light intensity, distribution, and color of outdoor lighting.

8 (c) Reduced glare.

9 (d) Direction of light only to areas that are intended to be illuminated.

10 (e) Greater capability of outdoor lighting to provide nighttime security.

11 (f) Reduced interference with the functions of any astronomical observatory.

12 **(2)** The department shall promulgate rules establishing all of the following:

13 (a) Standards for determining compliance with the guidelines under sub. (1)
14 and a self–certification process for building owners.

15 (b) A means of acknowledging the building owners who comply with the
16 guidelines under sub. (1).

17 **(3)** The department shall disseminate a summary of the guidelines under sub.
18 (1) and shall urge voluntary compliance with the guidelines.

19 **(4)** The department shall consult with the department of administration
20 regarding the outdoor light fixtures and lamps used in outdoor light fixtures for state
21 buildings and facilities. The department of administration shall comply with the
22 guidelines under sub. (1) to the extent practicable.

23 **(5)** Notwithstanding s. 101.86 (1) (a), a city, village, town, or county may enact
24 and enforce standards for outdoor lighting that are similar to the guidelines under
25 sub. (1) or may enact and enforce standards for outdoor lighting that are less or more

1 restrictive than the guidelines under sub. (1). A city, village, town, or county may
2 apply its standards to outdoor light fixtures and lamps for outdoor light fixtures
3 constructed or installed before the effective date of the city, village, town, or county
4 standards.”.

5 **1028.** Page 902, line 16: after that line insert:

6 “**SECTION 2543p.** 102.01 (2) (d) of the statutes is amended to read:

7 102.01 (2) (d) “Municipality” includes a county, city, town, village, school
8 district, sewer district, drainage district ~~and, or~~ family care district ~~and, the~~
9 Milwaukee County child welfare district, or any other public or quasi-public
10 ~~corporations~~ corporation.

11 **SECTION 2543q.** 102.04 (1) (a) of the statutes is amended to read:

12 102.04 (1) (a) The state, each county, city, town, village, school district, sewer
13 district, drainage district, ~~or~~ family care district ~~and, the Milwaukee County child~~
14 welfare district, or any other public or quasi-public ~~corporations~~ corporation
15 therein.”.

16 **1029.** Page 902, line 17: delete lines 17 to 21.

17 **1030.** Page 903, line 4: delete lines 4 to 17.

18 **1031.** Page 903, line 17: after that line insert:

19 “**SECTION 2556n.** 103.001 (6) of the statutes is amended to read:

20 103.001 (6) “Employer” means any person, firm, corporation, state, county,
21 town, city, village, school district, sewer district, drainage district, or family care
22 district ~~and, the Milwaukee County child welfare district, or any~~ other public or
23 quasi-public ~~corporations~~ corporation as well as any agent, manager,

1 representative, or other person having control or custody of any employment, place
2 of employment, or of any employee.”.

3 **1032.** Page 903, line 18: delete the material beginning with that line and
4 ending with page 904, line 24.

5 **1033.** Page 904, line 24: after that line insert:

6 “**SECTION 2558h.** 103.49 (3) (a) of the statutes is amended to read:

7 103.49 (3) (a) Before bids are asked for any work to which this section applies,
8 the state agency having the authority to prescribe the specifications shall apply to
9 the department to determine the prevailing wage rate for each trade or occupation
10 required in the work under contemplation in the area in which the work is to be done.
11 The department shall conduct investigations and hold public hearings as necessary
12 to define the trades or occupations that are commonly employed on projects that are
13 subject to this section and to inform itself as to the prevailing wage rates in all areas
14 of the state for those trades or occupations, in order to determine the prevailing wage
15 rate for each trade or occupation. In defining those trades or occupations, the
16 department may not define swimming pool installer as a separate trade or
17 occupation for purposes of determining the prevailing wage rates for the trades or
18 occupations that are commonly employed in the construction of swimming pools. The
19 department shall issue its determination within 30 days after receiving the request
20 and shall file the determination with the requesting state agency. For the
21 information of the employees working on the project, the prevailing wage rates
22 determined by the department, the prevailing hours of labor and the provisions of
23 subs. (2) and (6m) shall be kept posted by the state agency in at least one conspicuous
24 and easily accessible place on the site of the project.”.

1 **1034.** Page 906, line 3: delete lines 3 to 17.

2 **1035.** Page 907, line 14: after that line insert:

3 “**SECTION 2559k.** 103.67 (2) (j) of the statutes is amended to read:

4 103.67 (2) (j) Minors under 14 years of age may be employed as participants
5 in a restitution project under s. 938.245 (2) (a) 5., 938.32 (1t) (a), 938.34 (5), or 938.345
6 ~~or, in~~ a supervised work program or other community service work under s. 938.245
7 (2) (a) 6., 938.32 (1t) (b), 938.34 (5g), 938.343 (3), or 938.345, or in the community
8 service component of a youth report center program under s. 938.245 (2) (a) 9m.,
9 938.32 (1p), 938.34 (7j), 938.342 (1d) (c) or (1g) (k), 938.343 (3m), 938.344 (2g) (a) 5.,
10 938.345, or 938.355 (6) (d) 5. or (6m) (a) 4.”.

11 **1036.** Page 908, line 15: after that line insert:

12 “**SECTION 12560mb.** 104.01 (intro.) of the statutes is amended to read:

13 **104.01 Definitions.** (intro.) ~~The following terms as used in ss. 104.01 to~~
14 ~~104.12 shall be construed as follows~~ In this chapter:

15 **SECTION 2560mc.** 104.01 (5) of the statutes is amended to read:

16 104.01 (5) ~~The term “living wage” shall mean~~ “Living wage” means
17 compensation for labor paid, whether by time, piecework, or otherwise, sufficient to
18 enable the employee receiving it to maintain himself or herself under conditions
19 consistent with his or her welfare.

20 **SECTION 2560md.** 104.01 (5m) of the statutes is created to read:

21 104.01 (5m) “Opportunity employee” means a person under 20 years of age who
22 has been employed for a cumulative total of 30 calendar days or less within the
23 preceding 3-year period.

24 **SECTION 2560me.** 104.01 (5p) of the statutes is created to read:

1 104.01 **(5p)** “Poverty line” means the poverty guidelines for the continental
2 United States, as revised annually by the federal department of health and human
3 services under 42 USC 9902 (2).

4 **SECTION 2560mf.** 104.01 (7m) of the statutes is created to read:

5 104.01 **(7m)** “Tipped employee” means an employee who in the course of
6 employment customarily and regularly receives money or other gratuities from
7 persons other than the employee’s employer.

8 **SECTION 2560mg.** 104.01 (8) of the statutes is amended to read:

9 104.01 **(8)** ~~The term “wage” and the term “wages” shall each mean~~ “Wage”
10 means any compensation for labor measured by time, piece, or otherwise.

11 **SECTION 2560mh.** 104.02 of the statutes is amended to read:

12 **104.02 Living-wage prescribed Living wage required.** Every wage paid
13 or agreed to be paid by any employer to any employee, except as otherwise provided
14 in s. 104.07, shall be not less than a ~~living-wage~~ living wage.

15 **SECTION 2560mi.** 104.03 of the statutes is amended to read:

16 **104.03 Unlawful wages.** Any employer paying, offering to pay, or agreeing
17 to pay any employee a wage lower or less in value than a ~~living-wage~~ living wage is
18 guilty of a violation of ~~ss. 104.01 to 104.12~~ this chapter.

19 **SECTION 2560mj.** 104.035 of the statutes is created to read:

20 **104.035 Minimum wage. (1)** DEPARTMENT TO PROMULGATE RULES. The
21 department shall promulgate rules providing minimum hourly wages for the
22 employees specified in subs. (2) to (5). The department shall calculate those
23 minimum hourly wages according to the methods specified in subs. (2) to (5).
24 Annually, within 30 days after the federal department of health and human services
25 publishes its annual revision of the poverty line, the department, using the

1 procedure under s. 227.24 and the methods specified in subs. (2) to (5), shall
2 promulgate rules revising the minimum hourly wages provided under subs. (2) to (5).
3 Notwithstanding s. 227.24 (1) (a) and (2) (b), the department is not required to
4 provide evidence of the necessity of preserving the public peace, health, safety, or
5 welfare in promulgating rules revising the minimum wages provided under subs. (2)
6 to (5). A revised minimum wage provided under subs. (2) to (5) shall first apply to
7 wages earned beginning on the first day of the first month beginning after the date
8 on which that minimum wage is revised.

9 **(2) EMPLOYEES GENERALLY.** Subject to the minimum wages provided under subs.
10 (3) to (6) and (8), the department shall calculate the minimum hourly wage for
11 employees generally by dividing the poverty line for a family of 3 persons by 2,080
12 and rounding the quotient to the nearest multiple of 5 cents.

13 **(3) OPPORTUNITY EMPLOYEES.** Notwithstanding the minimum wage provided
14 under sub. (2), but subject to the minimum wages provided under subs. (4) to (6) and
15 (8), the department shall calculate the minimum wage for opportunity employees by
16 multiplying the result obtained under sub. (2) by 92.9% and rounding the product to
17 the nearest multiple of 5 cents.

18 **(4) TIPPED EMPLOYEES.** (a) Notwithstanding the minimum wages provided
19 under subs. (2) and (3), but subject to the minimum wages provided under subs. (5),
20 (6), and (8), the department shall calculate the minimum wage for tipped employees
21 as follows:

22 1. For persons who are not opportunity employees, by multiplying the result
23 obtained under sub. (2) by 54.8% and rounding the product to the nearest multiple
24 of 5 cents.

1 2. For persons who are opportunity employees, by multiplying the result
2 obtained under sub. (2) by 51.7% and rounding the product to the nearest multiple
3 of 5 cents.

4 (b) An employer may pay the minimum wages specified in par. (a) only if the
5 employer establishes by the employer's payroll records that, when adding the tips
6 received by an employee to the wages under par. (a) paid to that employee, the
7 employee receives not less than the minimum wage specified in sub. (2) or (3),
8 whichever is applicable.

9 **(5) AGRICULTURAL EMPLOYEES.** Notwithstanding the minimum wages provided
10 under subs. (2) to (4), but subject to the minimum wages provided under subs. (6) and
11 (8), the department shall calculate the minimum wage for persons 18 years of age or
12 over who are agricultural employees by multiplying the result obtained under sub.
13 (2) by 95.3% and rounding the product to the nearest multiple of 5 cents and shall
14 calculate the minimum wage for persons under 18 years of age who are agricultural
15 employees by multiplying the result obtained under sub. (2) by 87.0% and rounding
16 the product to the nearest multiple of 5 cents.

17 **(6) MINIMUM WAGE ESTABLISHED BY DEPARTMENT.** The department shall
18 promulgate rules providing the minimum wage for all of the following:

19 (a) A counselor employed at a seasonal recreational or educational camp,
20 including a day camp, for campers under 18 years of age.

21 (b) A caddy on a golf course.

22 (c) An employee or worker with a disability covered under a license under s.
23 104.07.

24 (d) A student learner.

1 (e) A student employed by an independent college or university for less than
2 20 hours per week.

3 (7) EMPLOYMENT EXEMPTED BY DEPARTMENT. The department shall promulgate
4 rules exempting from the minimum wage requirements under subs. (2) to (5) all of
5 the following:

6 (a) A person engaged in casual employment in and around an employer's home
7 on an irregular or intermittent basis for not more than 15 hours per week.

8 (b) A person who resides with and who provides companionship and care, not
9 including practical or professional nursing, as defined in s. 441.11 (3) and (4), and not
10 more than 15 hours per week of general household work for an employer who, due
11 to advanced age or physical or mental disability, cannot care for his or her own needs.

12 (c) An elementary or secondary school student performing student work-like
13 activities in the student's school.

14 (8) DEPARTMENT MAY REVISE. The department may promulgate rules to increase
15 a minimum wage provided under subs. (2) to (5).

16 **SECTION 2560mk.** 104.04 of the statutes is amended to read:

17 **104.04 Classifications; department's authority.** The department shall
18 investigate, ascertain, determine, and fix such reasonable classifications, and shall
19 impose general or special orders, determining the ~~living-wage~~ living wage, and shall
20 carry out the purposes of ~~ss. 104.01 to 104.12~~ this chapter. Such investigations,
21 classifications, and orders shall be made as provided under s. 103.005, and the
22 penalties specified in s. 103.005 (12) shall apply to and be imposed for any violation
23 of ~~ss. 104.01 to 104.12~~ this chapter. In determining the ~~living-wage~~ living wage, the
24 department may consider the effect that an increase in the ~~living-wage~~ living wage
25 might have on the economy of the state, including the effect of a ~~living-wage~~ living

1 wage increase on job creation, retention, and expansion, on the availability of
2 entry-level jobs, and on regional economic conditions within the state. The
3 department may not establish a different minimum wage for men and women. Said
4 orders shall be subject to review in the manner provided in ch. 227.

5 **SECTION 2560mL.** 104.045 of the statutes is renumbered 104.045 (intro.) and
6 amended to read:

7 **104.045 Tipped employees Tips, meals, lodging, and hours worked.**
8 (intro.) The department shall ~~by rule determine what amount of~~ promulgate rules
9 governing all of the following:

10 **(1) The counting of tips** or similar gratuities ~~may be counted~~ toward fulfillment
11 of the employer's obligation under this chapter.

12 **SECTION 2560mm.** 104.045 (2) and (3) of the statutes are created to read:

13 104.045 **(2)** The deduction of meals or lodging provided by an employer to an
14 employee from the employer's obligations under this chapter.

15 **(3)** The determination of hours worked by an employee during which the
16 employee is entitled to a living wage under this chapter.

17 **SECTION 2560mn.** 104.05 of the statutes is amended to read:

18 **104.05 Complaints; investigation.** The department shall, within 20 days
19 after the filing of a verified complaint of any person ~~setting forth~~ alleging that the
20 wages paid to any employee ~~in any occupation~~ are not sufficient to enable the
21 employee to maintain himself or herself under conditions consistent with his or her
22 welfare, investigate and determine whether there is reasonable cause to believe that
23 the wage paid to ~~any~~ the employee is not a ~~living wage~~ living wage.

24 **SECTION 2560mp.** 104.06 of the statutes is amended to read:

1 **104.06 Wage council; determination.** If, upon investigation, the
2 department finds that there is reasonable cause to believe that the wages paid to any
3 employee are not a ~~living wage~~, it living wage, the department shall appoint a wage
4 council, selected so as fairly to represent employers, employees, and the public, to
5 assist in its investigations and determinations. The living wage department may
6 use the results of an investigation under this section to establish a living wage. A
7 living wage so determined ~~upon~~ shall be the ~~living wage~~ living wage for all
8 employees within the same class as established by the ~~classification of the~~
9 department under s. 104.04.

10 **SECTION 2560mq.** 104.07 (1) of the statutes is amended to read:

11 104.07 (1) The department shall ~~make~~ promulgate rules and, except as
12 provided under subs. (5) and (6), grant licenses, to any employer who employs any
13 employee who is unable to earn the ~~living wage~~ theretofore determined upon,
14 permitting such person to a living wage so that the employee may work for a wage
15 which shall be that is commensurate with the employee's ability and each. Each
16 license so granted shall establish a wage for the licensee employees of the licensee
17 who are unable to earn a living wage.

18 **SECTION 2560mr.** 104.07 (2) of the statutes is amended to read:

19 104.07 (2) The department shall ~~make~~ promulgate rules and, except as
20 provided under subs. (5) and (6), grant licenses to sheltered workshops to permit the
21 employment of workers with disabilities who are unable to earn the ~~living wage~~ at
22 a living wage so that those workers may work for a wage that is commensurate with
23 their ability and productivity. A license granted to a sheltered workshop under this
24 section may be issued for the entire workshop or a department of the workshop.

1 **SECTION 2560ms.** 104.08 (1) of the statutes is renumbered 104.08 (2m) and
2 amended to read:

3 104.08 (2m) ~~All persons~~ Any person working in ~~an occupation~~ a trade industry
4 for which a ~~living-wage~~ living wage has been established for minors, and who ~~shall~~
5 ~~have~~ has no trade, ~~shall, if employed in an occupation which is a trade industry,~~ be
6 indentured under ~~the provisions of s. 106.01.~~

7 **SECTION 2560mt.** 104.08 (1m) (b) of the statutes is created to read:

8 104.08 (1m) (b) “Trade industry” means an industry involving physical labor
9 and characterized by mechanical skill and training such as render a period of
10 instruction reasonably necessary.

11 **SECTION 2560mu.** 104.08 (2) of the statutes is renumbered 104.08 (1m) (intro.)
12 and amended to read:

13 104.08 (1m) (intro.) ~~A “trade” or a “trade industry” within the meaning of ss.~~
14 ~~104.01 to 104.12 shall be a trade or~~ In this section:

15 (a) “Trade” means an industry occupation involving physical labor and
16 characterized by mechanical skill and training such as render a period of instruction
17 reasonably necessary. ~~The department shall investigate, determine and declare~~
18 ~~what occupations and industries are included within the phrase a “trade” or a “trade~~
19 ~~industry”.~~

20 **SECTION 2560mv.** 104.08 (3) of the statutes is renumbered 104.08 (3) (b) and
21 amended to read:

22 104.08 (3) (b) The department may make exceptions to the operation of subs.
23 ~~(1) and (2)~~ (1m) and (2m) where conditions make their application unreasonable.

24 **SECTION 2560mw.** 104.08 (3) (a) of the statutes is created to read:

1 104.08 (3) (a) The department shall investigate, determine, and declare what
2 occupations and industries are included within a trade or a trade industry.

3 **SECTION 2560mx.** 104.10 of the statutes is amended to read:

4 **104.10 Penalty for intimidating witness.** Any employer who discharges or
5 threatens to discharge, or who in any way discriminates, or threatens to
6 discriminate, against any employee because the employee has testified or is about
7 to testify, or because the employer believes that the employee may testify, in any
8 investigation or proceeding relative to the enforcement of ~~ss. 104.01 to 104.12~~, is
9 ~~guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of~~
10 ~~\$25~~ this chapter may be fined \$500 for each offense.

11 **SECTION 2560my.** 104.11 of the statutes is amended to read:

12 **104.11 Definition of violation.** Each day during which ~~any~~ an employer
13 ~~shall employ~~ employs a person for whom a ~~living-wage~~ living wage has been ~~fixed~~
14 established at a wage less than the ~~living-wage fixed~~ established living wage shall
15 constitute a separate and distinct violation of ~~ss. 104.01 to 104.12~~ this chapter.

16 **SECTION 2560mz.** 104.12 of the statutes is amended to read:

17 **104.12 Complaints.** Any person may register with the department a
18 complaint that the wages paid to employees for whom a ~~living-wage~~ living wage has
19 been established are less than that rate, and the department shall investigate the
20 matter and take all proceedings necessary to enforce the payment of a wage not less
21 than ~~the living-wage~~ a living wage. Section 111.322 (2m) applies to discharge and
22 other discriminatory acts arising in connection with any proceeding under this
23 section.”.

24 **1037.** Page 908, line 22: after that line insert:

1 **SECTION 2560s.** 106.01 (11m) of the statutes is created to read:

2 106.01 **(11m)** The department may provide an advanced journeyman
3 credential pilot program in up to 3 trades, crafts, or businesses to recognize advanced
4 training and postapprenticeship achievements. In selecting the trades, crafts, or
5 businesses to be included in the program, the department shall seek to maximize
6 participation in the program of persons who are minority group members, as defined
7 in s. 560.036 (1) (f). By July 1, 2004, the department shall submit to the legislature
8 under s. 13.172 (2) an evaluation of the effectiveness of the program established
9 under this subsection.

10 **SECTION 2560t.** 106.01 (12) of the statutes is created to read:

11 106.01 **(12)** From the appropriations under s. 20.445 (1) (a) and (g), the
12 department shall allocate \$150,000 in each fiscal year, beginning in fiscal year
13 2002–03, for apprenticeship marketing activities, including the development and
14 distribution of promotional materials directed at encouraging employers to hire
15 apprentices, educating high school career counselors on careers available in the
16 skilled trades, encouraging the youth of this state to consider a career in the skilled
17 trades, and otherwise promoting the availability and benefits of careers in the skilled
18 trades. The department shall solicit contributions from private sources to assist in
19 the provision of those promotional materials and shall credit any contributions
20 received to the appropriation account under s. 20.445 (1) (g). The department shall
21 seek the advice of and consult with the apprenticeship marketing council regarding
22 the administration of the apprenticeship marketing activities provided under this
23 subsection.

24 **SECTION 2560u.** 106.01 (13) of the statutes is created to read:

1 106.01 (13) (a) In this subsection, “industrial, service, or skilled trades
2 apprenticeship program” means a 2–year to 5–year apprenticeship program, as
3 determined and approved by the department, in which an apprentice receives
4 instruction leading to qualification as a skilled journeyman in any industrial
5 manufacturing trade or private sector service occupation or receives instruction in
6 the construction trades leading to qualification as a skilled journeyman carpenter,
7 including a floor coverer, millwright, or pile driver; laborer; ironworker; or painter,
8 including a taper.

9 (b) From the appropriation under s. 20.445 (1) (a), the department shall
10 allocate \$300,000 in each fiscal year, beginning in fiscal year 2002–03, to contract
11 with an organization to provide preapprenticeship basic skills training grants of up
12 to \$500 to persons who are eligible under this paragraph to receive those grants. A
13 person is eligible to receive a grant under this paragraph if the person’s family
14 income does not exceed 165% of the poverty line for the continental United States,
15 as revised annually by the federal department of health and human services under
16 42 USC 9902 (2), and if the person has previously failed a test for placement in an
17 industrial, service, or skilled trades apprenticeship program, but wishes to
18 participate in such a program. A person who receives a grant under this paragraph
19 may use the grant moneys received to pay for the costs of tuition, fees, books,
20 supplies, and materials, and for any other direct training costs, required to attend
21 a preapprenticeship basic skills training program provided by an organization, a
22 technical college, or a school approved by the educational approval board under s.
23 45.54.”.

24 **1038.** Page 908, line 22: delete “13.171” and substitute “13.172”.

1 **1039.** Page 911, line 20: after that line insert:

2 “**SECTION 2571p.** 106.175 of the statutes is created to read:

3 **106.175 Labor Day report.** By September 1, 2001, and annually thereafter,
4 the department shall prepare and submit to the appropriate standing committees of
5 the legislature under s. 13. 172 (3) a report on the labor supply in this state. The
6 report shall describe any critical labor shortage areas identified by the department
7 by occupation, region, gender, and race and shall recommend potential solutions to
8 those critical labor shortages. The department shall also provide the report to the
9 local workforce development boards established under 29 USC 2832 throughout the
10 state and to the other appropriate organizations as determined by the department.

11 **SECTION 2571q.** 106.18 of the statutes is created to read:

12 **106.18 Job skills training reports.** The department shall collect
13 information concerning the availability of basic job skills training programs in the
14 state and periodically prepare reports identifying those programs for distribution to
15 local workforce development boards established under 29 USC 2832, job centers, and
16 other appropriate organizations as determined by the department. To the extent
17 practicable, the reports shall identify available training programs by region of the
18 state.”.

19 **1040.** Page 911, line 21: delete the material beginning with that line and
20 ending with page 912, line 2.

21 **1041.** Page 912, line 11: after that line insert:

22 “**SECTION 2604b.** 108.07 (8) (b) of the statutes is amended to read:

23 108.07 (8) (b) If a claimant is a prisoner of a state prison, as defined in s. 302.01,
24 and has employment with an employer other than the department of corrections or

1 a private business leasing space within a state prison under s. 303.01 (2) (em), and
2 the claimant's employment terminates because conditions of incarceration or
3 supervision make it impossible to continue the employment, the department shall
4 charge to the fund's balancing account any benefits based on the terminated
5 employment that are otherwise chargeable to the account of an employer that is
6 subject to the contribution requirements under ss. 108.17 and 108.18.”.

7 **1042.** Page 912, line 11: after that line insert:

8 “SECTION 2604q. 109.09 (2) (c) of the statutes is amended to read:

9 109.09 (2) (c) ~~A- Except as provided in this paragraph, a lien under par. (a)~~
10 takes precedence over all other debts, judgments, decrees, liens, or mortgages
11 against the employer, except a ~~lien of a financial institution, as defined in s. 69.30~~
12 ~~(1) (b), that originates before the lien under par. (a) takes effect or a lien under s.~~
13 ~~292.31 (8) (i) or 292.81, regardless of whether those other debts, judgments, decrees,~~
14 ~~liens, or mortgages originate before or after the lien under par. (a) takes effect. A lien~~
15 ~~under par. (a) takes precedence over a lien of a financial institution, as defined in s.~~
16 ~~69.30 (1) (b), that originates before the lien under par. (a) takes effect only to the~~
17 ~~extent that the lien under par. (a) does not exceed \$6,000 per employee, except that~~
18 ~~this \$6,000 limit does not apply to a lien for a payment due under s. 109.07 (3) or~~
19 ~~109.075 (3). A lien under par. (a) may be enforced in the manner provided in ss.~~
20 ~~779.09 to 779.12, 779.20, and 779.21, insofar as those provisions are applicable. The~~
21 ~~lien ceases to exist if the department of workforce development or the employee does~~
22 ~~not bring an action to enforce the lien within the period prescribed in s. 893.44 for~~
23 ~~the underlying wage claim.”.~~

24 **1043.** Page 912, line 11: after that line insert:

1 **“SECTION 2599m.** 110.07 (1) (a) 1. of the statutes is amended to read:

2 110.07 **(1)** (a) 1. Enforce and assist in the administration of this chapter and
3 chs. 166, 194, 218, 341 to 349, and 351, and ss. 23.33, 125.07 (4) (b), 125.085 (3) (b),
4 167.10 (3) (a), 167.31 (2) (b) to (d), and 287.81 and ch. 350 where applicable to
5 highways, or orders or rules issued pursuant thereto.

6 **SECTION 2599mg.** 110.07 (1) (b) of the statutes is amended to read:

7 110.07 **(1)** (b) All municipal judges, judges, district attorneys, and law
8 enforcement officers shall assist in enforcing this chapter, ss. 167.10 (3) (a), 167.31
9 (2) (b) to (d), and 287.81 and chs. 194, 218, and 341 to 351, and orders or rules issued
10 pursuant thereto and shall report to the department the disposition of every uniform
11 traffic citation issued for cases involving those chapters.”.

12 **1044.** Page 912, line 20: after that line insert:

13 **“SECTION 2607e.** 111.70 (1) (j) of the statutes is amended to read:

14 111.70 **(1)** (j) “Municipal employer” means any city, county, village, town,
15 metropolitan sewerage district, school district, or family care district, the Milwaukee
16 County child welfare district, or any other political subdivision of the state that
17 engages the services of an employee and includes any person acting on behalf of a
18 municipal employer within the scope of the person’s authority, express or implied,
19 but specifically does not include a local cultural arts district created under subch. V
20 of ch. 229.”.

21 **1045.** Page 912, line 20: after that line insert:

22 **“SECTION 2608c.** 111.70 (4) (cm) 8s. of the statutes is amended to read:

23 111.70 **(4)** (cm) 8s. ‘Forms for determining costs; calculation of the costs of
24 certain fringe benefits.’ a. The commission shall prescribe forms for calculating the

1 total increased cost to the municipal employer of compensation and fringe benefits
2 provided to school district professional employees. The cost shall be determined
3 based upon the total cost of compensation and fringe benefits provided to school
4 district professional employees who are represented by a labor organization on the
5 90th day before expiration of any previous collective bargaining agreement between
6 the parties, or who were so represented if the effective date is retroactive, or the 90th
7 day prior to commencement of negotiations if there is no previous collective
8 bargaining agreement between the parties, without regard to any change in the
9 number, rank or qualifications of the school district professional employees. For
10 purposes of such determinations, any cost increase that is incurred on any day other
11 than the beginning of the 12-month period commencing with the effective date of the
12 agreement or any succeeding 12-month period commencing on the anniversary of
13 that effective date shall be calculated as if the cost increase were incurred as of the
14 beginning of the 12-month period beginning on the effective date or anniversary of
15 the effective date in which the cost increase is incurred. In each collective bargaining
16 unit to which subd. 5s. applies, the municipal employer shall transmit to the
17 commission and the labor organization a completed form for calculating the total
18 increased cost to the municipal employer of compensation and fringe benefits
19 provided to the school district professional employees covered by the agreement as
20 soon as possible after the effective date of the agreement.

21 **SECTION 2609h.** 111.70 (4) (cm) 8s. b. of the statutes is created to read:

22 111.70 (4) (cm) 8s. b. For the purpose of calculating fringe benefit costs under
23 a qualified economic offer, the commission shall exclude from the calculation any
24 increased costs in health insurance benefits that are in excess of the U.S. consumer

1 price index for all urban consumers, U.S. city average, as determined by the U.S.
2 department of labor, for the 12-month period ending on the preceding December 31.”.

3 **1046.** Page 912, line 20: after that line insert:

4 “SECTION 2609j. 111.70 (1) (j) of the statutes is amended to read:

5 111.70 (1) (j) “Municipal employer” means any city, county, village, town,
6 metropolitan sewerage district, school district, family care district, or any other
7 political subdivision of the state, or instrumentality of one or more political
8 subdivisions of the state, that engages the services of an employee and includes any
9 person acting on behalf of a municipal employer within the scope of the person’s
10 authority, express or implied, but specifically does not include a local cultural arts
11 district created under subch. V of ch. 229.”.

12 **1047.** Page 912, line 21: delete lines 21 to 24.

13 **1048.** Page 913, line 1: delete lines 1 and 2.

14 **1049.** Page 913, line 2: after that line insert:

15 “SECTION 2610r. 111.71 (5m) of the statutes is created to read:

16 111.71 (5m) Notwithstanding, s. 15.02 (4), the commission may not designate
17 an attorney assigned to the commission as the general counsel or chief counsel.”.

18 **1050.** Page 913, line 2: after that line insert:

19 “SECTION 2615c. 111.91 (2) (n) of the statutes is amended to read:

20 111.91 (2) (n) The provision to employees of the health insurance coverage
21 required under s. 632.895 (11) to ~~(14)~~ (15).”.

22 **1051.** Page 913, line 2: after that line insert:

23 “SECTION 2610s. 111.71 (2e) of the statutes is created to read:

1 111.71 (2e) If requested under s. 62.13 (5) (c), the commission shall appoint an
2 arbitrator for the purposes of that subsection.”.

3 **1052.** Page 914, line 21: after that line insert:

4 “SECTION 2625w. 115.28 (47) of the statutes is created to read:

5 115.28 (47) GRANT TO BELOIT COLLEGE. Annually award the amount
6 appropriated under s. 20.255 (2) (kj) to Beloit College to educate children and adults
7 in southern Wisconsin about Native American cultures.”.

8 **1053.** Page 916, line 1: after that line insert:

9 “SECTION 2657m. 115.435 (1) (c) of the statutes is amended to read:

10 115.435 (1) (c) At least ~~65%~~ 80% of the real property in the school district is
11 exempt from taxation under s. 70.11, taxed as forest croplands under subch. I of ch.
12 77, owned by or held in trust for a federally recognized American Indian tribe, or
13 owned by the federal government.”.

14 **1054.** Page 917, line 1: delete “from the appropriation under s. 20.255 (2) (b)”.

15 **1055.** Page 917, line 15: after that line insert:

16 “(d) Aid under this subsection shall be paid from the appropriation account
17 under s. 20.255 (2) (bb). If the amount appropriated in any fiscal year is insufficient
18 to pay the full amount of aid under this subsection, the department shall prorate the
19 payments.”.

20 **1056.** Page 917, line 22: after that line insert:

21 “SECTION 2679c. 118.13 (1m) of the statutes is created to read:

22 118.13 (1m) No person who wishes to attend a private school under s. 119.23
23 or a charter school may be denied admission to that school and no pupil who is
24 attending a private school under s. 119.23 or a charter school may be denied

1 participation in, be denied the benefits of, or be discriminated against in any
2 curricular, extracurricular, pupil services, recreational, or other program or activity
3 of that school because of the person's sex, race, religion, national origin, ancestry,
4 creed, pregnancy, marital or parental status, sexual orientation, or physical, mental,
5 emotional, or learning disability.

6 **SECTION 2679e.** 118.13 (2) (am) of the statutes is created to read:

7 118.13 (2) (am) Each private school participating in the program under s.
8 119.23 and each charter school shall develop written policies and procedures to
9 implement this section and submit them to the state superintendent. The policies
10 and procedures shall provide for receiving and investigating complaints regarding
11 possible violations of this section, for making determinations as to whether this
12 section has been violated, and for ensuring compliance with this section.

13 **SECTION 2679g.** 118.13 (2) (b) of the statutes is amended to read:

14 118.13 (2) (b) Any person who receives a negative determination under par. (a)
15 or (am) may appeal the determination to the state superintendent.

16 **SECTION 2679i.** 118.13 (3) (a) 3. of the statutes is amended to read:

17 118.13 (3) (a) 3. Include in the department's biennial report under s. 15.04 (1)
18 (d) information on the status of school-district compliance of school districts, charter
19 schools, and private schools with this section and ~~school-district~~ the progress made
20 toward providing reasonable equality of educational opportunity for all pupils in this
21 state.

22 **SECTION 2679k.** 118.13 (3) (b) 1. of the statutes is amended to read:

23 118.13 (3) (b) 1. Periodically review school district, charter school, and private
24 school programs, activities and services to determine whether the school boards,
25 charter schools, and private schools are complying with this section.

1 **SECTION 2679m.** 118.13 (3) (b) 2. of the statutes is amended to read:

2 118.13 (3) (b) 2. Assist school boards, charter schools, and private schools to
3 comply with this section by providing information and technical assistance upon
4 request.

5 **SECTION 2679p.** 118.13 (4) of the statutes is amended to read:

6 118.13 (4) Any public school, charter school, or private school official, employee
7 or teacher who intentionally engages in conduct which discriminates against a
8 person or causes a person to be denied rights, benefits or privileges, in violation of
9 sub. (1) or (1m), may be required to forfeit not more than \$1,000.”.

10 **1057.** Page 917, line 22: after that line insert:

11 “**SECTION 2679f.** 118.115 (2) of the statutes is created to read:

12 118.115 (2) Each school board shall establish a written policy regarding the use
13 of classrooms and facilities by local organizations and businesses for
14 employment-related training. The policy may condition access on payment of a
15 reasonable fee, the availability of space, and the appropriateness of the training. The
16 policy may limit access to activities that are consistent with the mission of the school
17 district.”.

18 **1058.** Page 917, line 24: after “**examinations**” insert “**and evaluations**”.

19 **1059.** Page 918, line 2: after “by” insert “an ophthalmologist licensed under
20 ch. 448, or had his or her eyes evaluated by”.

21 **1060.** Page 918, line 2: after “examination” insert “or evaluation”.

22 **1061.** Page 918, line 12: after “examination” insert “or evaluation”.

23 **1062.** Page 918, line 18: on lines 18 and 19, after “examinations” insert “or
24 evaluations”.

1 **1063.** Page 918, line 19: after that line insert:

2 “**SECTION 2695e.** 118.29 (2) (a) 2r. of the statutes is created to read:

3 118.29 (2) (a) 2r. Except for glucagon administered under subd. 2., may
4 administer glucagon to any pupil who appears to be experiencing a severe
5 hypoglycemic event if, as soon as practicable, the school bus operator, employee, or
6 volunteer reports the event to an emergency medical service provider.

7 **SECTION 2695m.** 118.29 (2) (a) 3. of the statutes is amended to read:

8 118.29 (2) (a) 3. Is immune from civil liability for his or her acts or omissions
9 in administering a drug or prescription drug to a pupil under subd. 1., 2. ~~or~~ 2m. or
10 2r. unless the act or omission constitutes a high degree of negligence. This
11 subdivision does not apply to health care professionals.”.

12 **1064.** Page 918, line 19: after that line insert:

13 “**SECTION 2697b.** 118.30 (1g) (a) 1. of the statutes is amended to read:

14 118.30 (1g) (a) 1. By August 1, 1998, each school board shall adopt pupil
15 academic standards in mathematics, science, reading and writing, geography, and
16 history. ~~If the governor has issued~~ The school board may adopt the pupil academic
17 standards issued by the governor as an executive order under s. 14.23, the school
18 board may adopt those standards no. 326, dated January 13, 1998.

19 **SECTION 2697d.** 118.30 (1g) (a) 3. of the statutes is created to read:

20 118.30 (1g) (a) 3. By January 1, 2002, or by January 1 of the first school year
21 in which the private school participates in the program under s. 119.23, whichever
22 is later, the governing body of each private school participating in the program under
23 s. 119.23 shall adopt pupil academic standards in mathematics, science, reading and
24 writing, geography, and history. The governing body of the private school may adopt

1 the pupil academic standards issued by the governor as executive order no. 326,
2 dated January 13, 1998.

3 **SECTION 2697f.** 118.30 (1g) (b) of the statutes is amended to read:

4 118.30 **(1g)** (b) Each school board operating high school grades and, each
5 operator of a charter school under s. 118.40 (2r) that operates high school grades, and
6 the governing body of each private school participating in the program under s.
7 119.23 that operates high school grades shall adopt a high school graduation
8 examination that is designed to measure whether pupils meet the pupil academic
9 standards adopted by the school board ~~or~~, operator of the charter school, or governing
10 body of the private school under par. (a). If the school board ~~or~~, operator of the charter
11 school, or governing body of the private school has adopted the pupil academic
12 standards issued as executive order no. 326, dated January 13, 1998, the school
13 board ~~or~~, operator of the charter school, or governing body of the private school may
14 adopt the high school graduation examination developed by the department under
15 sub. (1) (b). If a school board ~~or~~, operator of a charter school, or governing body of a
16 private school develops and adopts its own high school graduation examination, it
17 shall notify the department annually by October 1 that it intends to administer the
18 examination in the following school year.

19 **SECTION 2697h.** 118.30 (1g) (c) of the statutes is amended to read:

20 118.30 **(1g)** (c) Each school board operating elementary grades and, each
21 operator of a charter school under s. 118.40 (2r) that operates elementary grades, and
22 the governing body of each private school participating in the program under s.
23 119.23 that operates elementary grades may develop or adopt its own examination
24 designed to measure pupil attainment of knowledge and concepts in the 4th grade
25 and may develop or adopt its own examination designed to measure pupil attainment

1 of knowledge and concepts in the 8th grade. If the school board or operator of the
2 charter school, or governing body of the private school develops or adopts an
3 examination under this paragraph, it shall notify the department.”.

4 **1065.** Page 918, line 19: after that line insert:

5 “**SECTION 2679t.** 118.163 (1m) (c) of the statutes is created to read:

6 118.163 (1m) (c) An order for the person to report to a youth report center after
7 school, in the evening, on weekends, on other nonschool days, or at any other time
8 that the person is not under immediate adult supervision, for participation in the
9 social, behavioral, academic, community service, and other programming of the
10 center as described in s. 938.342 (1d) (c).

11 **SECTION 2679u.** 118.163 (2) (L) of the statutes is created to read:

12 118.163 (2) (L) An order for the person to report to a youth report center after
13 school, in the evening, on weekends, on other nonschool days, or at any other time
14 that the person is not under immediate adult supervision, for participation in the
15 social, behavioral, academic, community service, and other programming of the
16 center as described in s. 938.342 (1g) (k).”.

17 **1066.** Page 919, line 20: after that line insert:

18 “**SECTION 2703m.** 118.30 (1m) (d) of the statutes is amended to read:

19 118.30 (1m) (d) If the school board operates high school grades, beginning in
20 the ~~2002–03~~ 2004–05 school year administer the high school graduation
21 examination adopted by the school board under sub. (1g) (b) to all pupils enrolled in
22 the school district, including pupils enrolled in charter schools located in the school
23 district, in the 11th and 12th grades. The school board shall administer the

1 examination at least twice each school year and may administer the examination
2 only to pupils enrolled in the 11th and 12th grades.”.

3 **1067.** Page 920, line 19: after that line insert:

4 “**SECTION 2707m.** 118.30 (1r) (d) of the statutes is amended to read:

5 118.30 (1r) (d) If the charter school operates high school grades, beginning in
6 the ~~2002–03~~ 2004–05 school year, administer the high school graduation
7 examination adopted by the operator of the charter school under sub. (1g) (b) to all
8 pupils enrolled in the 11th and 12th grades in the charter school. The operator of the
9 charter school shall administer the examination at least twice each school year and
10 may administer the examination only to pupils enrolled in the 11th and 12th
11 grades.”.

12 **1068.** Page 920, line 19: after that line insert:

13 “**SECTION 2718m.** 118.33 (1) (f) of the statutes is amended to read:

14 118.33 (1) (f) 1. By September 1, ~~2002~~ 2004, each school board operating high
15 school grades shall develop a written policy specifying criteria for granting a high
16 school diploma that are in addition to the requirements under par. (a). The criteria
17 shall include the pupil’s score on the examination administered under s. 118.30 (1m)
18 (d), the pupil’s academic performance and the recommendations of teachers. Except
19 as provided in subd. 2., the criteria apply to pupils enrolled in charter schools located
20 in the school district.

21 2. By September 1, ~~2002~~ 2004, each operator of a charter school under s. 118.40
22 (2r) that operates high school grades shall develop a policy specifying criteria for
23 granting a high school diploma. The criteria shall include the pupil’s score on the

1 examination administered under s. 118.30 (1r) (d), the pupil's academic performance
2 and the recommendations of teachers.

3 3. Beginning September 1, ~~2003~~ 2005, neither a school board nor an operator
4 of a charter school under s. 118.40 (2r) may grant a high school diploma to any pupil
5 unless the pupil has satisfied the criteria specified in the school board's or charter
6 school's policy under subd. 1. or 2.”.

7 **1069.** Page 920, line 19: after that line insert:

8 “**SECTION 2725m.** 118.40 (2r) (e) of the statutes is amended to read:

9 118.40 (2r) (e) From the appropriation under s. 20.255 (2) (fm), the department
10 shall pay to the operator of the charter school, in the 2001–02 school year, an amount
11 equal to \$5,529 multiplied by the number of pupils attending the charter school, and
12 in each school year thereafter, an amount equal to the sum of the amount paid per
13 pupil under this paragraph in the previous school year and the amount of revenue
14 increase per pupil allowed under subch. VII of ch. 121 in the current school year,
15 multiplied by the number of pupils attending the charter school. The department
16 shall pay 25% of the total amount in September, 25% in December, 25% in February,
17 and 25% in June. The department shall send the check to the operator of the charter
18 school.”.

19 **1070.** Page 920, line 19: after that line insert:

20 “**SECTION 2708m.** 118.30 (1s) of the statutes is created to read:

21 118.30 (1s) Annually the governing body of each private school participating
22 in the program under s. 119.23 shall do all of the following:

1 (a) 1. Except as provided in sub. (6), administer the 4th grade examination
2 adopted or approved by the state superintendent under sub. (1) (a) to all pupils
3 attending the 4th grade in the private school under s. 119.23.

4 2. Beginning on July 1, 2002, if the governing body of the private school has
5 developed or adopted its own 4th grade examination, administer that examination
6 to all pupils attending the 4th grade in the private school under s. 119.23.

7 (am) 1. Except as provided in sub. (6), administer the 8th grade examination
8 adopted or approved by the state superintendent under sub. (1) (a) to all pupils
9 attending the 8th grade in the private school under s. 119.23.

10 2. Beginning on July 1, 2002, if the governing body of the private school has
11 developed or adopted its own 8th grade examination, administer that examination
12 to all pupils attending the 8th grade in the private school under s. 119.23.

13 (b) Administer the 10th grade examination to all pupils attending the 10th
14 grade in the private school under s. 119.23.

15 (d) If the private school operates high school grades, beginning in the 2004–05
16 school year administer the high school graduation examination adopted by the
17 governing body of the private school under sub. (1g) (b) to all pupils attending the
18 11th and 12th grades at the private school under s. 119.23. The governing body of
19 the private school shall administer the examination at least twice each school year
20 and may administer the examination only to pupils attending the 11th and 12th
21 grades.

22 **SECTION 2709m.** 118.30 (2) (b) 1. of the statutes is amended to read:

23 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under
24 subch. V of ch. 115, the school board or operator of the a charter school under s. 118.40

1 (2r), or governing body of a private school participating in the program under s.
2 119.23 shall comply with s. 115.77 (1m) (bg).

3 **SECTION 2710m.** 118.30 (2) (b) 2. of the statutes is amended to read:

4 118.30 **(2)** (b) 2. According to criteria established by the state superintendent
5 by rule, the school board ~~or~~, operator of ~~the a~~ charter school under s. 118.40 (2r), or
6 governing body of a private school participating in the program under s. 119.23 may
7 determine not to administer an examination under this section to a limited-English
8 proficient pupil, as defined under s. 115.955 (7), may permit the pupil to be examined
9 in his or her native language, or may modify the format and administration of an
10 examination for such pupils.

11 **SECTION 2711m.** 118.30 (2) (b) 5. of the statutes is created to read:

12 118.30 **(2)** (b) 5. Upon the request of a pupil's parent or guardian, the governing
13 body of a private school participating in the program under s. 119.23 shall excuse the
14 pupil from taking an examination administered under sub. (1s).

15 **SECTION 2717m.** 118.30 (6) of the statutes is amended to read:

16 118.30 **(6)** A school board ~~and~~, an operator of a charter school under s. 118.40
17 (2r), and the governing body of a private school participating in the program under
18 s. 119.23 is not required to administer the 4th and 8th grade examinations adopted
19 or approved by the state superintendent under sub. (1) if the school board ~~or~~, the
20 operator of the charter school, or the governing body of the private school administers
21 its own 4th and 8th grade examinations, the school board ~~or~~, operator of the charter
22 school, or governing body of the private school provides the state superintendent
23 with statistical correlations of those examinations with the examinations adopted or
24 approved by the state superintendent under sub. (1), and the federal department of
25 education approves.

1 **SECTION 2718f.** 118.33 (1) (f) 2m. of the statutes is created to read:

2 118.33 (1) (f) 2m. By September 1, 2004, the governing body of each private
3 school participating in the program under s. 119.23 shall develop a policy specifying
4 criteria for granting a high school diploma to pupils attending the private school
5 under s. 119.23. The criteria shall include the pupil's score on the examination
6 administered under s. 118.30 (1s) (d), the pupil's academic performance, and the
7 recommendations of teachers.

8 **SECTION 2718h.** 118.33 (1) (f) 3. of the statutes is amended to read:

9 118.33 (1) (f) 3. Beginning September 1, ~~2003~~ 2005, neither a school board nor
10 an operator of a charter school under s. 118.40 (2r) may grant a high school diploma
11 to any pupil unless the pupil has satisfied the criteria specified in the school board's
12 or charter school's policy under subd. 1. or 2. Beginning September 1, 2005, the
13 governing body of a private school participating in the program under s. 119.23 may
14 not grant a high school diploma to any pupil attending the private school under s.
15 119.23 unless the pupil has satisfied the criteria specified in the governing body's
16 policy under subd. 2m.

17 **SECTION 2718j.** 118.33 (6) (c) of the statutes is created to read:

18 118.33 (6) (c) 1. The governing body of each private school participating in the
19 program under s. 119.23 shall adopt a written policy specifying the criteria for
20 promoting a pupil who is attending the private school under s. 119.23 from the 4th
21 grade to the 5th grade and from the 8th grade to the 9th grade. The criteria shall
22 include the pupil's score on the examination administered under s. 118.30 (1s) (a) or
23 (am), unless the pupil has been excused from taking the examination under s. 118.30
24 (2) (b); the pupil's academic performance; the recommendations of teachers, which

1 shall be based solely on the pupil's academic performance; and any other academic
2 criteria specified by the governing body of the private school.

3 2. Beginning on September 1, 2002, the governing body of a private school
4 participating in the program under s. 119.23 may not promote a 4th grade pupil who
5 is attending the private school under s. 119.23 to the 5th grade, and may not promote
6 an 8th grade pupil who is attending the private school under s. 119.23 to the 9th
7 grade, unless the pupil satisfies the criteria for promotion specified in the governing
8 body's policy under subd. 1.

9 **SECTION 2725d.** 118.40 (4) (a) 3. and 4. of the statutes are created to read:

10 118.40 (4) (a) 3. Permit public inspection and copying of any record, as defined
11 in s. 19.32 (2), of the charter school to the same extent as is required of, and subject
12 to the same terms and enforcement provisions that apply to, an authority under
13 subch. II of ch. 19.

14 4. Provide public access to meetings of the governing body of the charter school
15 to the same extent as is required of, and subject to the same terms and enforcement
16 provisions that apply to, a governmental body under subch. V of ch. 19.

17 **SECTION 2725f.** 118.40 (4) (b) (intro.) and 1. of the statutes are consolidated,
18 renumbered 118.40 (4) (b) and amended to read:

19 118.40 (4) (b) *Restrictions.* A charter school may not ~~do any of the following:~~
20 1. ~~Charge~~ charge tuition.

21 **SECTION 2725h.** 118.40 (4) (b) 2. of the statutes is repealed.”.

22 **1071.** Page 923, line 7: after that line insert:

23 “**SECTION 2748m.** 119.23 (2) (b) of the statutes is amended to read:

1 119.23 (2) (b) No more than 15% of the school district's membership may attend
2 private schools under this section. in the 2001–02 school year. Beginning in the
3 2002–03 school year, no more than 10,580 pupils may attend private schools under
4 this section. If in any school year there are more spaces available in the participating
5 private schools than the maximum number of pupils allowed to participate, the
6 department shall prorate the number of spaces available at each participating
7 private school.

8 **SECTION 2752g.** 119.23 (4) (b) 2. of the statutes is amended to read:

9 119.23 (4) (b) 2. The An amount equal to \$2,776 in the 2001–02 school year, and
10 in each school year thereafter the sum of the amount paid per pupil under this
11 subsection in the previous school year and the amount of revenue increase per pupil
12 allowed under subch. VII of ch. 121 in the current school year.

13 **SECTION 2752r.** 119.23 (4m) of the statutes is amended to read:

14 119.23 (4m) ~~Beginning in the 1999–2000 school year, in~~ In addition to the
15 payment under sub. (4) the state superintendent shall pay to the parent or guardian
16 of each pupil enrolled in a private school under this section, in the manner described
17 in sub. (4) (c), an amount determined by multiplying 40% of the payment under sub.
18 (4) by the quotient determined by dividing the summer choice average daily
19 membership equivalent of the private school by the total number of pupils for whom
20 payments are being made under sub. (4).”.

21 **1072.** Page 923, line 7: after that line insert:

22 “**SECTION 2748m.** 119.23 (2) (a) 6. and 7. of the statutes are created to read:

23 119.23 (2) (a) 6. The governing body of the private school permits public
24 inspection and copying of any record, as defined in s. 19.32 (2), of the private school

1 to the same extent as is required of, and subject to the same terms and enforcement
2 provisions that apply to, an authority under subch. II of ch. 19.

3 7. The governing body of the private school provides public access to its
4 meetings to the same extent as is required of, and subject to the same terms and
5 enforcement provisions that apply to, a governmental body under subch. V of ch. 19.

6 **SECTION 2753m.** 119.23 (10) of the statutes is created to read:

7 119.23 (10) Each private school participating in the program under this section
8 shall administer to the pupils attending the 3rd grade in the private school under this
9 section a standardized reading test developed by the department.”.

10 **1073.** Page 923, line 7: after that line insert:

11 “**SECTION 2744m.** 119.04 (1) of the statutes is amended to read:

12 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
13 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
14 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to
15 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
16 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291,
17 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to ~~(26)~~ (27), 120.125,
18 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35) and (37), 120.14 and
19 120.25 are applicable to a 1st class city school district and board.”.

20 **1074.** Page 923, line 7: after that line insert:

21 “**SECTION 2745q.** 119.04 (1) of the statutes is amended to read:

22 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
23 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
24 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.115, 118.12,

1 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164,
2 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258,
3 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (26), 120.125,
4 120.13 (1), (2) (b) to (g), (3), (14), ~~(17) to (18)~~, (19), (26), (34), (35) and (37), 120.14 and
5 120.25 are applicable to a 1st class city school district and board.”.

6 **1075.** Page 923, line 8: delete the material beginning with that line and
7 ending with page 924, line 22.

8 **1076.** Page 924, line 22: after that line insert:

9 “SECTION 2760m. 120.12 (27) of the statutes is created to read:

10 120.12 (27) MINORITY CONTRACTING. If the school board adopts a policy that
11 authorizes preferences or set-asides to minority businesses in the awarding of a
12 public contract, as defined in s. 60.47 (1) (a), ensure that the policy requires that the
13 minority business be certified by the department of commerce under s. 560.036 (2).”.

14 **1077.** Page 924, line 22: after that line insert:

15 “SECTION 2760d. 120.13 (2) (g) of the statutes is amended to read:

16 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
17 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),
18 632.85, 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) to ~~(14)~~ (15), 632.896, and
19 767.25 (4m) (d).”.

20 **1078.** Page 924, line 22: after that line insert:

21 “SECTION 2758f. 119.70 (5) of the statutes is amended to read:

22 119.70 (5) Nothing in this section prohibits the board from granting the use of
23 school property to religious organizations under s. ~~120.13 (17)~~ 118.115.

24 **SECTION 2760m.** 120.13 (17) (title) of the statutes is renumbered 118.115 (title).

1 **SECTION 2760n.** 120.13 (17) of the statutes is renumbered 118.115 (1) and
2 amended to read:

3 118.115 (1) ~~Grant~~ The school board may grant the temporary use of school
4 grounds, buildings, facilities or equipment, upon such conditions, including fees not
5 to exceed actual costs, as determined by the school board, to any responsible person
6 for any lawful nonschool purpose if such use does not interfere with use for school
7 purposes or school-related functions. Fees received under this subsection shall be
8 paid into the school district treasury and accounted for as prescribed under s. 115.28
9 (13). The user shall be primarily liable, and the school board secondarily liable, for
10 any damage to property and for any expense incurred in consequence of any use of
11 school grounds, buildings, facilities or equipment under this subsection.”.

12 **1079.** Page 925, line 3: after that line insert:

13 “**SECTION 2761d.** 121.004 (7) (c) 1. a. and b. of the statutes are amended to read:

14 121.004 (7) (c) 1. a. A pupil enrolled in a ~~5-year-old~~ kindergarten program
15 requiring full-day attendance for 5 days a week for an entire school year shall be
16 counted as one pupil.

17 b. A pupil enrolled in a ~~5-year-old~~ kindergarten program requiring full-day
18 attendance for less than 5 days a week for an entire school year shall be counted as
19 the result obtained by multiplying the number of hours in each day in which the pupil
20 is enrolled by the total number of days for which the pupil is enrolled, and dividing
21 the result by the product of the number of hours of attendance per day required of
22 first grade pupils in the school district multiplied by 180.

23 **SECTION 2761h.** 121.004 (7) (c) 2. of the statutes is amended to read:

1 121.004 (7) (c) 2. In subd. 1. a. and b., “full-day” means the length of the school
2 day for pupils in the first grade of the school district operating the 5-year-old
3 kindergarten program.

4 **SECTION 2761p.** 121.004 (7) (cm) of the statutes is amended to read:

5 121.004 (7) (cm) A pupil enrolled in a 4-year-old kindergarten program that
6 provides the required number of 437 hours of direct pupil instruction under s. 121.02
7 (1)-(f) 2. shall be counted as 0.6 pupil if the program annually provides at least 87.5
8 additional hours of outreach activities.

9 **SECTION 2761t.** 121.02 (1) (f) 2. of the statutes is amended to read:

10 121.02 (1) (f) 2. Annually, schedule at least 437 hours of direct pupil instruction
11 in kindergarten, at least 1,050 hours of direct pupil instruction in grades 1 to 6 and
12 at least 1,137 hours of direct pupil instruction in grades 7 to 12. Scheduled hours
13 under this subdivision include recess and time for pupils to transfer between classes
14 but do not include the lunch period. ~~A school board operating a 4-year-old
15 kindergarten program may use up to 87.5 of the scheduled hours for outreach
16 activities.”.~~

17 **1080.** Page 926, line 2: after that line insert:

18 “**SECTION 2767k.** 121.08 (4) of the statutes is repealed.”.

19 **1081.** Page 928, line 5: delete lines 5 and 6 and substitute:

20 “a. Determine the amount calculated under s. 16.518 (4) (a) that does not exceed
21 \$115,000,000.”.

22 **1082.** Page 928, line 7: delete “subd. 1. a.” and substitute “subd. 4. a.”.

23 **1083.** Page 928, line 22: delete “and”.

1 **1084.** Page 928, line 23: after “(19)” insert “, and less the amount of any
2 revenue limit increase under s. 121.91 (4) (j)”.

3 **1085.** Page 929, line 1: delete lines 1 to 5 and substitute:

4 “121.15 (3m) (a) 2. “State school aids” means those aids appropriated under s.
5 20.255 (2), other than s. 20.255 (2) (am), (fm), (fu), (k), (kn), and (m), and under ss.
6 20.275 (1) (d), (es), (et) and (f) and 20.285 (1) (ee), (r) and (rc) and those aids
7 appropriated under s. 20.275 (1) (s) that are used to provide grants or educational
8 telecommunications access to school districts under s. 44.73.”.

9 **1086.** Page 931, line 3: delete lines 3 to 22.

10 **1087.** Page 932, line 23: after that line insert:

11 “SECTION 2798w. 121.91 (4) (k) of the statutes is created to read:

12 121.91 (4) (k) The limit otherwise applicable under sub. (2m) to a school district
13 that is at least 275 square miles in area and in which the number of pupils enrolled
14 in the 2000–01 school year was less than 450 is increased for the 2001–02 school year
15 by the following amount:

16 1. If the number of pupils enrolled in the school district declined between the
17 1996–97 school year and the 2000–01 school year, but the decline was less than 10%,
18 \$100,000.

19 2. If the decline in the number of pupils enrolled between the 1996–97 school
20 year and the 2000–01 school year was at least 10% but not more than 20%, \$175,000.

21 3. If the decline in the number of pupils enrolled between the 1996–97 school
22 year and the 2000–01 school year was more than 20%, \$250,000.”.

23 **1088.** Page 932, line 23: after that line insert:

24 “SECTION 2798g. 121.91 (4) (j) of the statutes is created to read:

1 121.91 (4) (j) If a school board implemented an intradistrict pupil transfer
2 program to reduce racial imbalance in the school district after June 30, 1993, but
3 before the effective date of this paragraph [revisor inserts date], the limit
4 otherwise applicable to the school district under sub. (2m) in the 2001–02, 2002–03,
5 and 2003–04 school years is increased by an amount equal to one–third of the amount
6 received in the 1994–95 school year under s. 121.85 as a result of implementing the
7 program.”.

8 **1089.** Page 932, line 23: after that line insert:

9 “**SECTION 2798s.** 121.91 (4) (k) of the statutes is created to read:

10 121.91 (4) (k) The limit otherwise applicable to a school district under sub. (2m)
11 is increased by an amount equal to 1% of the statewide average allowable revenue
12 per pupil in the previous school year multiplied by the average of the number of
13 pupils enrolled in the school district in the current and the 2 preceding school years
14 if the school board adopts a resolution approving the increase by a two–thirds vote
15 of the members elect. The amount of the revenue limit adjustment approved under
16 this paragraph shall not be included in the base for determining the school district’s
17 revenue limit for the following school year.”.

18 **1090.** Page 933, line 8: after that line insert:

19 “**SECTION 2799p.** 125.031 of the statutes is created to read:

20 **125.031 Department reports.** By June 30, 2003, and by June 30 of each
21 odd–numbered year thereafter, the department shall submit to the joint committee
22 on finance a report identifying the amount of wine shipped by wineries located
23 outside of this state to individuals in this state under ss. 125.58 (4) and 125.68 (10)
24 (bm), the amount of wine shipped by permittees under ss. 125.52 and 125.53 from

1 this state to individuals in states that have reciprocal agreements with this state
2 under s. 139.035, and the tax consequences to this state of these shipments into and
3 out of this state.”.

4 **1091.** Page 933, line 9: delete the material beginning with that line and
5 ending with page 934, line 4.

6 **1092.** Page 934, line 15: delete lines 15 to 20.

7 **1093.** Page 935, line 5: delete lines 5 to 12.

8 **1094.** Page 936, line 2: delete “not withstanding” and substitute
9 “notwithstanding”.

10 **1095.** Page 937, line 23: delete the material beginning with that line and
11 ending with page 939, line 16.

12 **1096.** Page 939, line 16: after that line insert:

13 “**SECTION 2812se.** 125.51 (4) (br) 1. e. of the statutes is amended to read:

14 125.51 (4) (br) 1. e. Add one license per each increase of 500 population or
15 ~~fraction thereof~~ to the population recorded under par. (bm).

16 **SECTION 2812sf.** 125.51 (4) (br) 1. f. of the statutes is created to read:

17 125.51 (4) (br) 1. f. Add one license if the municipality had issued a license
18 under s. 125.51 (4) (br) 1. e., 1999 stats., based on a fraction of 500 population, but
19 a municipality’s quota is only increased under this subd. 1. f. as long as the total
20 number of licenses issued by the municipality equals the maximum number of
21 licenses authorized, including under this subd. 1. f.

22 **SECTION 2812sg.** 125.51 (4) (br) 2. of the statutes is amended to read:

23 125.51 (4) (br) 2. Notwithstanding subd. 1., if the difference between the
24 number of licenses determined under par. (b) 1g. and under par. (bm) 1. is 3 or fewer,

1 the number of reserve “Class B” licenses authorized to be issued by that municipality
2 is the difference between the number of licenses determined under par. (b) 1g. and
3 under par. (bm) 1., plus one per each increase of 500 population ~~or fraction thereof~~
4 to the population recorded under par. (bm), plus one if the municipality had issued
5 a license under s. 125.51 (4) (br) 2., 1999 stats., based on a fraction of 500 population
6 but only as long as the total number of licenses issued by the municipality equals the
7 maximum number of licenses authorized.”.

8 **1097.** Page 939, line 16: after that line insert:

9 “**SECTION 2812t.** 125.52 (8) of the statutes is created to read:

10 125.52 (8) SALES TO INDIVIDUALS IN OTHER STATES. A permittee under this section
11 that ships wine from this state to individuals in another state under authorization
12 of a reciprocal agreement specified in s. 139.035 shall submit a report to the
13 department, by January 31 of each year, on forms furnished by the department. The
14 report shall include the identity, quantity, and price of all products shipped during
15 the previous calendar year from this state to individuals in another state under
16 authorization of a reciprocal agreement specified in s. 139.035. The report shall also
17 include the name, address, and birthdate of each person who purchased these
18 products and each person to whom these products were shipped.

19 **SECTION 2812u.** 125.53 (3) of the statutes is created to read:

20 125.53 (3) A permittee under this section that ships wine from this state to
21 individuals in another state under authorization of a reciprocal agreement specified
22 in s. 139.035 shall submit a report to the department, by January 31 of each year, on
23 forms furnished by the department. The report shall include the identity, quantity,
24 and price of all products shipped during the previous calendar year from this state

1 to individuals in another state under authorization of a reciprocal agreement
2 specified in s. 139.035. The report shall also include the name, address, and
3 birthdate of each person who purchased these products and each person to whom
4 these products were shipped.

5 **SECTION 2812v.** 125.58 (4) of the statutes is amended to read:

6 125.58 (4) (a) A winery located outside of this state may ship wine into this state
7 as provided under s. 125.68 (10) (bm) if the all of the following apply:

8 1. The winery is located in a state which that has a reciprocal agreement with
9 this state under s. 139.035.

10 (b) An out-of-state shipper's permit is not required for shipments into this
11 state under this subsection.

12 **SECTION 2812w.** 125.58 (4) (a) 2. of the statutes is created to read:

13 125.58 (4) (a) 2. The winery holds a valid certificate issued under s. 73.03 (50).

14 **SECTION 2812wg.** 125.58 (4) (a) 3. of the statutes is created to read:

15 125.58 (4) (a) 3. The winery submits to the department, with any initial
16 application or renewal for a certificate under s. 73.03 (50), a copy of any current
17 license, permit, or authorization issued to the winery by any state from which the
18 winery will ship wine into this state.

19 **SECTION 2812wm.** 125.58 (4) (a) 4. of the statutes is created to read:

20 125.58 (4) (a) 4. The winery submits a report to the department, by January
21 31 of each year, on forms furnished by the department, providing the identity,
22 quantity, and price of all products shipped into this state during the previous
23 calendar year, along with the name, address, and birthdate of each person who
24 purchased these products and each person to whom these products were shipped.

25 **SECTION 2812x.** 125.68 (10) (bm) of the statutes is amended to read:

1 125.68 (10) (bm) A winery in compliance with the requirements of s. 125.58 (4)
2 may ship wine into this state under s. 125.58 (4) from a state ~~which~~ that has a
3 reciprocal agreement with this state under s. 139.035 to an individual who is of the
4 legal drinking age if the shipping container is clearly labeled to indicate that the
5 package may not be delivered to an underage person or to an intoxicated person. A
6 person who receives wine under this paragraph may not sell it or use it for a
7 commercial purpose.”.

8 **1098.** Page 939, line 17: delete the material beginning with that line and
9 ending with page 940, line 4.

10 **1099.** Page 940, line 4: after that line insert:

11 “**SECTION 2818.** 134.72 (title) of the statutes is amended to read:

12 **134.72 (title) Prohibition of certain unsolicited messages by telephone**
13 **or facsimile machine.**

14 **SECTION 2819b.** 134.72 (1) (c) of the statutes is renumbered 100.52 (1) (i) and
15 amended to read:

16 100.52 (1) (i) “Telephone solicitation” means the unsolicited initiation of a
17 telephone conversation for the purpose of encouraging a person the recipient of the
18 telephone call to purchase property, goods or services or to make a contribution,
19 donation, grant, or pledge of money, credit, property, or other thing of any kind or
20 value.

21 **SECTION 2820d.** 134.72 (2) (a) (title) of the statutes is repealed.

22 **SECTION 2821b.** 134.72 (2) (a) of the statutes is renumbered 100.52 (4) (a)
23 (intro.) and amended to read:

1 100.52 (4) (a) (intro.) ~~No person may use~~ A telephone solicitor or an employee
2 or contractor of a telephone solicitor may not do any of the following:

3 1. Use an electronically prerecorded message in telephone solicitation without
4 the consent of the person called recipient of the telephone call.

5 **SECTION 2822.** 134.72 (2) (b) (title) of the statutes is repealed.

6 **SECTION 2822m.** 134.72 (2) (b) of the statutes is renumbered 134.72 (2), and
7 134.72 (2) (b), as renumbered, is amended to read:

8 134.72 (2) (b) Notwithstanding ~~subd. 1. par. (a)~~, a person may not make a
9 facsimile solicitation to a person who has notified the facsimile solicitor in writing
10 or by facsimile transmission that the person does not want to receive facsimile
11 solicitation.

12 **SECTION 2824.** 134.72 (3) (a) of the statutes is amended to read:

13 134.72 (3) (a) *Intrastate.* This section applies to any ~~intrastate telephone~~
14 ~~solicitation or~~ intrastate facsimile solicitation.

15 **SECTION 2825.** 134.72 (3) (b) of the statutes is amended to read:

16 134.72 (3) (b) *Interstate.* This section applies to any ~~interstate telephone~~
17 ~~solicitation, or~~ interstate facsimile solicitation, received by a person in this state.

18 **SECTION 2826.** 134.72 (4) of the statutes is amended to read:

19 134.72 (4) PENALTY. A person who violates this section may be required to
20 forfeit up to not more than \$500.”.

21 **1100.** Page 940, line 4: after that line insert:

22 “**SECTION 2826m.** 134.73 of the statutes is created to read:

23 **134.73 Identification of prisoner making telephone solicitation. (1)**

24 DEFINITIONS. In this section:

1 (a) “Contribution” has the meaning given in s. 440.41 (5).

2 (b) “Prisoner” means a prisoner of any public or private correctional or
3 detention facility that is located within or outside this state.

4 (c) “Solicit” has the meaning given in s. 440.41 (8).

5 (d) “Telephone solicitation” means the unsolicited initiation of a telephone
6 conversation for any of the following purposes:

7 1. To encourage a person to purchase property, goods, or services.

8 2. To solicit a contribution from a person.

9 3. To conduct an opinion poll or survey.

10 **(2) REQUIREMENTS.** A prisoner who makes a telephone solicitation shall do all
11 of the following immediately after the person called answers the telephone:

12 (a) Identify himself or herself by name.

13 (b) State that he or she is a prisoner.

14 (c) Inform the person called of the name of the correctional or detention facility
15 in which he or she is a prisoner and the city and state in which the facility is located.

16 **(3) TERRITORIAL APPLICATION.** (a) *Intrastate.* This section applies to any
17 intrastate telephone solicitation.

18 (b) *Interstate.* This section applies to any interstate telephone solicitation
19 received by a person in this state.

20 **(4) PENALTIES.** (a) A prisoner who violates this section may be required to forfeit
21 not more than \$500.

22 (b) If a person who employs a prisoner to engage in telephone solicitation is
23 concerned in the commission of a violation of this section as provided under s. 134.99,
24 the person may be required to forfeit not more than \$10,000.

25 **SECTION 2826p.** 134.95 (2) of the statutes is amended to read:

1 134.95 (2) SUPPLEMENTAL FORFEITURE. If a fine or a forfeiture is imposed on a
2 person for a violation under s. 100.171, 100.173, 100.174, 100.175, 100.177, 134.71,
3 134.72, 134.73, or 134.87 or ch. 136 or a rule promulgated under these sections or that
4 chapter, the person shall be subject to a supplemental forfeiture not to exceed
5 \$10,000 for that violation if the conduct by the defendant, for which the fine or
6 forfeiture was imposed, was perpetrated against an elderly person or disabled person
7 and if any of the factors under s. 100.264 (2) (a), (b), or (c) is present.”.

8 **1101.** Page 940, line 4: after that line insert:

9 “**SECTION 2817m.** 134.71 (12) of the statutes is amended to read:

10 134.71 (12) APPLICATIONS AND FORMS. The department of agriculture, trade and
11 consumer protection, in consultation with the department of justice, shall develop
12 applications and other forms required under subs. (5) (intro.) and (8) (c). The
13 department of agriculture, trade and consumer protection shall print a sufficient
14 number of applications and forms to provide to counties and municipalities for
15 distribution to pawnbrokers, secondhand article dealers and secondhand jewelry
16 dealers at no cost.”.

17 **1102.** Page 940, line 5: delete lines 5 to 10.

18 **1103.** Page 940, line 10: after that line insert:

19 “**SECTION 2828g.** 136.03 (title) of the statutes is amended to read:

20 **136.03 (title) Duties of the department of agriculture, trade and**
21 **consumer protection justice.**

22 **SECTION 2828j.** 136.03 (1) (intro.) of the statutes is amended to read:

23 136.03 (1) (intro.) The department of ~~agriculture, trade and consumer~~
24 ~~protection of justice~~ shall investigate violations of this chapter and of rules and

1 orders issued under s. 136.04. The department of justice may subpoena persons and
2 records to facilitate its investigations, and may enforce compliance with such
3 subpoenas as provided in s. 885.12. The department of justice may ~~in~~ on behalf of
4 the state:

5 **SECTION 2828m.** 136.04 of the statutes is amended to read:

6 **136.04 Powers of the department of agriculture, trade and consumer**
7 **protection justice.** (1) The department of agriculture, ~~trade and consumer~~
8 ~~protection justice~~ may adopt such rules as may be required to carry out the purposes
9 of this chapter.

10 (2) The department of agriculture, ~~trade and consumer protection justice~~ after
11 public hearing may issue general or special orders to carry out the purposes of this
12 chapter and to determine and prohibit unfair trade practices in business or unfair
13 methods of competition in business pursuant to s. 100.20 (2) to (4).”.

14 **1104.** Page 942, line 16: delete “34” and substitute “40.5”.

15 **1105.** Page 942, line 18: delete “68” and substitute “81”.

16 **1106.** Page 944, line 15: delete the material beginning with that line and
17 ending with page 945, line 8.

18 **1107.** Page 946, line 7: delete lines 7 to 13 and substitute:

19 “**SECTION 2850bc.** 146.65 of the statutes is created to read:

20 **146.65 Rural health dental clinics.** (1) From the appropriation under s.
21 20.435 (5) (dm), the department shall distribute moneys as follows:

22 (a) In state fiscal year 2001–02, not more than \$618,000 and in fiscal year
23 2002–03, not more than \$232,000, to the rural health dental clinic located in
24 Ladysmith that provides dental services to persons who are developmentally

1 disabled or elderly or who have low income, in the counties of Rusk, Price, Taylor,
2 Sawyer, and Chippewa.

3 (b) In fiscal year 2001–02, not more than \$294,500 and in state fiscal year
4 2002–03, not more than \$355,600, to the rural health dental clinic located in
5 Menomonie that provides dental services to persons who are developmentally
6 disabled or elderly or who have low income, in the counties of Barron, Chippewa,
7 Dunn, Pepin, Pierce, Polk, and St. Croix.

8 (2) The department shall also seek federal funding to support the operations
9 of the rural health dental clinics under sub. (1).”.

10 **1108.** Page 946, line 13: after that line insert:

11 “**SECTION 2850bg.** 146.83 (1) (b) of the statutes is amended to read:

12 146.83 (1) (b) Receive a copy of the patient’s health care records upon payment
13 of reasonable costs fees, as established by rule under sub. (3m).

14 **SECTION 2850bh.** 146.83 (1) (c) of the statutes is amended to read:

15 146.83 (1) (c) Receive a copy of the health care provider’s X–ray reports or have
16 the X–rays referred to another health care provider of the patient’s choice upon
17 payment of reasonable costs fees, as established by rule under sub. (3m).

18 **SECTION 2850bi.** 146.83 (3m) of the statutes is created to read:

19 146.83 (3m) The department shall, by rule, prescribe fees that are based on an
20 approximation of actual costs. The fees, plus applicable state tax, are the maximum
21 amount that a health care provider may charge under sub. (1) (b) for duplicate
22 patient health care records and under sub. (1) (c) for duplicate X–ray reports or the
23 referral of X–rays to another health care provider of the patient’s choice. The rule

1 shall also permit the health care provider to charge for actual postage or other actual
2 delivery costs.”.

3 **1109.** Page 946, line 25: after that line insert:

4 “**SECTION 2850dm.** 149.135 of the statutes is created to read:

5 **149.135 Special small employer insurer assessment. (1)** In this section:

6 (a) “Discontinued individual” means an individual who was covered under the
7 health benefit plan subject to ch. 635 that was discontinued by the small employer
8 insurer that provided the health benefit plan and who obtained coverage under the
9 plan under this chapter after the coverage under the health benefit plan was
10 discontinued.

11 (b) “Health benefit plan” has the meaning given in s. 632.745 (11).

12 (c) “Small employer” has the meaning given in s. 635.02 (7).

13 (d) “Small employer insurer” has the meaning given in s. 635.02 (8).

14 **(2)** (a) Except as provided in sub. (3), a small employer insurer that
15 discontinues coverage under a health benefit plan that is subject to ch. 635 shall pay
16 a special assessment for each discontinued individual.

17 (b) The assessment under this subsection shall be determined by multiplying
18 the small employer insurer’s number of discontinued individuals by the average cost
19 of an eligible person in the year in which the small employer insurer discontinued
20 the coverage under the health benefit plan. The average cost of an eligible person
21 in the year in which the health benefit plan was discontinued shall be determined
22 by deducting from the total costs of the plan under this chapter in that year all
23 premiums paid in that year by all persons with coverage under the plan under this

1 chapter, and then by dividing that amount by the total number of persons with
2 coverage under the plan under this chapter in that year.

3 (c) The assessment under this subsection shall also include all costs that are
4 incurred by the small employer insurer's discontinued individuals during their first
5 6 months of coverage under the plan under this chapter and that are attributable to
6 preexisting conditions.

7 (d) The board shall determine when a small employer insurer must pay the
8 assessment under this section.

9 **(3)** The assessment under sub. (2) does not apply if the small employer insurer
10 discontinued coverage under the health benefit plan subject to ch. 635 for any of the
11 following reasons:

12 (a) The small employer failed to pay premiums or contributions in accordance
13 with the terms of the health benefit plan or in a timely manner.

14 (b) The small employer performed an act or engaged in a practice that
15 constitutes fraud or made an intentional misrepresentation of material fact under
16 the terms of the coverage.

17 (c) The small employer failed to meet participation or contribution
18 requirements under the health benefit plan.”.

19 **1110.** Page 948, line 20: after that line insert:

20 “**SECTION 2850Ldc.** 149.143 (1) (intro.) of the statutes is amended to read:

21 149.143 (1) (intro.) The department shall pay or recover the operating costs of
22 the plan from the appropriation under s. 20.435 (4) (v) and administrative costs of
23 the plan from the appropriation under s. 20.435 (4) (u). For purposes of determining
24 premiums, insurer assessments under s. 149.13, and provider payment rate

1 adjustments, the department shall apportion and prioritize responsibility for
2 payment or recovery of plan costs from among the moneys constituting the fund as
3 follows:

4 **SECTION 2850Ldm.** 149.143 (1) (b) 1. a. of the statutes is amended to read:

5 149.143 (1) (b) 1. a. First, from premiums from eligible persons with coverage
6 under s. 149.14 (2) (a) set at 150% of the rate that a standard risk would be charged
7 under an individual policy providing substantially the same coverage and
8 deductibles as are provided under the plan and from eligible persons with coverage
9 under s. 149.14 (2) (b) set in accordance with s. 149.14 (5m), including amounts
10 received for premium and deductible subsidies under s. 149.144 and under the
11 transfer to the fund from the appropriation account under s. 20.435 (4) (ah), and from
12 premiums collected from eligible persons with coverage under s. 149.146 set in
13 accordance with s. 149.146 (2) (b), and from 50% of small employer insurer
14 assessments under s. 149.135.”.

15 **1111.** Page 948, line 23: delete “assessments, excluding” and substitute
16 “assessments under s. 149.13, excluding”.

17 **1112.** Page 949, line 2: after that line insert:

18 “**SECTION 2850Lem.** 149.143 (1) (b) 2. a. of the statutes is amended to read:

19 149.143 (1) (b) 2. a. Fifty percent from insurer assessments under s. 149.13,
20 excluding assessments under s. 149.144, and from 50% of small employer insurer
21 assessments under s. 149.135.”.

22 **1113.** Page 950, line 17: delete “assessments,” and substitute “assessments
23 under s. 149.13.”.

1 **1114.** Page 951, line 25: delete “assessments_i” and substitute “assessments
2 under s. 149.13.”.

3 **1115.** Page 957, line 3: after that line insert:

4 “**SECTION 2852bb.** 157.061 (1) of the statutes is renumbered 157.061 (1c) and
5 amended to read:

6 157.061 (1c) “Burial” means entombment, inurnment ~~or~~, interment, or
7 placement in a mausoleum, vault, crypt, or columbarium.

8 **SECTION 2852bd.** 157.061 (1b) of the statutes is created to read:

9 157.061 (1b) “Board” means the cemetery board.

10 **SECTION 2852bf.** 157.061 (1d) of the statutes is created to read:

11 157.061 (1d) “Burial space” means a space that is used or intended to be used
12 for the burial of human remains and, when used in reference to the sale, purchase,
13 or ownership of a burial space, includes the right to bury human remains in the
14 burial space.

15 **SECTION 2852bh.** 157.061 (1j) of the statutes is created to read:

16 157.061 (1j) “Business representative” has the meaning given in s. 452.01 (3k).

17 **SECTION 2852bj.** 157.061 (1p) of the statutes is created to read:

18 157.061 (1p) “Cemetery” means a place that is dedicated to and used or
19 intended to be used for the final disposition of human remains.

20 **SECTION 2852bL.** 157.061 (2m) of the statutes is amended to read:

21 157.061 (2m) “Cemetery lot” means a grave or 2 or more contiguous graves ~~and,~~
22 ~~when used in reference to the sale, purchase or ownership of a cemetery lot, includes~~
23 ~~the right to bury human remains in that cemetery lot.~~

24 **SECTION 2852bn.** 157.061 (3) of the statutes is amended to read:

1 157.061 **(3)** “Cemetery merchandise” means goods associated with the burial
2 of human remains, including monuments, markers, nameplates, vases, and urns,
3 and any services that are associated with supplying or delivering those goods or with
4 the burial of human remains and that may be lawfully provided by a cemetery
5 authority, including opening and closing of a burial space. The term does not include
6 caskets or outer burial containers.

7 **SECTION 2852bp.** 157.061 (3g) of the statutes is created to read:

8 157.061 **(3g)** “Columbarium” means a building, structure, or part of a building
9 or structure that is used or intended to be used for the inurnment of cremains.

10 **SECTION 2852br.** 157.061 (3r) of the statutes is created to read:

11 157.061 **(3r)** “Columbarium space” means a niche, crypt, or specific place in a
12 columbarium that contains or is intended to contain cremains.

13 **SECTION 2852bt.** 157.061 (8g) of the statutes is created to read:

14 157.061 **(8g)** “Lawn crypt” means an interment space in chambers that are
15 preplaced at either a single depth or multiple depths and that are located primarily
16 underground.

17 **SECTION 2852bv.** 157.061 (8r) of the statutes is created to read:

18 157.061 **(8r)** “Licensed cemetery authority” means a cemetery authority that
19 is licensed under s. 440.91 (1).

20 **SECTION 2852bx.** 157.061 (11r) of the statutes is amended to read:

21 157.061 **(11r)** “Payment of principal” means the portion of a payment for the
22 purchase of a cemetery lot, cemetery merchandise or a mausoleum burial space that
23 represents the principal amount owed by the purchaser for the cemetery lot,
24 cemetery merchandise or mausoleum burial space, and does not include any portion

1 of the payment that represents any taxes, finance or interest charges, or insurance
2 premiums.

3 **SECTION 2852by.** 157.061 (14m) of the statutes is created to read:

4 157.061 (14m) “Registered cemetery authority” means a cemetery authority
5 that is registered under s. 440.91 (1m).

6 **SECTION 2852da.** 157.061 (15) of the statutes is amended to read:

7 157.061 (15) “Religious association” means any church, synagogue, or mosque
8 ~~or any, incorporated college of a religious order, or religious society organized under~~
9 ch. 187.

10 **SECTION 2852dc.** 157.061 (15m) of the statutes is created to read:

11 157.061 (15m) “Religious cemetery authority” means a cemetery authority of
12 a cemetery owned and operated by a religious association.

13 **SECTION 2852de.** 157.061 (17) of the statutes is amended to read:

14 157.061 (17) “Undeveloped space” means a mausoleum space, columbarium
15 space, or lawn crypt that is not ready for the burial of human remains on the date
16 of the sale of the mausoleum space, columbarium space, or lawn crypt.

17 **SECTION 2852dg.** 157.062 (1) of the statutes is amended to read:

18 157.062 (1) ORGANIZATION. Seven or more residents of the same county may
19 form a cemetery association. They shall meet, select a chairperson and secretary,
20 choose a name, fix the annual meeting date, and elect by ballot not less than 3 nor
21 more than 9 trustees whom the chairperson and secretary shall immediately divide
22 by lot into 3 classes, who shall hold their offices for 1, 2, and 3 years, respectively.
23 Within 3 days, the chairperson and secretary shall certify the corporate name, the
24 names, home addresses and business addresses of the organizers and of the trustees,
25 and their classification, and the annual meeting date acknowledged by them, and,

1 ~~except as provided in sub. (9)~~, deliver the certification to the department of financial
2 institutions. The association then has the powers of a corporation.

3 **SECTION 2852di.** 157.062 (2) of the statutes is amended to read:

4 157.062 (2) AMENDMENTS. The association may change its name, the number
5 of trustees or the annual meeting date by resolution at an annual meeting, or special
6 meeting called for such purpose, by a majority vote of the members present, and,
7 ~~except as provided in sub. (9)~~, by delivering to the department of financial
8 institutions a copy of the resolution, with the date of adoption, certified by the
9 president and secretary or corresponding officers.

10 **SECTION 2852dk.** 157.062 (3) of the statutes is amended to read:

11 157.062 (3) VALIDATION. When there shall have been a bona fide attempt to
12 organize a cemetery association, but a failure to record a properly drawn and
13 executed certificate of organization, and it has in good faith bought and platted
14 grounds and conveyed ~~cemetery lots~~ burial spaces and carried on business for over
15 25 years, the same shall be a body corporate from the date of conveyance to it of real
16 estate, and its transfers and other transactions are validated.

17 **SECTION 2852dm.** 157.062 (4) (a) of the statutes is amended to read:

18 157.062 (4) (a) An annual election shall be held during the annual meeting.
19 The annual meeting, and any special meeting described in sub. (2), shall be held at
20 a place in the county chosen by the trustees upon public notice as required by the
21 bylaws. Trustees chosen after the first election shall be proprietors of ~~cemetery lots~~
22 burial spaces in the cemetery, residents of the state, and hold office for 3 years.
23 Election shall be by ballot and a plurality shall elect. Each owner of one or more
24 ~~cemetery lots~~ burial spaces is entitled to one vote, and one of several owners of a
25 ~~cemetery lot~~ burial space, designated by the majority of them, shall cast the vote.

1 **SECTION 2852do.** 157.062 (5) of the statutes is amended to read:

2 157.062 **(5)** TRUSTEES; DUTIES, REPORT. The trustees may fill vacancies for the
3 unexpired term. One shall be chosen president, and they shall appoint a secretary
4 and treasurer, and may require security of the treasurer. The trustees shall manage
5 the affairs and property of the association and control and beautify the cemetery, and
6 may establish regulations for those purposes. The trustees shall make and file
7 written reports as required in s. 157.62 ~~(1) and (2)~~.

8 **SECTION 2852dq.** 157.062 (6) (b) of the statutes is amended to read:

9 157.062 **(6)** (b) If an association that has been dissolved under par. (a), or any
10 group that was never properly organized as a cemetery association, has cemetery
11 grounds and human remains are buried in the cemetery grounds, 5 or more
12 members, or persons interested as determined by order of the circuit judge under par.
13 (c), may publish a class 3 notice, under ch. 985, in the municipality in which the
14 cemetery is located, of the time, place, and object of the meeting, assemble, and
15 reorganize by the election of trustees and divide them into classes as provided in sub.
16 (1), the commencement of the terms to be computed from the next annual meeting
17 date. The secretary shall enter the proceedings of the meeting on the records. The
18 association is reorganized upon delivery of a copy of the proceedings to the
19 department of financial institutions, ~~except as provided in sub. (9)~~. Upon
20 reorganization, the title to the cemetery grounds, trust funds, and all other property
21 of the association or group vests in the reorganized association, under the control of
22 the trustees. The reorganized association may continue the name of the dissolved
23 association or may adopt a new name.

24 **SECTION 2852ds.** 157.062 (6) (c) of the statutes is amended to read:

1 157.062 **(6)** (c) If an association is dissolved under par. (a) or any group has
2 never been properly organized as cemetery association, and there are fewer than 5
3 members living or residing in the county where the cemetery is located, the circuit
4 judge for the county shall upon the petition of any person interested, make an order
5 determining who are persons interested in the cemetery. Any adult person who owns
6 an interest in any ~~cemetery lot~~ burial space in the cemetery, who is related to any
7 person buried in the cemetery, or who is a descendant, brother, sister, nephew, niece,
8 or surviving spouse of a member of the dissolved association, is an interested person.
9 The circuit judge may make the order upon evidence he or she deems sufficient, with
10 or without hearing. The order need not contain the names of all persons interested,
11 but shall contain the names of at least 5 such persons.

12 **SECTION 2852du.** 157.062 (9) of the statutes is repealed.

13 **SECTION 2852dw.** 157.063 of the statutes is created to read:

14 **157.063 General duties and powers of board. (1)** In addition to the other
15 duties and powers of the board under this subchapter, the board shall do each of the
16 following:

17 (a) Advise the secretary of regulation and licensing on matters relating to
18 cemeteries, to this subchapter or subch. VIII of ch. 440, or to the board.

19 (b) Independently exercise its powers, duties, and functions that are specified
20 in this subchapter and subch. VIII of ch. 440.

21 (c) Be the supervising authority of all personnel, other than shared personnel,
22 engaged in the review, investigation, or handling of information regarding
23 investigations and disciplinary matters affecting persons who are registered or
24 licensed by the department under subch. VIII of ch. 440, or in the exercise of
25 administrative discretion with regard to the discipline of those persons.

1 (d) Maintain, in conjunction with the board's operations, in central locations
2 designated by the department, all records pertaining to the functions independently
3 retained by the board.

4 (e) Compile and keep current a register of the names and addresses of all
5 persons who are registered or licensed by the department under subch. VIII of ch. 440
6 that is retained by the department and that is available for public inspection during
7 the days specified in s. 230.35 (4) (a). The department may also make the register
8 available to the public by electronic transmission.

9 **(2)** The board does not have rule-making authority.

10 **SECTION 2852dy.** 157.064 (2) of the statutes is amended to read:

11 157.064 **(2)** A cemetery or religious association incorporated in this state and
12 having a cemetery in or near a 1st or 2nd class city and any cemetery described under
13 s. 157.065 (3m) (d) may acquire by gift or purchase up to 30 acres of adjoining lands
14 for cemetery purposes, and may pay for it wholly or partly from its ~~cemetery lot~~ burial
15 space sales.

16 **SECTION 2852fb.** 157.064 (6) of the statutes is amended to read:

17 157.064 **(6)** Whenever the majority of the members of a cemetery association,
18 or of a religious association authorized to hold lands for cemetery purposes, present
19 at an annual meeting or special meeting called for such purpose vote to convey all
20 of the cemetery association's or religious association's cemetery property, trust funds
21 and other property used for cemetery purposes to another cemetery association or
22 religious association, the trustees of the association shall transfer the property upon
23 the acceptance of the transfer by the other association by affirmative vote of a
24 majority of its members present at an annual meeting or special meeting called for
25 that purpose. Upon such acceptance, the title to the cemetery property, trust funds

1 and other property of the transferring association vests in the accepting association
2 under the control of the trustees of the accepting association. A conveyance under
3 this subsection is subject to s. 157.08 (2). This subsection does not apply to a religious
4 ~~society organized under ch. 187~~ cemetery authority.

5 **SECTION 2852fd.** 157.065 (1) (b) 4. of the statutes is repealed.

6 **SECTION 2852ff.** 157.066 of the statutes is created to read:

7 **157.066 Burial spaces not located in cemeteries. (1)** A city, village, or
8 town may enact and enforce an ordinance that allows a person to bury human
9 remains in a burial space that is not located in a cemetery.

10 **(2)** Unless a city, village, or town has enacted an ordinance under sub. (1), no
11 person may bury human remains in the city, village, or town in a burial space that
12 is not located in a cemetery.

13 **SECTION 2852fh.** 157.07 (1) of the statutes is amended to read:

14 157.07 **(1)** A cemetery authority shall cause to be surveyed and platted by a
15 land surveyor registered in this state those portions of the lands that are ~~from time~~
16 ~~to time required for burial~~ used, after the effective date of this subsection [revisor
17 inserts date], for burials, into ~~cemetery lots~~ burial spaces, drives, and walks, and
18 record a plat or map of the land in the office of the register of deeds. The plat or map
19 may not be recorded unless laid out and platted to the satisfaction of the county board
20 of the county, and the town board of the town, in which the land is situated, or, if the
21 land is situated within a 1st class city, then only by the common council of that city.

22 **SECTION 2852fj.** 157.07 (5) of the statutes is amended to read:

23 157.07 **(5)** The cemetery authority may vacate or replat any portion of its
24 cemetery upon the filing of a petition with the circuit court describing the portion and
25 setting forth the facts and reasons therefor. The court shall fix a time for hearing and

1 direct publication of a class 3 notice, under ch. 985, and the court shall order a copy
2 of the notice to be mailed to at least one interested person, as to each separate parcel
3 involved, whose post-office address is known or can be ascertained with reasonable
4 diligence, at least 20 days before such hearing. If the court finds that the proposed
5 vacating or replatting is for the best interest of the cemetery authority and that the
6 rights of none to whom ~~cemetery lots~~ burial spaces have been conveyed will be
7 injured, it shall enter an order reciting the jurisdictional facts and its findings and
8 authorizing the vacating or replatting of the lands of the cemetery. The order shall
9 be effective when recorded by the register of deeds.

10 **SECTION 2852fL.** 157.07 (6) of the statutes is amended to read:

11 157.07 (6) This section does not apply to a religious ~~society organized under ch.~~
12 ~~187~~ cemetery authority.

13 **SECTION 2852fn.** 157.08 (1) of the statutes is amended to read:

14 157.08 (1) After the plat or map is recorded under s. 157.07, the cemetery
15 authority may sell and convey ~~cemetery lots~~ burial spaces. Conveyances shall be
16 signed by the chief officer of the cemetery authority, and by the secretary or clerk of
17 the cemetery authority, if any. Before delivering the conveyance to the grantee, the
18 cemetery authority shall enter on records kept for that purpose, the date and
19 consideration and the name and residence of the grantee. The conveyances may be
20 recorded with the register of deeds.

21 **SECTION 2852fp.** 157.08 (2) (a) of the statutes is amended to read:

22 157.08 (2) (a) If a ~~cemetery lot or mausoleum~~ burial space is sold by a cemetery
23 authority and used or intended to be used for the burial of the human remains of the
24 purchaser or the purchaser's family members, the purchaser's interests in the
25 ownership of, title to, or right to use the ~~cemetery lot or mausoleum~~ burial space are

1 not affected or limited by any claims or liens of other persons against the cemetery
2 authority.

3 **SECTION 2852fr.** 157.08 (2) (b) of the statutes is renumbered 157.08 (2) (b) 1.
4 (intro.) and amended to read:

5 157.08 (2) (b) 1. (intro.) Before a cemetery authority ~~sells or encumbers any~~
6 ~~cemetery land, except for a sale described in par. (a)~~ takes any of the following
7 actions, the cemetery authority shall notify the department in writing ~~of the~~
8 ~~proposed sale or encumbrance.;~~

9 3. If within 60 days after the department is notified ~~of the proposed sale or~~
10 ~~encumbrance under subd. 1.~~ the department notifies the cemetery authority in
11 writing that the department objects to the ~~sale or encumbrance proposed action~~, the
12 cemetery authority may not ~~sell or encumber the cemetery land~~ take the action
13 unless the department subsequently notifies the cemetery authority in writing that
14 the objection is withdrawn.

15 4. The department may object to a ~~sale or encumbrance~~ an action under subd.
16 3. only if it determines that the cemetery authority will not be financially solvent or
17 that the rights and interests of owners of ~~cemetery lots and mausoleum~~ burial spaces
18 will not be adequately protected if the ~~sale or encumbrance occurs~~ action is taken.
19 The department shall promulgate rules that establish requirements and procedures
20 for making a determination under this subdivision.

21 5. The department may, before the expiration of the 60-day period under subd.
22 3., notify the cemetery authority in writing that the department approves of the ~~sale~~
23 ~~or encumbrance~~ action. Upon receipt of the department's written approval, the
24 cemetery authority may ~~sell or encumber the cemetery land~~ take the action and is
25 released of any liability under this paragraph.

1 6. The department shall make every effort to make determinations under this
2 paragraph in an expeditious manner.

3 **SECTION 2852ft.** 157.08 (2) (b) 1. a., b., c. and d. of the statutes are created to
4 read:

5 157.08 (2) (b) 1. a. Sells or encumbers any cemetery land, except for a sale
6 described in par. (a).

7 b. Transfers ownership or control of 50% or more of the assets or stock of the
8 cemetery.

9 c. Engages in a transaction that results in a person acquiring ownership or
10 control of 50% or more of the stock of the cemetery.

11 d. Transfers responsibility for management or operation of the cemetery
12 authority.

13 **SECTION 2852fu.** 157.08 (2) (b) 2. of the statutes is created to read:

14 157.08 (2) (b) 2. The department shall promulgate rules that specify the
15 documentation that must be submitted with a notification under subd. 1.

16 **SECTION 2852fw.** 157.08 (5) of the statutes is amended to read:

17 157.08 (5) Subsections (1) and (2) (b) do not apply to a religious society
18 ~~organized under ch. 187, cemetery authority~~ and sub. (2) (b) does not apply to a
19 cemetery authority that is not required to be ~~registered~~ licensed under s. 440.91 (1)
20 ~~and that is not organized or conducted for pecuniary profit.~~

21 **SECTION 2852fy.** 157.10 (title) of the statutes is amended to read:

22 **157.10 (title) Alienation and use of cemetery lots burial spaces.**”.

23 **1116.** Page 957, line 3: after that line insert:

24 **SECTION 2851e.** 153.01 (4t) of the statutes is amended to read:

1 153.01 **(4t)** “Health care provider” has the meaning given in s. 146.81 (1) and
2 includes an ambulatory surgery center, but does not include a medical resident or
3 fellow in medical education who is participating in an accredited training program
4 under the supervision of the medical staff of a hospital.

5 **SECTION 2851f.** 153.05 (1) of the statutes is amended to read:

6 153.05 **(1)** ~~In~~ Unless sub. (13) applies and except as provided in sub. (14), in
7 order to provide to hospitals, health care providers, insurers, consumers,
8 governmental agencies and others information concerning health care providers and
9 uncompensated health care services, and in order to provide information to assist in
10 peer review for the purpose of quality assurance, the department shall collect,
11 analyze and disseminate health care information, as adjusted for case mix and
12 severity, in language that is understandable to lay persons.

13 **SECTION 2851g.** 153.05 (5) of the statutes is amended to read:

14 153.05 **(5)** Unless sub. (13) applies and except as provided in sub. (14), the
15 department may require health care providers to submit to the department
16 information specified by rule under s. 153.75 (1) (n) for the preparation of reports,
17 plans and recommendations in the form specified by the department by rule.

18 **SECTION 2851h.** 153.05 (8) of the statutes is amended to read:

19 153.05 **(8)** Unless sub. (13) applies and except as provided in sub. (14), the
20 department shall collect, analyze and disseminate, in language that is
21 understandable to lay persons, claims information and other health care
22 information, as adjusted for case mix and severity, under the provisions of this
23 chapter, as determined by rules promulgated by the department, from health care
24 providers specified by rules promulgated by the department. Data from health care
25 providers may be obtained through sampling techniques in lieu of collection of data

1 on all patient encounters and data collection procedures shall minimize unnecessary
2 duplication and administrative burdens. If the department collects health care
3 provider-specific data from health care plans, the department shall attempt to avoid
4 collecting the same data from health care providers.

5 **SECTION 2851i.** 153.05 (14) of the statutes is created to read:

6 153.05 (14) The department may not collect health care information on the
7 practice of medical residents or fellows in medical education and may not include
8 information from that practice in the information collected from the attending or
9 supervising physician with whom a medical resident or fellow in medical education
10 practices.”.

11 **1117.** Page 957, line 7: delete “cemetery lot, the cemetery lot” and substitute
12 “~~cemetery lot, the cemetery lot~~ burial space, the burial space”.

13 **1118.** Page 957, line 9: delete “cemetery lot” and substitute “burial space”.

14 **1119.** Page 957, line 10: delete “cemetery lot, ownership of the cemetery” and
15 substitute “burial space, ownership of the cemetery”.

16 **1120.** Page 957, line 11: delete “lot” and substitute “~~lot~~ burial space”.

17 **1121.** Page 957, line 12: on lines 12 and 13, delete “cemetery lot” and
18 substitute “~~cemetery lot~~ burial space”.

19 **1122.** Page 957, line 14: delete “cemetery lot, or a relative” and substitute
20 “~~cemetery lot~~ burial space, or a brother, sister, or other relative”.

21 **1123.** Page 957, line 15: delete “relative” and substitute “brother, sister, or
22 other relative”.

1 **1124.** Page 957, line 16: delete “cemetery lot.” and substitute “cemetery lot
2 burial space. This subsection does not apply to the burial of human remains of an
3 individual who is in a class of individuals who are prohibited under regulations
4 adopted by a religious cemetery authority or affiliated religious association from
5 being buried in a cemetery.”.

6 **1125.** Page 957, line 18: delete “cemetery lot” and substitute “burial space”.

7 **1126.** Page 957, line 20: after that line insert:

8 “**SECTION 2852n.** 157.114 of the statutes is created to read:

9 **157.114 Duty to provide for burials. (1)** In this section, “cemetery
10 authority” does not include a municipality that takes control of a cemetery under s.
11 157.115 (1) (b).

12 **(2)** A cemetery authority shall, insofar as practicable, provide for burials
13 during each season, including winter. Nothing in this subsection may be construed
14 to prohibit a cemetery authority from charging a reasonable fee to recover the costs
15 related to providing for a burial during difficult weather conditions.”.

16 **1127.** Page 957, line 20: after that line insert:

17 “**SECTION 2852jb.** 157.10 (4) of the statutes is created to read:

18 **157.10 (4)** The department shall promulgate rules that interpret the
19 requirements of this section and require any person who transfers an interest in a
20 burial space to provide the transferee with a written notice, prepared by the
21 department, that describes the requirements of this section.

22 **SECTION 2852jd.** 157.11 (title) of the statutes is amended to read:

23 **157.11 (title) Improvement and care of cemetery lots burial spaces and**
24 **grounds.**

1 **SECTION 2852jf.** 157.11 (1m) of the statutes is created to read:

2 157.11 **(1m)** DUTY TO MAINTAIN. A cemetery authority shall maintain a
3 cemetery, including burial spaces, grounds, landscaping, roads, parking lots, fences,
4 buildings, and other structures, in a reasonable manner at all times.

5 **SECTION 2852jh.** 157.11 (2) of the statutes is amended to read:

6 157.11 **(2)** REGULATIONS. The cemetery authority may make regulations for
7 management and care of the cemetery. No person may plant, in the cemetery, trees
8 or shrubs, nor erect wooden fences or structures or offensive or dangerous structures
9 or monuments, nor maintain them if planted or erected in violation of the
10 regulations. The cemetery authority may require any person owning or controlling
11 a cemetery lot burial space to do anything necessary to comply with the regulations
12 by giving reasonable personal notice in writing if the person is a resident of the state,
13 otherwise by publishing a class 3 notice, under ch. 985, in the county. If the person
14 fails to comply within 20 days thereafter, the cemetery authority may cause it to be
15 done and recover from the person the expense. The cemetery authority may also
16 impose a forfeiture not exceeding \$10 for violation of the regulations posted in 3
17 conspicuous places in the cemetery, recoverable under ch. 778. Each employee and
18 agent of the cemetery authority shall have constable powers in enforcing the
19 regulations.

20 **SECTION 2852jj.** 157.11 (3) of the statutes is amended to read:

21 157.11 **(3)** CONTRACTS. The cemetery authority may contract with persons who
22 own or are interested in a cemetery lot burial space for its care. The contract shall
23 be in writing, may provide that the cemetery lot burial space shall be forever exempt
24 from taxes, assessments, or charges for its care and the care and preservation of the
25 grounds, shall express the duty of the cemetery authority, shall be recorded in a book

1 kept for that purpose, and shall be effective when the consideration is paid or
2 secured.

3 **SECTION 2852jL.** 157.11 (4) of the statutes is amended to read:

4 157.11 (4) ASSOCIATIONS OF RELATIVES. Persons owning a ~~cemetery lot~~ burial
5 space or having relatives buried in a cemetery may incorporate an association to hold
6 and occupy a previously constituted cemetery, and to preserve and care for the same.
7 Section 157.062 shall apply to the association. Nothing in this subsection shall give
8 rights of burial. A municipality may lease a municipal cemetery to a cemetery
9 association for preservation and may contract to permit the association to use
10 cemetery funds therefor. Such leases and contracts may be revoked at will by the
11 municipal board.

12 **SECTION 2852jn.** 157.11 (5) of the statutes is amended to read:

13 157.11 (5) SUM REQUIRED. The cemetery authority shall annually fix the sum
14 necessary for the care of ~~cemetery lots~~ burial spaces and care and improvement of
15 the cemetery, or to produce a sufficient income for those purposes.

16 **SECTION 2852jp.** 157.11 (7) (a) of the statutes is amended to read:

17 157.11 (7) (a) The cemetery authority may annually assess upon the ~~cemetery~~
18 ~~lots~~ burial spaces amounts not to exceed the amounts reasonably required for actual
19 and necessary costs for cleaning and care of ~~cemetery lots~~ burial spaces and care and
20 improvement of the cemetery. Notice of the assessment, along with a copy of this
21 section, shall be mailed to each owner or person having charge of a ~~cemetery lot~~
22 burial space, at the owner's or person's last-known post-office address, directing
23 payment to the cemetery authority within 30 days and specifying that such
24 assessments are a personal liability of the owner or person.

25 **SECTION 2852jr.** 157.11 (7) (b) of the statutes is amended to read:

1 157.11 (7) (b) The cemetery authority may fix and determine the sum
2 reasonably necessary for the care of the ~~grave or cemetery lot~~ burial space in
3 reasonable and uniform amounts, which amounts shall be subject to the approval of
4 the court, and may collect those amounts as part of the funeral expenses.

5 **SECTION 2852jt.** 157.11 (7) (c) of the statutes is amended to read:

6 157.11 (7) (c) Before ordering distribution of the estate of a deceased person,
7 the court shall order paid any assessment under this section, or the sum so fixed for
8 the care of the ~~cemetery lot or grave~~ burial space of the deceased.

9 **SECTION 2852jv.** 157.11 (7) (d) of the statutes is amended to read:

10 157.11 (7) (d) When uniform care of a ~~cemetery lot~~ burial space has been given
11 for 2 consecutive years or more, for which assessments are unpaid, after notice as
12 provided in sub. (2), right to burial is forfeited until delinquent assessments are paid.
13 When uniform care has been given for 5 consecutive years or more and the
14 assessments are unpaid, upon like notice, title to all unoccupied parts of the ~~cemetery~~
15 ~~lot~~ burial space shall pass to the cemetery authority and may be sold, the payment
16 of principal to be deposited into the care fund. Before depositing the payment of
17 principal into the care fund, the cemetery authority may retain an amount necessary
18 to cover the cemetery authority's administrative and other expenses related to the
19 sale, but the amount retained may not exceed 50% of the proceeds.

20 **SECTION 2852jx.** 157.11 (8) of the statutes is repealed.

21 **SECTION 2852jz.** 157.11 (9) (title) of the statutes is repealed and recreated to
22 read:

23 157.11 (9) (title) GIFTS.

24 **SECTION 2852Lb.** 157.11 (9) (a) of the statutes is renumbered 157.11 (9) (b) and
25 amended to read:

1 157.11 (9) (b) ~~Before a cemetery authority receives a gift, the surety bonds of~~
2 ~~the cemetery authority shall be increased to cover such amount if it does not then do~~
3 ~~so. If the bonds are not filed, or the~~ If a cemetery authority fails to do anything
4 required by this subsection, the judge may appoint a trustee, and all property and
5 money so given in the manner described under par. (am) and evidences of title and
6 securities shall be delivered to the trustee.

7 **SECTION 2852Ld.** 157.11 (9) (am) of the statutes is created to read:

8 157.11 (9) (am) If a cemetery authority receives a gift for the improvement,
9 maintenance, repair, preservation, or ornamentation of any burial space or structure
10 in the cemetery, it shall either expend the income and proceeds of the gift or deposit
11 the proceeds into a trust account at a financial institution, as defined in s. 705.01 (3),
12 according to the terms of the gift and regulations of the cemetery authority. A
13 cemetery authority that receives a gift shall maintain a gift ledger that accounts for
14 all receipts and disbursements of gifts.

15 **SECTION 2852Lf.** 157.11 (9g) (title) of the statutes is amended to read:

16 157.11 (9g) (title) ~~CARE FUND FOR CEMETERY LOTS~~ BURIAL SPACES.

17 **SECTION 2852Lh.** 157.11 (9g) (a) 1. (intro.) of the statutes is amended to read:

18 157.11 (9g) (a) 1. (intro.) Except as provided in ss. ~~66.0603 (1) (c)~~ 66.0603 (1m)
19 (c) and 157.19 (5) (b), funds that are received by a cemetery authority for the care of
20 a cemetery lot burial space shall be invested in one or more of the following manners:

21 **SECTION 2852Lj.** 157.11 (9g) (a) 1. c. of the statutes is amended to read:

22 157.11 (9g) (a) 1. c. If not invested as provided in subd. 1. a. or b., otherwise
23 deposited by the cemetery authority in an investment ~~approved by the department~~
24 if the care funds are segregated and invested separately from all other moneys held
25 by the cemetery authority and if the cemetery authority submits to the department

1 a written statement by an investment advisor licensed under ch. 551, or a broker, as
2 defined in s. 408.102 (1) (c), that the investment is made in accordance with the
3 standards specified in s. 881.01.

4 **SECTION 2852LL.** 157.11 (9g) (a) 2. of the statutes is amended to read:

5 157.11 **(9g)** (a) 2. The manner in which the care funds are invested may not
6 permit the cemetery authority to withdraw the care fund's principal amount, but
7 may permit the withdrawal of interest, dividends, or capital gains earned during the
8 most recently completed calendar year. The income from the investment of a care
9 fund for the care of ~~cemetery lots~~ burial spaces may be used only to maintain the
10 ~~cemetery lots~~ burial spaces and grounds, except that if the amount of income exceeds
11 the amount necessary to maintain the ~~cemetery lots~~ burial spaces or grounds
12 properly, the excess amount may be used to maintain any other portion of the
13 cemetery, including mausoleums. If the care funds are deposited with a city or
14 county, or previously deposited with a village, there shall be paid to the cemetery
15 authority annually interest on funds so deposited of not less than 2% per year. The
16 governing body of any city or county, or any village or town in the case of previous
17 deposits, may determine to return all or a part of any funds deposited by a cemetery
18 authority, and that cemetery authority shall accept the returned funds within 30
19 days after receiving written notice of that action. If the cemetery authority is
20 dissolved or becomes inoperative, the county or city shall use the interest on the
21 funds for the care and upkeep of the cemetery. Deposit shall be made and the income
22 paid over from time to time, not less frequently than once each year, and receipts in
23 triplicate shall be given, one filed with the county clerk, one with the cemetery
24 authority and one given to the person making the deposit. Deposits shall be in the
25 amount of \$5 or a multiple thereof. Records and receipts shall specify the ~~cemetery~~

1 lot burial space for the care of which the deposit is made. Reports of money received
2 for care and of money and property received as gifts shall be made annually as
3 provided in s. 157.62 (2).

4 **SECTION 2852Ln.** 157.11 (9g) (c) of the statutes is amended to read:

5 157.11 (9g) (c) ~~Except as provided in sub. (11), any~~ Any cemetery authority that
6 sells a cemetery lot, lawn crypt, or columbarium space on or after ~~November 1, 1991~~
7 the effective date of this paragraph [revisor inserts date], shall deposit 15% of each
8 payment of principal into a care fund under par. (a) within 30 days after the last day
9 of the month in which the payment is received, except as provided in sub. (7) (d) and
10 s. 157.115 (2) (f). The total amount deposited must equal 15% of the total amount of
11 all payments of principal that have been received, but not less than \$25.

12 **SECTION 2852Lp.** 157.11 (10) of the statutes is amended to read:

13 157.11 (10) EXEMPTION FOR RELIGIOUS SOCIETIES CEMETERY AUTHORITIES.
14 Subsections (1) to (9), (9g) (a) and (b), (9m) and (9r) do not apply, but sub. (9g) (c) does
15 apply, to a religious society ~~organized under ch. 187~~ cemetery authority.

16 **SECTION 2852Lr.** 157.11 (11) of the statutes is repealed.

17 **SECTION 2852ob.** 157.115 (title) of the statutes is amended to read:

18 **157.115** (title) **Abandonment of cemeteries and cemetery lots burial**
19 **spaces**.

20 **SECTION 2852od.** 157.115 (1) (b) 1. of the statutes is renumbered 157.115 (1)
21 (b) and amended to read:

22 157.115 (1) (b) ~~When a~~ If a municipality in which a cemetery is located
23 determines that the cemetery authority fails has failed to care for the cemetery for
24 a period of ~~one or more years~~ 6 months or more, the municipality ~~in which the~~
25 ~~cemetery is located~~ shall notify the cemetery authority that it has 90 days to correct

1 the failure. Upon a showing of good cause, the municipality may grant the cemetery
2 authority one 90–day extension to correct the failure. If the municipality finds that
3 the cemetery authority has failed to correct the failure within the deadline specified
4 in the notice or extension, the municipality may, after a public hearing, take control
5 of the cemetery, manage and care for the cemetery and, collect and manage all trust
6 funds connected with the cemetery other than trust funds received by a will, or take
7 any other action necessary to provide for the care of the cemetery. The municipality
8 may collect from the cemetery authority any costs incurred by the municipality in
9 exercising its authority under this paragraph.

10 **SECTION 2852of.** 157.115 (1) (b) 2. of the statutes is repealed.

11 **SECTION 2852oh.** 157.115 (1) (c) of the statutes is repealed.

12 **SECTION 2852oj.** 157.115 (1) (d) of the statutes is created to read:

13 157.115 (1) (d) Upon application by the department, a court may enjoin a
14 person from acquiring ownership or control of a cemetery if the person has
15 abandoned another cemetery, or has owned or operated another cemetery that is
16 subsequently controlled by a municipality under par. (b).

17 **SECTION 2852oL.** 157.115 (2) (title) of the statutes is amended to read:

18 157.115 (2) (title) ~~ABANDONMENT OF CEMETERY LOTS~~ BURIAL SPACES.

19 **SECTION 2852on.** 157.115 (2) (a) 1. (intro.) of the statutes is amended to read:

20 157.115 (2) (a) 1. (intro.) “Abandoned lot space” means one or more graves of
21 a cemetery lot burial spaces that is are not owned by the cemetery authority of the
22 cemetery in which the cemetery lot is burial spaces are located if those graves burial
23 spaces have not been used for the burial of human remains and if, according to the
24 records of the cemetery authority, all of the following apply during the 50–year period

1 immediately preceding the date on which the notice requirement under par. (c) is
2 satisfied:

3 **SECTION 2852op.** 157.115 (2) (a) 1. a. of the statutes is amended to read:

4 157.115 (2) (a) 1. a. No owner has transferred any ownership interest in the
5 cemetery lot burial space to any other person.

6 **SECTION 2852or.** 157.115 (2) (a) 1. b. of the statutes is amended to read:

7 157.115 (2) (a) 1. b. No owner has purchased or sold another cemetery lot or a
8 mausoleum burial space in the cemetery.

9 **SECTION 2852ot.** 157.115 (2) (a) 1. c. of the statutes is amended to read:

10 157.115 (2) (a) 1. c. No other grave in that cemetery lot burial space or adjoining
11 cemetery lot or adjoining mausoleum burial space that is owned or partially owned
12 by an owner has been used for the burial of human remains.

13 **SECTION 2852ov.** 157.115 (2) (a) 1. d. of the statutes is amended to read:

14 157.115 (2) (a) 1. d. No grave marker, monument, or other memorial has been
15 installed on the cemetery lot burial space.

16 **SECTION 2852ox.** 157.115 (2) (a) 1. e. of the statutes is amended to read:

17 157.115 (2) (a) 1. e. No grave marker, monument, or other memorial has been
18 installed on any other cemetery lot burial space, in the same cemetery, that is owned
19 or partially owned by an owner.

20 **SECTION 2852oz.** 157.115 (2) (a) 1. g. of the statutes is amended to read:

21 157.115 (2) (a) 1. g. The cemetery authority has not been contacted by an owner
22 or assignee or received any other notice or evidence to suggest that an owner or
23 assignee intends to use the cemetery lot burial space for a future burial of human
24 remains.

25 **SECTION 2852pb.** 157.115 (2) (a) 2. of the statutes is amended to read:

1 157.115 (2) (a) 2. “Assignee” means a person who has been assigned in the
2 deceased owner’s will or in any other legally binding written agreement, or who is
3 entitled to receive under ch. 852, an ownership interest in the abandoned cemetery
4 lot space.

5 **SECTION 2852pd.** 157.115 (2) (a) 3. of the statutes is amended to read:

6 157.115 (2) (a) 3. “Owner” means a person who, according to the records of the
7 cemetery authority of the cemetery in which an abandoned cemetery lot space is
8 located, owns or partially owns the abandoned cemetery lot space.

9 **SECTION 2852pf.** 157.115 (2) (b) of the statutes is amended to read:

10 157.115 (2) (b) No cemetery authority may resell an abandoned cemetery lot
11 space unless the cemetery authority complies with the requirements in this
12 subsection or the abandoned space is sold by a trustee under s. 157.117.

13 **SECTION 2852ph.** 157.115 (2) (c) of the statutes is amended to read:

14 157.115 (2) (c) The cemetery authority shall mail to each owner, at each owner’s
15 last-known address, a notice of the cemetery authority’s intent to resell the
16 abandoned cemetery lot space as provided in this subsection. If an owner is buried
17 in the cemetery in which the abandoned cemetery lot space is located or if the
18 cemetery authority has any other evidence that reasonably supports a
19 determination by the cemetery authority that the owner is deceased, no notice is
20 required under this paragraph.

21 **SECTION 2852pj.** 157.115 (2) (d) (intro.) of the statutes is amended to read:

22 157.115 (2) (d) (intro.) If no notice is required under par. (c) or if, within 60 days
23 after notice is mailed under par. (c), no owner or assignee contacts the cemetery
24 authority to express an intent to use the abandoned cemetery lot space for a future
25 burial of human remains, the cemetery authority shall publish in a newspaper of

1 general circulation in the county in which the abandoned ~~lot~~ space is located, a class
2 3 notice under ch. 985 that includes all of the following:

3 **SECTION 2852pL.** 157.115 (2) (d) 1. of the statutes is amended to read:

4 157.115 (2) (d) 1. The location of the abandoned ~~lot~~ space.

5 **SECTION 2852pn.** 157.115 (2) (d) 3. of the statutes is amended to read:

6 157.115 (2) (d) 3. A statement that, unless an owner or assignee contacts the
7 cemetery authority within the period specified in par. (e), the cemetery authority
8 intends to resell the abandoned ~~lot~~ space as provided in this subsection.

9 **SECTION 2852pp.** 157.115 (2) (e) of the statutes is amended to read:

10 157.115 (2) (e) If within 60 days after notice is published under par. (c) no owner
11 or assignee contacts the cemetery authority to express an intent to use the
12 abandoned ~~lot~~ space for a future burial of human remains, the cemetery authority
13 shall bring an action in the circuit court of the county in which the abandoned ~~lot~~
14 space is located for a judgment that the cemetery ~~lot~~ burial space is an abandoned
15 ~~lot~~ space and an order transferring ownership of the abandoned ~~lot~~ space to the
16 cemetery authority.

17 **SECTION 2852pr.** 157.115 (2) (f) of the statutes is amended to read:

18 157.115 (2) (f) If within one year after the circuit court enters a judgment and
19 order under par. (e) no owner or assignee contacts the cemetery authority to express
20 an intent to use the abandoned ~~lot~~ space for a future burial of human remains, the
21 cemetery authority may resell the abandoned ~~lot~~ space, except as provided in par. (g).
22 The payment of principal shall be deposited into the care fund. Before depositing the
23 payment of principal into the care fund, the cemetery authority may retain an
24 amount necessary to cover the cemetery authority's administrative and other

1 expenses related to the sale, but the amount retained may not exceed 50% of the
2 proceeds.

3 **SECTION 2852pt.** 157.115 (2) (g) of the statutes is amended to read:

4 157.115 (2) (g) If at any time before an abandoned lot space is resold under par.
5 (f) an owner or assignee contacts the cemetery authority to express an intent to use
6 the abandoned lot space for a future burial of human remains, the authority may not
7 resell the abandoned lot space, and ownership of the abandoned lot space shall be
8 transferred to the owner or assignee. The cemetery authority shall pay all costs of
9 transferring ownership under this paragraph.

10 **SECTION 2852pv.** 157.115 (2) (h) of the statutes is amended to read:

11 157.115 (2) (h) Nothing in this subsection prohibits a cemetery authority from
12 seeking the authority to resell more than one abandoned lot space by publishing a
13 single class 3 notice under par. (d) or bringing a single action under par. (e) that
14 applies to all of the abandoned lots spaces for which such authority is sought.

15 **SECTION 2852px.** 157.117 of the statutes is created to read:

16 **157.117 Trustees for certain cemeteries and mausoleums. (1)**

17 DEFINITIONS. In this section:

18 (a) “Cemetery” does not include a cemetery the ownership, control, or
19 management of which has been assumed by a municipality. For purposes of this
20 paragraph, a municipality is considered to have assumed the ownership, control, or
21 management of a cemetery only if the municipality has adopted a resolution or
22 enacted an ordinance that has the effect of assuming ownership, control, or
23 management of the cemetery. “Cemetery” also does not include a cemetery owned
24 and operated by a religious cemetery authority.

25 (b) “Local governmental unit” means a municipality or county.

1 (c) “Mausoleum” does not include a mausoleum owned and operated by a
2 religious cemetery authority.

3 (d) “Municipality” means a city, village, or town.

4 (e) “Trustee” means a trustee appointed under sub. (2) (b).

5 **(2) APPOINTMENT OF TRUSTEE.** (a) In response to a petition from the board or
6 upon his or her own motion, the attorney general may petition the circuit court for
7 the county in which a cemetery or mausoleum is located for the appointment of a
8 trustee for the cemetery or mausoleum. If the attorney general petitions the court
9 on his or her own motion, the attorney general shall serve a copy of the petition on
10 the board and the municipality and county within which the cemetery is located.

11 (b) A court shall schedule a hearing on a petition filed under par. (a) within 90
12 days after the petition is filed with the court. If the court finds after a hearing that
13 a cemetery or mausoleum is neglected, abandoned, in disuse, improperly
14 maintained, or financially unsound, the court shall appoint as a trustee for the
15 cemetery or mausoleum a capable and competent person to serve as trustee of the
16 cemetery or mausoleum under this section, except that the court may not appoint the
17 department or board as a trustee.

18 (c) An owner of a cemetery or mausoleum may petition the court in a proceeding
19 under par. (b) for an order surrendering title to the cemetery or mausoleum to a new
20 owner, other than the state, if the owner believes itself to be incapable of continuing
21 to operate the cemetery or mausoleum. The court may grant the petition if it finds
22 that the cemetery or mausoleum is neglected, abandoned, in disuse, improperly
23 maintained, or financially unsound. If the court grants the petition, it shall transfer
24 title to the cemetery or mausoleum to the new owner and appoint a trustee under par.
25 (b).

1 (d) All disputes relating to the appointment of a trustee or the actions of a
2 trustee appointed under this section shall be resolved by the court that appointed the
3 trustee.

4 **(3) TRUSTEE POWERS AND DUTIES.** (a) A trustee shall do each of the following:

5 1. Be responsible for the management, maintenance, and operation of each
6 cemetery or mausoleum under trusteeship.

7 2. Comply with reporting requirements of s. 157.62 (2). A trustee shall provide
8 the court with a copy of all reports filed under this subdivision.

9 3. Provide the court with any additional information, records, or reports that
10 the court may direct.

11 (b) A trustee may petition the court that appointed the trustee for any of the
12 following:

13 1. Termination of the trusteeship and reversion of ownership and operation of
14 a cemetery or mausoleum to the previous owner.

15 2. Termination of the trusteeship and transfer of ownership and operation of
16 a cemetery or mausoleum to a new owner other than the state.

17 3. Removal and reinternment of human remains in accordance with the
18 requirements of this subchapter.

19 4. Termination of the trusteeship and closure of a cemetery or mausoleum after
20 removal and reinternment of human remains under subd. 3.

21 (c) A trustee may do any of the following:

22 1. Seek a new owner or operator of a cemetery or mausoleum, other than the
23 state, including actively marketing the cemetery or mausoleum and taking any other
24 action necessary or useful to effect the sale of the cemetery or mausoleum.

25 2. Assess burial spaces for cleaning, care, or improvement under s. 157.11 (7).

1 3. Expend funds disbursed from the cemetery management insurance fund for
2 the purpose of exercising its powers or carrying out its duties under this section.

3 4. Employ professional, legal, and technical experts, and any such other
4 managers, management personnel, agents, and employees as may be required, to
5 exercise the trustee's powers or carry out the trustee's duties under this section.

6 5. Take any other action necessary or useful to the management or trusteeship
7 of a cemetery or mausoleum.

8 **(4) DEPARTMENT AND BOARD POWERS AND DUTIES.** (a) From the appropriation
9 under s. 20.165 (1) (q), the board shall make disbursements to trustees. The
10 department shall promulgate rules establishing requirements and procedures for
11 making the disbursements.

12 (b) The department may promulgate rules to carry out the purposes of this
13 section.

14 **(5) TERMINATION OF TRUSTEESHIP.** A court that appointed a trustee shall
15 terminate the trusteeship if any of the following applies:

16 (a) The owner or operator of a cemetery or mausoleum demonstrates to the
17 satisfaction of the court that the conditions that necessitated the trusteeship have
18 been remedied and that it is competent and capable of managing the cemetery or
19 mausoleum.

20 (b) The court finds that a new operator is competent and capable of managing
21 the cemetery or mausoleum. Upon making a finding under this paragraph, the court
22 shall approve the transfer of the management of the cemetery or mausoleum to the
23 new operator.

1 (c) The court approves the sale or transfer of a cemetery or mausoleum to a new
2 owner, other than the state, that the court finds is capable and competent to manage
3 the cemetery or mausoleum on a financially sound basis.

4 (d) The court approves the closure of a cemetery or mausoleum after all human
5 remains have been removed and reinterred.

6 **SECTION 2852pz.** 157.12 (2) (b) of the statutes is amended to read:

7 157.12 (2) (b) The department shall supervise construction of any public
8 mausoleum and conversion of any building to a public mausoleum. Within 30 days
9 after receiving written notice from the cemetery authority that the construction or
10 conversion has been completed, the department shall inspect the public mausoleum
11 and provide the cemetery authority with a written certification as to whether the
12 construction or conversion complies with approved plans. If the department
13 determines that, except for certain minor defects, the construction or conversion
14 complies with the approved plans, the department may provide the cemetery
15 authority with a written temporary certification of compliance that is contingent on
16 the correction of those minor defects. A temporary certification is valid for a period
17 designated by the department, not to exceed 6 months. No person may sell a
18 mausoleum space, except an undeveloped space that is sold in accordance with s. ss.
19 440.92 and 440.922, or bury human remains in a public mausoleum unless a care
20 fund has been established for the mausoleum under sub. (3) and the department has
21 provided the cemetery authority with a certification or a temporary certification
22 under this paragraph. If a cemetery authority that has been provided with a
23 temporary certification notifies the department in writing before the date on which
24 the temporary certification expires that the defects in the construction or conversion
25 of the public mausoleum have been corrected, the department shall, within 30 days

1 after receiving the notice, reinspect the public mausoleum and provide the cemetery
2 authority with a written certification as to whether the construction or conversion
3 complies with the approved plans. If a cemetery authority that has been provided
4 with a temporary certification does not receive a written certification from the
5 department before the date on which the temporary certification expires that the
6 construction or conversion complies with the approved plans, then, beginning on the
7 date on which the certification expires, no person may sell a mausoleum space, except
8 an undeveloped space that is sold in accordance with s. ss. 440.92 and 440.922, or
9 bury human remains in the public mausoleum until the defects are corrected and the
10 department subsequently inspects the public mausoleum and provides the cemetery
11 authority with a certification that the construction or conversion complies with the
12 approved plans. The department may charge a reasonable fee to the cemetery
13 authority for each inspection and certification provided under this paragraph if the
14 inspection and certification are provided within the applicable 30-day period
15 prescribed under this paragraph.

16 **SECTION 2852qb.** 157.12 (3) (b) of the statutes is amended to read:

17 157.12 (3) (b) The cemetery's treasurer is the custodian of the fund. The
18 treasurer shall file with the cemetery, at the cemetery's expense, a bond with sureties
19 approved by the department of regulation and licensing to indemnify the cemetery
20 against loss if the treasurer fails to maintain the fund. The amount of the bond shall
21 be no less than the total of all payments of principal required under this section as
22 stated in the most recent annual report filed by the cemetery authority under s.
23 157.62. No indemnity is required if the terms of sale of a mausoleum space require
24 the purchaser to pay directly to a trust company in the state, designated by the
25 cemetery as custodian of the fund. The fund shall be invested as provided in s.

1 157.19, and the manner in which the care funds are invested may not permit the
2 withdrawal of the fund's principal amount, but may permit the withdrawal of
3 interest, dividends, or capital gains earned during the most recently completed
4 calendar year. Income from investment may be used only to maintain the
5 mausoleum, except that if the amount of income exceeds the amount necessary to
6 properly maintain the mausoleum the excess amount may be used to maintain any
7 portion of the cemetery.

8 **SECTION 2852qd.** 157.125 (title) of the statutes is amended to read:

9 **157.125 (title) Trustees for the care of cemeteries or cemetery lots**
10 **burial spaces.**

11 **SECTION 2852qf.** 157.125 (2) of the statutes is amended to read:

12 157.125 (2) If the burial place or grave is located in a cemetery owned and
13 operated by a religious society ~~organized under ch. 187~~ cemetery authority, the court
14 shall name the religious ~~society~~ cemetery authority as the trustee unless the
15 religious ~~society~~ cemetery authority petitions the court to name the county treasurer
16 as the trustee.

17 **SECTION 2852qh.** 157.128 (2) (a) of the statutes is amended to read:

18 157.128 (2) (a) The cemetery is owned by a religious association cemetery
19 authority.

20 **SECTION 2852qhk.** 157.128 (2) (b) of the statutes is amended to read:

21 157.128 (2) (b) The religious association cemetery authority is responsible for
22 all liabilities of the cemetery.

23 **SECTION 2852qhL.** 157.128 (2) (c) of the statutes is amended to read:

24 157.128 (2) (c) The total acreage of all other cemeteries owned by the religious
25 association cemetery authority exceeds 20 acres.

1 **SECTION 2852qj.** 157.128 (3) (b) of the statutes is amended to read:

2 157.128 **(3)** (b) A cemetery consisting of less than 20 contiguous acres may be
3 dedicated by a cemetery authority that is not required to be ~~registered~~ licensed under
4 s. 440.91 (1) ~~and that is not organized or conducted for pecuniary profit.~~

5 **SECTION 2852qL.** 157.19 (2) (c) of the statutes is amended to read:

6 157.19 **(2)** (c) Upon request of the financial institution, the preneed seller, as
7 defined in s. 440.90 (8), shall furnish the financial institution with a copy of the
8 preneed sales contract. Except as provided in s. ~~440.92 (2) (c), (f) and (j) and (5) ss.~~
9 440.922 (3), (5) (c), and (8), and 440.924, preneed trust funds, and any interest or
10 dividends that have accumulated on the preneed trust funds, may not be withdrawn
11 until all obligations under the preneed sales contract have been fulfilled. The
12 financial institution is not responsible for the fulfillment of any part of the preneed
13 sales contract, except that the financial institution shall release the preneed trust
14 funds, and any interest or dividends that have accumulated on the preneed trust
15 funds, as provided by the terms of the preneed sales contract. The trustee of a
16 preneed trust fund may not be changed without the department's written approval.
17 If the trustee or account number of a preneed trust fund is changed, the cemetery
18 authority shall notify the department in writing within 30 days after the change.

19 **SECTION 2852qn.** 157.19 (4m) of the statutes is created to read:

20 157.19 **(4m)** The department shall request proposals from financial
21 institutions located in this state for the purpose of selecting a financial institution
22 that cemetery authorities and preneed sellers may use as the trustee for care funds
23 under s. 157.11 (9g) and 157.12 (3) and preneed trust funds under s. 440.92. Except
24 as provided in sub. (5) (c), a cemetery authority or preneed seller is not required to
25 use the financial institution selected by the department. The financial institution

1 selected under this subsection shall submit an annual report to the department, in
2 a form and manner satisfactory to the department, that provides an accounting of
3 all care funds and preneed trust funds for which the financial institution is the
4 trustee.

5 **SECTION 2852qp.** 157.19 (5) (a) of the statutes is amended to read:

6 157.19 (5) (a) This section does not apply to care funds under s. 157.11 (9g) that
7 are deposited with a city or county as provided under s. 157.11 (9g) (a), to care funds
8 of a cemetery for which a certification under s. 157.63 is effective, or to preneed trust
9 funds of a cemetery for which a certification under s. 440.92 (9) is effective, ~~or to care~~
10 ~~funds or preneed trust funds of a cemetery authority that is not required to be~~
11 ~~registered under s. 440.91 (1) and that is not organized or conducted for pecuniary~~
12 ~~profit.~~

13 **SECTION 2852qr.** 157.19 (5) (c) of the statutes is created to read:

14 157.19 (5) (c) If the department determines that a cemetery authority or
15 preneed seller has violated any requirement under this subchapter or subch. VIII of
16 ch. 440 relating to care funds under s. 157.11 (9g) and 157.12 (3) or preneed trust
17 funds under s. 440.92, the department may require the cemetery authority or
18 preneed seller to use the financial institution selected under sub. (4m) as the trustee
19 for the care funds or preneed trust funds.

20 **SECTION 2852qt.** 157.60 of the statutes is amended to read:

21 **157.60 Public easement in cemetery.** Any person who shall open or make
22 any highway, town way, or private way or shall construct any railroad, turnpike, or
23 canal or anything in the nature of a public easement over, through, in, or upon such
24 part of any enclosure, being the property of any town, city, village, or religious society
25 cemetery authority or of private proprietors, as may be used for the burial of the dead,

1 unless an authority for that purpose shall be specially granted by law or unless the
2 consent of such town, city, village, religious ~~society~~ cemetery authority, or private
3 proprietors, respectively, shall be first obtained, shall be punished by imprisonment
4 in the county jail not more than one year or by fine not exceeding \$300.

5 **SECTION 2852qv.** 157.61 of the statutes is created to read:

6 **157.61 Identification of human remains.** A person may not provide an
7 outer burial container or, if an outer burial container is not used, a casket, to a
8 cemetery authority, other than a religious cemetery authority, for the burial of
9 human remains, unless the person identifies the decedent by name on the exterior
10 of the outer burial container or casket.

11 **SECTION 2852qx.** 157.62 (1) (a) (intro.) of the statutes is repealed.

12 **SECTION 2852qz.** 157.62 (1) (a) 1., 2., 3., 4. and 5. of the statutes are
13 renumbered 157.62 (2) (b) 7. a., b., c., d. and e.

14 **SECTION 2852qxj.** 157.62 (1) (b) of the statutes is repealed.

15 **SECTION 2852qxL.** 157.62 (1) (c) of the statutes is repealed.

16 **SECTION 2852sb.** 157.62 (2) (a) of the statutes is amended to read:

17 157.62 (2) (a) ~~Except as provided in ss. 157.625 and 157.63 (1), every~~ Every
18 cemetery authority that is licensed under s. 440.91 (1) and, except as provided in s.
19 157.63 (1), every cemetery authority that is a religious cemetery authority shall file
20 an annual report with the department. The report shall be made on a form
21 prescribed and furnished by the department. The report shall be made on a
22 calendar-year basis unless the department, by rule, provides for other reporting
23 periods. The report is due on the 60th day after the last day of the reporting period.

24 **SECTION 2852sd.** 157.62 (2) (b) 1. of the statutes is amended to read:

1 157.62 (2) (b) 1. A copy of any report required under ~~sub. (1) (a) or s. 180.1622~~
2 or 181.1622.

3 **SECTION 2852se.** 157.62 (2) (b) 1m. of the statutes is created to read:

4 157.62 (2) (b) 1m. The percentage of burial spaces at the cemetery that are
5 available for sale.

6 **SECTION 2852sf.** 157.62 (2) (b) 2. of the statutes is amended to read:

7 157.62 (2) (b) 2. If the cemetery authority is required to file a report under s.
8 180.1622 or 181.1622, the information specified in ~~sub. (1) (a) 3~~ subd. 7. c.

9 **SECTION 2852sg.** 157.62 (2) (b) 7. of the statutes is renumbered 157.62 (2) (b)
10 7. (intro.) and amended to read:

11 157.62 (2) (b) 7. (intro.) ~~The information specified in sub. (1) (a), to the extent~~
12 ~~applicable, if~~ If the cemetery is not required to file a report under sub. (1) (a) or s.
13 ~~180.1622 or 181.1622.~~ authority is a cemetery association, all of the following:

14 **SECTION 2852sh.** 157.62 (3) (a) of the statutes is amended to read:

15 157.62 (3) (a) Every cemetery authority shall keep a copy of the report required
16 under sub. (2) (a) at its principal place of business and, except for those records
17 relating to accountings of trust funds described under sub. (2) (b) 3. to 7., shall make
18 the report available for inspection, upon reasonable notice, by any person with an
19 interest in a ~~cemetery lot or a mausoleum~~ burial space in a cemetery owned or
20 operated by the cemetery authority.

21 **SECTION 2852si.** 157.62 (3) (b) 3. of the statutes is amended to read:

22 157.62 (3) (b) 3. A copy of each contract for the sale of a ~~cemetery lot,~~
23 ~~mausoleum~~ burial space or cemetery merchandise.

24 **SECTION 2852sj.** 157.62 (3) (c) of the statutes is created to read:

1 157.62 (3) (c) Every cemetery licensed under s. 440.91 (1) shall maintain
2 records identifying the section, lot, and site of each burial space and showing the
3 location of each burial space on a map.

4 **SECTION 2852sk.** 157.62 (4) (title) of the statutes is amended to read:

5 157.62 (4) (title) RECORDS MAINTENANCE; INSPECTION.

6 **SECTION 2852sL.** 157.62 (4) of the statutes is renumbered 157.62 (4) (a).

7 **SECTION 2852sm.** 157.62 (4) (b) of the statutes is created to read:

8 157.62 (4) (b) A cemetery authority shall, upon reasonable notice, make the
9 records and contract copies under sub. (3) (b) available for inspection and copying by
10 the board.

11 **SECTION 2852sn.** 157.62 (5) of the statutes is renumbered 157.62 (5) (b).

12 **SECTION 2852snb.** 157.62 (5) (a) of the statutes is created to read:

13 157.62 (5) (a) The department may promulgate rules establishing minimum
14 standards for the format and maintenance of records required under this section.

15 **SECTION 2852so.** 157.62 (6) of the statutes is renumbered 157.62 (6) (a) and
16 amended to read:

17 157.62 (6) (a) Except as provided in ss. ~~157.625~~, 157.63 (5) and 440.92 (9) (e),
18 the department may audit, at reasonable times and frequency, the records, trust
19 funds, and accounts of any registered cemetery authority and shall audit the records,
20 trust funds, and accounts of each licensed cemetery authority, including records,
21 trust funds, and accounts pertaining to services provided by a cemetery authority
22 which are not otherwise subject to the requirements under this chapter. The
23 department may conduct audits under this subsection on a random basis, and shall
24 ~~conduct all audits under this subsection~~ without providing prior notice to the
25 cemetery authority.

1 **SECTION 2852sp.** 157.62 (6) (b) of the statutes is created to read:

2 157.62 **(6)** (b) If the department or board has cause to believe that a licensed
3 or registered cemetery authority has not complied with the requirements of this
4 subchapter or subch. VIII of ch. 440 pertaining to trust funds and accounts, the
5 department or board may require the cemetery authority to submit an audit
6 conducted at the cemetery authority's expense by an independent certified public
7 accountant in accordance with generally accepted auditing standards.

8 **SECTION 2852sq.** 157.625 of the statutes is repealed.

9 **SECTION 2852sr.** 157.63 (title) of the statutes is amended to read:

10 **157.63 (title) Reporting and auditing exemptions; certification of**
11 **compliance of religious cemetery ~~affiliated with religious society~~**
12 **authority.**

13 **SECTION 2852ss.** 157.63 (1) of the statutes is amended to read:

14 157.63 **(1)** In lieu of filing an annual report under s. 157.62 (2), a religious
15 cemetery authority of a cemetery that is affiliated with a religious society organized
16 under ch. 187 or that religious society or the church, synagogue, mosque,
17 incorporated college of a religious order, or religious society organized under ch. 187
18 that is affiliated with a religious cemetery authority may file an annual certification
19 with the department as provided in this section.

20 **SECTION 2852st.** 157.63 (2) (b) of the statutes is amended to read:

21 157.63 **(2)** (b) A notarized statement of a person who is legally authorized to
22 act on behalf of the religious society cemetery authority under this section that,
23 during the reporting period under s. 157.62, each cemetery and the religious
24 cemetery authority of each cemetery specified under par. (a) have either fully
25 complied or have substantially complied with ss. 157.11 (9g) and 157.12 (3).

1 **SECTION 2852sv.** 157.63 (3) of the statutes is amended to read:

2 157.63 (3) If the statement under sub. (2) (b) includes a statement of
3 substantial compliance, the statement under sub. (2) (b) must also specify those
4 instances when the cemetery or religious cemetery authority did not fully comply
5 with s. 157.11 (9g) or 157.12 (3).

6 **SECTION 2852sx.** 157.63 (4) of the statutes is amended to read:

7 157.63 (4) A certification under this section is effective for the 12-month period
8 immediately following the reporting period under s. 157.62 (2) for which the religious
9 cemetery authority is certified under this section to have fully or substantially
10 complied with ss. 157.11 (9g) and 157.12 (3).

11 **SECTION 2852sz.** 157.63 (6) of the statutes is amended to read:

12 157.63 (6) The church, synagogue, mosque, incorporated college of a religious
13 order, or religious society that is affiliated with a cemetery to which a certification
14 under this section applies is liable for the damages of any person that result from the
15 failure of the cemetery or religious cemetery authority to fully comply with s. 157.11
16 (9g) or 157.12 (3) during the reporting period under s. 157.62 (2) for which such
17 compliance has been certified under this section.”.

18 **1128.** Page 957, line 20: delete that line and substitute:

19 “child, brother, sister, or parent without the consent of the cemetery authority.
20 This paragraph does not apply if the spouse, child, brother, sister, or parent is in a
21 class of individuals who are prohibited under regulations adopted by a religious
22 cemetery authority or affiliated religious association from being buried in the
23 cemetery in which the burial space is located.”.

1 **1129.** Page 957, line 21: delete the material beginning with that line and
2 ending with page 958, line 19, and substitute:

3 “**SECTION 2852w.** 157.635 of the statutes is amended to read:

4 **157.635 Regulations of religious cemetery ~~affiliated with religious~~**
5 **society authorities.** Nothing in this subchapter prohibits a religious cemetery
6 authority of a cemetery that is ~~affiliated with a religious society organized under ch.~~
7 ~~187~~ from prohibiting the burial of the human remains of an individual in the
8 cemetery if the individual was in a class of individuals who are prohibited from being
9 buried in the cemetery under regulations adopted by the religious cemetery
10 authority or church, synagogue, mosque, incorporated college of a religious order, or
11 religious society ~~from being buried in the cemetery that is affiliated with the religious~~
12 cemetery authority.”.

13 **1130.** Page 958, line 19: after that line insert:

14 “**SECTION 2852yb.** 157.637 of the statutes is created to read:

15 **157.637 Rules; review of rules. (1)** Before submitting to the legislative
16 council staff under s. 227.15 any proposed rules relating to cemeteries or to the board,
17 except for rules relating exclusively to religious cemetery authorities, the
18 department shall submit the proposed rules to the board for comment. The board
19 shall have 30 days to submit comments on the proposed rules to the secretary of
20 regulation and licensing.

21 **(2)** When promulgating emergency rules under s. 227.24 relating to cemeteries
22 or to the board, except for rules relating exclusively to religious cemetery authorities,
23 the department shall provide a copy of the rules to the board prior to publication of
24 the rules in the official state newspaper.

1 **(3)** The chairperson of the board, or his or her designee from the board, may
2 cochair with the secretary of regulation and licensing, or the secretary's designee,
3 any public hearing held by the department on proposed rules relating to cemeteries
4 or to the board other than rules relating exclusively to religious cemetery authorities.

5 **(4)** The department shall submit to the board a copy of the report required
6 under s. 227.19 (2) on any proposed final rules relating to cemeteries or to the board
7 other than rules relating exclusively to religious cemetery authorities. The board
8 may prepare a dissenting report stating its recommendations on the proposed final
9 rules. Any dissenting report shall be prepared within 10 days from the date of receipt
10 of the department's report, attached to the department's report and sent to the
11 presiding officer of each house of the legislature and distributed under s. 227.19 (2).
12 The department shall publish a statement to appear in the Wisconsin administrative
13 register indicating that a dissenting report of the board has been submitted to the
14 presiding officer of each house of the legislature.

15 **(5)** The department shall provide staff to assist the board in the review of
16 administrative rules and preparation of comments or dissenting reports.

17 **SECTION 2852ye.** 157.64 (2) (d) of the statutes is amended to read:

18 157.64 **(2)** (d) Fails to file a report or files an incomplete, false, or misleading
19 report under s. 157.62 ~~(1) or~~ (2).

20 **SECTION 2852yh.** 157.64 (2) (e) of the statutes is amended to read:

21 157.64 **(2)** (e) Fails to maintain records as required in s. 157.62 (3) and (4) (a).

22 **SECTION 2852yL.** 157.64 (2) (h) of the statutes is created to read:

23 157.64 **(2)** (h) Violates s. 157.112.

24 **SECTION 2852yo.** 157.65 (1) (a) of the statutes is amended to read:

1 157.65 (1) (a) If the ~~department of regulation and licensing~~ board has reason
2 to believe that any person, other than a religious cemetery authority, is violating or
3 has violated this subchapter or any rule promulgated under this subchapter and that
4 the continuation of that activity might cause injury to the public interest, the
5 ~~department of regulation and licensing may~~ board shall investigate.

6 **SECTION 2852yr.** 157.65 (1) (am) of the statutes is created to read:

7 157.65 (1) (am) If the department of regulation and licensing has reason to
8 believe that a religious cemetery authority is violating or has violated this
9 subchapter or any rule promulgated under this subchapter and that the continuation
10 of that activity might cause injury to the public interest, the department of
11 regulation and licensing may investigate.

12 **SECTION 2852yu.** 157.65 (1) (b) of the statutes is amended to read:

13 157.65 (1) (b) If the department of commerce has reason to believe that any
14 person is violating s. 157.12 or any rule promulgated under s. 157.12 and that the
15 continuation of that activity might cause injury to the public interest, the
16 department of commerce ~~may~~ shall investigate.

17 **SECTION 2852yy.** 157.65 (2) of the statutes is amended to read:

18 157.65 (2) The department of justice or any district attorney, upon informing
19 the department of justice, may commence an action in circuit court in the name of
20 the state to restrain by temporary or permanent injunction any violation of this
21 subchapter. The court may, prior to entry of final judgment, make such orders or
22 judgments as may be necessary to restore to any person any pecuniary loss suffered
23 because of the acts or practices involved in the action, if proof of such loss is submitted
24 to the satisfaction of the court. The department of justice may subpoena persons and
25 require the production of books and other documents, and may request the board, the

1 department of regulation and licensing, or the department of commerce to exercise
2 its authority under sub. (1) to aid in the investigation of alleged violations of this
3 subchapter.”.

4 **1131.** Page 958, line 25: after that line insert:

5 “**SECTION 2854e.** 165.07 of the statutes is created to read:

6 **165.07 Assistant attorney general — public intervenor. (1)** The attorney
7 general shall designate an assistant attorney general on the attorney general’s staff
8 as public intervenor. The head of each agency responsible for proceedings under chs.
9 30, 31, 281 to 285, and 289 to 299, except s. 281.48, shall give notice of those
10 proceedings to the public intervenor, to the administrators of divisions primarily
11 assigned the departmental functions under chs. 29, 281, 285, and 289 to 299, except
12 s. 281.48, and to the natural areas preservation council.

13 **(2)** The public intervenor shall formally intervene in proceedings described in
14 sub. (1) when requested to do so by an administrator of a division primarily assigned
15 the departmental functions under chs. 29, 281, 285, or 289 to 299, except s. 281.48.
16 The public intervenor may, on the public intervenor’s own initiative or upon request
17 of any committee of the legislature, formally intervene in proceedings described in
18 sub. (1) whenever that intervention is needed for the protection of public rights in
19 water and other natural resources, as provided in chs. 30 and 31 and defined by the
20 supreme court.

21 **(3)** Personnel of the department of natural resources shall, upon the request
22 of the public intervenor, make such investigations, studies, and reports as the public
23 intervenor may request in connection with proceedings described in sub. (1), either
24 before or after formal intervention. Personnel of state agencies shall, at the public

1 intervenor’s request, provide information, serve as witnesses in proceedings
2 described in sub. (1), and otherwise cooperate in the carrying out of the public
3 intervenor’s intervention functions. The public intervenor shall formally intervene
4 by filing a statement to that effect with the examiner or other person immediately
5 in charge of the proceeding. Upon that filing, the public intervenor shall be
6 considered a party in interest with full power to present evidence, subpoena and
7 cross-examine witnesses, submit proof, file briefs, or do any other acts appropriate
8 for a party to the proceedings.

9 (4) The public intervenor may appeal from administrative rulings to the courts.
10 In all administrative proceedings and judicial review proceedings, the public
11 intervenor shall be identified as “public intervenor.” This section does not preclude
12 or prevent any division of the department of natural resources, or any other
13 department or independent agency, from appearing by its staff as a party in any
14 proceedings.

15 **SECTION 2854f.** 165.075 of the statutes is created to read:

16 **165.075 Assistant attorney general; public intervenor; authority.** In
17 carrying out his or her duty to protect public rights in water and other natural
18 resources, the public intervenor has the authority to initiate actions and proceedings
19 before any agency or court in order to raise issues, including issues concerning
20 constitutionality, present evidence and testimony, and make arguments.

21 **SECTION 2854g.** 165.076 of the statutes is created to read:

22 **165.076 Assistant attorney general; public intervenor; advisory**
23 **committee.** The attorney general shall appoint a public intervenor advisory
24 committee under s. 15.04 (1) (c). The public intervenor advisory committee shall
25 consist of not less than 7 nor more than 9 members. The members shall have

1 backgrounds in or demonstrated experience or records relating to environmental
2 protection or natural resource conservation. At least one of the members shall have
3 working knowledge in business. At least one of the members shall have working
4 knowledge in agriculture. The public intervenor advisory committee shall advise the
5 public intervenor consistent with his or her duty to protect public rights in water and
6 other natural resources. The public intervenor advisory committee shall conduct
7 meetings consistent with subch. V of ch. 19 and shall permit public participation and
8 public comment on public intervenor activities.”.

9 **1132.** Page 958, line 25: after that line insert:

10 “SECTION 2854g. 165.065 (2) of the statutes is amended to read:

11 165.065 (2) The assistant attorney general in charge of antitrust investigations
12 and prosecutions is to cooperate actively with the antitrust division of the U.S.
13 department of justice in everything that concerns monopolistic practices in
14 Wisconsin, and also to cooperate actively with the department of agriculture, trade
15 and consumer protection in the work which this agency is carrying on under s. 100.20
16 of the marketing law with regard to monopolistic practices in the field of agriculture
17 and with the federal trade commission on matters arising in or affecting Wisconsin
18 which pertain to its jurisdiction.”.

19 **1133.** Page 959, line 8: delete lines 8 to 14 and substitute:

20 “SECTION 2855b. 165.25 (4) (ar) of the statutes is amended to read:

21 165.25 (4) (ar) The department of justice shall ~~furnish all legal services~~
22 ~~required by~~ represent the department of agriculture, trade and consumer protection
23 in any court action relating to the enforcement of ss. ~~100.171, 100.173, 100.174,~~
24 ~~100.175, 100.177, 100.18, 100.182, 100.20, 100.205, 100.207, 100.209, 100.21,~~

1 ~~100.28, 100.50 and 100.51 and chs. 136, 344, 704, 707 and 779~~ 100.01 to 100.03,
2 100.05 to 100.07, 100.14, 100.183 to 100.19, 100.201, 100.22, 100.235, 100.27,
3 100.285 to 100.297, 100.33 to 100.36, 100.45, 100.47, and 100.48, together with any
4 other services as are necessarily connected to the legal services.”.

5 **1134.** Page 959, line 24: after that line insert:

6 “**SECTION 2856g.** 165.25 (11) of the statutes is created to read:

7 165.25 **(11)** CONSUMER PROTECTION ADMINISTRATION AND ENFORCEMENT.

8 Administer and enforce ss. 100.15 to 100.182, 100.20, 100.205, 100.207 to 100.2095,
9 100.28, 100.31, 100.37 to 100.44, 100.46, and 100.50 and chs. 136, 344, 704, 707 and
10 779. The department may issue general or special orders in administering and
11 enforcing these provisions.”.

12 **1135.** Page 960, line 10: after that line insert:

13 “**SECTION 2858i.** 165.85 (2) (a) of the statutes is renumbered 165.85 (2) (ah).

14 **SECTION 2858k.** 165.85 (2) (ac) of the statutes is created to read:

15 165.85 **(2)** (ac) “Alzheimer’s disease” has the meaning given in s. 46.87 (1) (a).

16 **SECTION 2858n.** 165.85 (4) (b) 1. of the statutes is amended to read:

17 165.85 **(4)** (b) 1. No person may be appointed as a law enforcement or tribal law
18 enforcement officer, except on a temporary or probationary basis, unless the person
19 has satisfactorily completed a preparatory program of law enforcement training
20 approved by the board and has been certified by the board as being qualified to be
21 a law enforcement or tribal law enforcement officer. The program shall include 400
22 hours of training, except the program for law enforcement officers who serve as
23 rangers for the department of natural resources includes 240 hours of training. The
24 board shall promulgate a rule under ch. 227 providing a specific curriculum for a

1 400-hour conventional program and a 240-hour ranger program. The rule shall
2 ensure that there is an adequate amount of training for each program to enable the
3 person to deal effectively with domestic abuse incidents. The training under this
4 subdivision shall include training on emergency detention standards and procedures
5 under s. 51.15, emergency protective placement standards and procedures under s.
6 55.06 (11) and information on mental health and developmental disabilities agencies
7 and other resources that may be available to assist the officer in interpreting the
8 emergency detention and emergency protective placement standards, making
9 emergency detentions and emergency protective placements and locating
10 appropriate facilities for the emergency detentions and emergency protective
11 placements of persons. The training under this subdivision shall include at least one
12 hour of instruction on recognizing the symptoms of Alzheimer's disease or other
13 related dementias and interacting with and assisting persons who have Alzheimer's
14 disease or other related dementias. The training under this subdivision shall include
15 training on police pursuit standards, guidelines and driving techniques established
16 under par. (cm) 2. b. The period of temporary or probationary employment
17 established at the time of initial employment shall not be extended by more than one
18 year for an officer lacking the training qualifications required by the board. The total
19 period during which a person may serve as a law enforcement and tribal law
20 enforcement officer on a temporary or probationary basis without completing a
21 preparatory program of law enforcement training approved by the board shall not
22 exceed 2 years, except that the board shall permit part-time law enforcement and
23 tribal law enforcement officers to serve on a temporary or probationary basis without
24 completing a program of law enforcement training approved by the board to a period
25 not exceeding 3 years. For purposes of this section, a part-time law enforcement or

1 tribal law enforcement officer is a law enforcement or tribal law enforcement officer
2 who routinely works not more than one-half the normal annual work hours of a
3 full-time employee of the employing agency or unit of government. Law enforcement
4 training programs including municipal, county and state programs meeting
5 standards of the board are acceptable as meeting these training requirements.

6 **SECTION 2858p.** 165.85 (4) (bn) 1m. of the statutes is amended to read:

7 165.85 **(4)** (bn) 1m. Each officer who is subject to subd. 1. shall biennially
8 complete at least 4 hours of training from curricula based upon model standards
9 promulgated by the board under par. (cm) 2. b. and at least one hour of training on
10 recognizing the symptoms of Alzheimer’s disease or other related dementias and
11 interacting with and assisting persons who have Alzheimer’s disease or other related
12 dementias. Hours of training completed under this subdivision shall count toward
13 the hours of training required under subd. 1.

14 **SECTION 2861p.** 165.986 of the statutes is created to read:

15 **165.986 Publicity for Alzheimer’s disease registration program. (1)** In
16 this section, “Alzheimer’s disease” has the meaning given in s. 46.87 (1) (a).

17 **(2)** From the appropriation under s. 20.455 (2) (f), the department of justice
18 shall engage in activities to publicize the existence of a program administered by a
19 nongovernmental entity that registers persons with Alzheimer’s disease or other
20 related dementias in a national database and provides the persons identification
21 products in order to facilitate the safe return to caregivers of persons who have
22 Alzheimer’s disease or other related dementias and who have become lost or have
23 wandered.”.

24 **1136.** Page 960, line 10: after that line insert:

1 “**SECTION 2858q.** 165.842 of the statutes is created to read:

2 **165.842 Motor vehicle contacts; collection and analysis of information;**
3 **annual report. (1) DEFINITIONS.** In this section:

4 (a) “Department” means the department of justice.

5 (b) “Law enforcement agency” has the meaning given in s. 165.77 (1) (b).

6 (c) “Law enforcement officer” means a person who is employed by a law
7 enforcement agency for the purpose of detecting and preventing crime and enforcing
8 laws or ordinances and who is authorized to make arrests for violations of the laws
9 or ordinances that the person is employed to enforce, whether that enforcement
10 authority extends to all laws or ordinances or is limited to specific laws or ordinances.

11 (d) “Motor vehicle contact” means any of the following:

12 1. The provision of assistance to the operator of or the passengers in a motor
13 vehicle that is already stopped in any public or private place.

14 2. Contact with an operator of or passengers in a motor vehicle involved in an
15 traffic accident.

16 3. The stop or detention of a motor vehicle that is traveling in any public or
17 private place, or the detention of an occupied motor vehicle that is already stopped
18 in any public or private place, for the purpose of investigating any alleged or
19 suspected violation of a state or federal law or city, village, town, or county ordinance.

20 **(2) INFORMATION COLLECTION REQUIRED.** All persons in charge of law
21 enforcement agencies shall obtain, or cause to be obtained, all of the following
22 information with respect to each motor vehicle contact made on or after January 1,
23 2002, by a law enforcement officer employed by the law enforcement agency:

24 (a) The reason for the motor vehicle contact.

25 (b) The age, gender, and race or ethnicity of the operator of the motor vehicle.

1 (c) The number of persons in the motor vehicle.

2 (d) Whether a search was conducted of the motor vehicle, its operator, or any
3 passenger, and for each search conducted all of the following information:

4 1. Whether the search was based on probable cause or reasonable suspicion to
5 believe that an offense had been, was being, or was about to be committed, or whether
6 the search was based on the consent of the person searched or, for a motor vehicle
7 search, on the consent of the operator or other authorized person.

8 2. If the search was of a passenger, the age, gender, and race or ethnicity of the
9 passenger.

10 3. What, if anything, was seized as a result of the search.

11 (e) Whether any person who was asked to consent to a search of the motor
12 vehicle or of his or her person refused to consent.

13 (f) Whether the motor vehicle contact or a search conducted during the contact
14 resulted in the operator or any passenger being given a written or verbal warning
15 of or a citation for a violation of any law or ordinance and, if so, a listing of each
16 warning or citation given and the alleged violation for which the warning or citation
17 was given.

18 (g) Whether the motor vehicle contact or a search conducted during the contact
19 resulted in the arrest of the operator or any passenger and, if so, a listing of each
20 arrest made and the reason for the arrest.

21 (h) The location of the motor vehicle contact, including the street address, if
22 any.

23 (i) The date, time, and duration of the motor vehicle contact.

24 **(3) SUBMISSION OF INFORMATION COLLECTED.** The person in charge of a law
25 enforcement agency shall forward the information obtained under sub. (2) to the

1 department using the form prescribed by the rules promulgated under sub. (5) and
2 in accordance with the reporting schedule established under the rules promulgated
3 under sub. (5).

4 **(4) ANALYSIS AND REPORT BY DEPARTMENT.** (a) The department shall compile the
5 information submitted to it by law enforcement agencies under sub. (3) and shall
6 analyze the information, along with any other relevant information, to determine,
7 both for the state as a whole and for each law enforcement agency, all of the following:

8 1. Whether the number of motor vehicle contacts and searches conducted
9 during such contacts involving motor vehicles operated or occupied by members of
10 a racial or ethnic minority compared to the number of motor vehicle contacts and
11 searches conducted during such contacts involving motor vehicles operated or
12 occupied solely by persons who are not members of a racial or ethnic minority is
13 disproportionate based on an estimate of the population and characteristics of all
14 persons traveling on state highways, on an estimate of the populations and
15 characteristics of persons traveling on state highways who are violating a law or
16 ordinance, or on some other relevant population estimate.

17 2. A determination as to whether any disproportion found under subd. 1. is the
18 result of racial or ethnic profiling, racial or ethnic stereotyping, or other race-based
19 or ethnicity-based discrimination or selective enforcement.

20 (b) For each year, the department shall prepare an annual report that
21 summarizes the information submitted to it by law enforcement agencies concerning
22 motor vehicle contacts made during the year and that describes the methods and
23 conclusions of its analysis of the information. On or before March 31, 2003, and on
24 or before each March 31 thereafter, the department shall submit the annual report

1 required under this paragraph to the legislature under s. 13.172 (2), to the governor,
2 and to the director of state courts.

3 (c) On or before March 31, 2003, and on or before each March 31 thereafter, the
4 department shall forward a copy to the department of transportation of the
5 compilation under par. (a) of information submitted to the department of justice by
6 law enforcement agencies under sub. (3) concerning motor vehicle contact made
7 during the previous year.

8 (5) RULES. The department shall promulgate rules to implement the
9 requirements of this section, including rules specifying the type of assistance
10 constituting a motor vehicle contact under sub. (1) (d) 1., prescribing a form for use
11 in obtaining information under sub. (2), and establishing a schedule for forwarding
12 the information obtained to the department. The department shall make the form
13 prescribed by its rules available to law enforcement agencies.

14 **SECTION 2858s.** 165.85 (4) (b) 1. of the statutes is amended to read:

15 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
16 enforcement officer, except on a temporary or probationary basis, unless the person
17 has satisfactorily completed a preparatory program of law enforcement training
18 approved by the board and has been certified by the board as being qualified to be
19 a law enforcement or tribal law enforcement officer. The program shall include 400
20 hours of training, except the program for law enforcement officers who serve as
21 rangers for the department of natural resources includes 240 hours of training. The
22 board shall promulgate a rule under ch. 227 providing a specific curriculum for a
23 400-hour conventional program and a 240-hour ranger program. The rule shall
24 ensure that there is an adequate amount of training for each program to enable the
25 person to deal effectively with domestic abuse incidents. The training under this

1 subdivision shall include training on emergency detention standards and procedures
2 under s. 51.15, emergency protective placement standards and procedures under s.
3 55.06 (11) and information on mental health and developmental disabilities agencies
4 and other resources that may be available to assist the officer in interpreting the
5 emergency detention and emergency protective placement standards, making
6 emergency detentions and emergency protective placements and locating
7 appropriate facilities for the emergency detentions and emergency protective
8 placements of persons. The training under this subdivision shall include training
9 designed to prevent the use of race or ethnicity, racial or ethnic profiling, racial or
10 ethnic stereotyping, or other race-based or ethnicity-based discrimination or
11 selection as a basis for detaining, searching, or arresting a person or for otherwise
12 treating a person differently from persons of other races or ethnic backgrounds. The
13 training under this subdivision shall include training on police pursuit standards,
14 guidelines and driving techniques established under par. (cm) 2. b. The period of
15 temporary or probationary employment established at the time of initial
16 employment shall not be extended by more than one year for an officer lacking the
17 training qualifications required by the board. The total period during which a person
18 may serve as a law enforcement and tribal law enforcement officer on a temporary
19 or probationary basis without completing a preparatory program of law enforcement
20 training approved by the board shall not exceed 2 years, except that the board shall
21 permit part-time law enforcement and tribal law enforcement officers to serve on a
22 temporary or probationary basis without completing a program of law enforcement
23 training approved by the board to a period not exceeding 3 years. For purposes of this
24 section, a part-time law enforcement or tribal law enforcement officer is a law
25 enforcement or tribal law enforcement officer who routinely works not more than

1 one-half the normal annual work hours of a full-time employee of the employing
2 agency or unit of government. Law enforcement training programs including
3 municipal, county and state programs meeting standards of the board are acceptable
4 as meeting these training requirements.”.

5 **1137.** Page 960, line 10: after that line insert:

6 “**SECTION 2861p.** 165.935 of the statutes is created to read:

7 **165.935 Treatment and prevention of childhood sexual abuse; grants.**

8 **(1) DEFINITIONS.** In this section:

9 (a) “Department” means the department of justice.

10 (b) “Sexual abuse” means a violation of s. 940.225, 944.30, 948.02, 948.025,
11 948.05, 948.055, 948.06, 948.09, or 948.10 or a violation of the law of any other state
12 or federal law if that violation would be a violation of s. 940.225, 944.30, 948.02,
13 948.025, 948.05, 948.055, 948.06, 948.09, or 948.10 if committed in this state.

14 (c) “Victim of childhood sexual abuse” means an individual who has been
15 sexually abused and who, at the time that the sexual abuse occurred, was a minor.

16 **(2) GRANTS.** (a) The department shall administer a childhood sexual abuse
17 treatment and prevention grant program. Subject to par. (c), from the appropriation
18 under s. 20.455 (5) (kv), the department shall award grants to nonprofit
19 organizations and public agencies to provide services to victims of childhood sexual
20 abuse and for the prevention of childhood sexual abuse.

21 (b) The department shall establish eligibility criteria to be used in deciding
22 whether to award a grant under this section.

23 (c) No grant may be awarded under this section unless the department first
24 certifies that the grant will be used for services and programs that may be funded

1 with moneys received under the federal temporary assistance for needy families
2 block grant program under 42 USC 601 to 619.”.

3 **1138.** Page 960, line 10: after that line insert:

4 “**SECTION 2858c.** 165.77 (2) (a) 2. of the statutes is amended to read:

5 165.77 **(2)** (a) 2. The laboratories may compare the data obtained from the
6 specimen with data obtained from other specimens. The laboratories may make data
7 obtained from any analysis and comparison available to law enforcement agencies
8 in connection with criminal or delinquency investigations and, upon request, to any
9 prosecutor, defense attorney or subject of the data. The data may be used in criminal
10 and delinquency actions and proceedings. ~~In this state, the use is subject to s. 972.11~~
11 ~~(5).~~ The laboratories shall not include data obtained from deoxyribonucleic acid
12 analysis of those specimens received under this paragraph in the data bank under
13 sub. (3). The laboratories shall destroy specimens obtained under this paragraph
14 after analysis has been completed and the applicable court proceedings have
15 concluded.

16 **SECTION 2858e.** 165.77 (2m) of the statutes is created to read:

17 165.77 **(2m)** (a) If the laboratories receive biological material under a court
18 order issued under s. 974.07 (8), the laboratories shall analyze the deoxyribonucleic
19 acid in the material and submit the results of the analysis to the court that ordered
20 the analysis.

21 (b) The laboratories may compare the data obtained from material received
22 under par. (a) with data obtained from other specimens. The laboratories may make
23 data obtained from any analysis and comparison available to law enforcement
24 agencies in connection with criminal or delinquency investigations and, upon

1 request, to any prosecutor, defense attorney, or subject of the data. The data may be
2 used in criminal and delinquency actions and proceedings. The laboratories shall not
3 include data obtained from deoxyribonucleic acid analysis of material received under
4 par. (a) in the data bank under sub. (3).

5 (c) Paragraph (b) does not apply to specimens received under s. 51.20 (13) (cr),
6 165.76, 938.34 (15), 971.17 (1m) (a), 973.047, or 980.063.

7 **SECTION 2858g.** 165.77 (3) of the statutes is amended to read:

8 165.77 (3) If the laboratories receive a human biological specimen under s.
9 51.20 (13) (cr), 165.76, 938.34 (15), 971.17 (1m) (a), 973.047 or 980.063, the
10 laboratories shall analyze the deoxyribonucleic acid in the specimen. The
11 laboratories shall maintain a data bank based on data obtained from
12 deoxyribonucleic acid analysis of those specimens. The laboratories may compare
13 the data obtained from one specimen with the data obtained from other specimens.
14 The laboratories may make data obtained from any analysis and comparison
15 available to law enforcement agencies in connection with criminal or delinquency
16 investigations and, upon request, to any prosecutor, defense attorney or subject of
17 the data. The data may be used in criminal and delinquency actions and proceedings.
18 ~~In this state, the use is subject to s. 972.11 (5).~~ The laboratories shall destroy
19 specimens obtained under this subsection after analysis has been completed and the
20 applicable court proceedings have concluded.

21 **SECTION 2858i.** 165.81 (1) of the statutes is amended to read:

22 165.81 (1) Whenever the department is informed by the submitting officer or
23 agency that physical evidence in the possession of the laboratories is no longer
24 needed the department may, except as provided in sub. (3) or unless otherwise
25 provided by law, either destroy the same, retain it in the laboratories or turn it over

1 to the University of Wisconsin upon the request of the head of any department.
2 ~~Whenever~~ Except as provided in sub. (3), whenever the department receives
3 information from which it appears probable that the evidence is no longer needed,
4 the department may give written notice to the submitting agency and the
5 appropriate district attorney, by registered mail, of the intention to dispose of the
6 evidence. If no objection is received within 20 days after the notice was mailed, it may
7 dispose of the evidence.

8 **SECTION 2858k.** 165.81 (3) of the statutes is created to read:

9 165.81 (3) (a) In this subsection:

10 1. “Custody” has the meaning given in s. 968.205 (1) (a).

11 2. “Discharge date” has the meaning given in s. 968.205 (1) (b).

12 (b) Except as provided in par. (c), if physical evidence that is in the possession
13 of the laboratories includes any biological material that was collected in connection
14 with a criminal investigation that resulted in a criminal conviction, a delinquency
15 adjudication, or commitment under s. 971.17 or 980.06, the laboratories shall
16 preserve the physical evidence until every person in custody as a result of the
17 conviction, adjudication, or commitment has reached his or her discharge date.

18 (c) Subject to par. (e), the department may destroy biological material before
19 the expiration of the time period specified in par. (b) if all of the following apply:

20 1. The department sends a notice of its intent to destroy the biological material
21 to all persons who remain in custody as a result of the criminal conviction,
22 delinquency adjudication, or commitment, and to either the attorney of record for
23 each person in custody or the state public defender.

24 2. No person who is notified under subd. 1. does either of the following within
25 90 days after the date on which the person received the notice:

- 1 a. Files a motion for testing of the biological material under s. 974.07 (2).
- 2 b. Submits a written request to preserve the biological material to the
3 department.
- 4 3. No other provision of federal or state law requires the department to preserve
5 the biological material.
- 6 (d) A notice provided under par. (c) 1. shall clearly inform the recipient that the
7 biological material will be destroyed unless, within 90 days after the date on which
8 the person receives the notice, either a motion for testing of the material is filed
9 under s. 974.07 (2) or a written request to preserve the material is submitted to the
10 department.
- 11 (e) If, after providing notice under par. (c) 1. of its intent to destroy biological
12 material, the department receives a written request to preserve the material, the
13 department shall preserve the material until the discharge date of the person who
14 made the request or on whose behalf the request was made, subject to a court order
15 issued under s. 974.07 (7), (9) (a), or (10) (a) 5., unless the court authorizes
16 destruction of the biological material under s. 974.07 (9) (b) or (10) (a) 5.”.

17 **1139.** Page 965, line 5: after that line insert:

18 “**SECTION 2881ae.** 167.10 (2) (intro.) of the statutes is amended to read:

19 167.10 (2) SALE. (intro.) No person may sell ~~or possess with intent to sell~~
20 fireworks, except to any of the following:

21 (a) ~~To a~~ A person holding a permit under sub. (3) (c);

22 (b) ~~To a~~ A city, village, or town; ~~or~~;

23 (c) ~~For~~ A person for a purpose specified under sub. (3) (b) 2. to 6.

24 **SECTION 2881af.** 167.10 (2) (d) of the statutes is created to read:

1 167.10 (2) (d) A nonresident person who, prior to the sale, gives the seller a
2 signed statement indicating that the fireworks are for use outside of this state.

3 **SECTION 2881ag.** 167.10 (3) (title) of the statutes is repealed and recreated to
4 read:

5 167.10 (3) (title) POSSESSION AND USE.

6 **SECTION 2881ah.** 167.10 (3) (a) of the statutes is amended to read:

7 167.10 (3) (a) ~~No~~ Except as otherwise provided in this paragraph, no person
8 may possess or use fireworks without a user's permit from the mayor of the city,
9 president of the village, or chairperson of the town in which the possession or use is
10 to occur or from an official or employee of that municipality designated by the mayor,
11 president, or chairperson. This paragraph does not prohibit the possession of
12 fireworks with intent to sell the fireworks in compliance with sub. (2). No person may
13 use fireworks or a device listed under sub. (1) (e) to (g) or (i) to (n) while attending
14 a fireworks display for which a permit has been issued to a person listed under par.
15 (c) 1. to 5. or under par. (c) 6. if the display is open to the general public.

16 **SECTION 2881aj.** 167.10 (3) (b) (intro.) of the statutes is amended to read:

17 167.10 (3) (b) (intro.) ~~Paragraph (a) does~~ The prohibitions under par. (a) do not
18 apply to:

19 **SECTION 2881ak.** 167.10 (3) (b) 8. of the statutes is created to read:

20 167.10 (3) (b) 8. Except as provided in par. (bm), the possession of fireworks by
21 a nonresident person in any city, town, or village if the nonresident person intends
22 to use the fireworks outside of this state and is transporting the fireworks to a
23 location outside of this state.

24 **SECTION 2881am.** 167.10 (3) (bm) of the statutes is amended to read:

1 167.10 (3) (bm) Paragraph (a) applies to a person transporting fireworks under
2 par. (b) 7. or 8. if, in the course of transporting the fireworks through a city, town, or
3 village, the person remains in that city, town, or village for a period of at least 12
4 hours.

5 **SECTION 2881an.** 167.10 (4) of the statutes is amended to read:

6 167.10 (4) ~~OUT-OF-STATE AND IN-STATE SHIPPING.~~ SHIPPING AND TRANSPORTING.

7 This section does not prohibit a resident wholesaler or jobber from selling fireworks
8 to a nonresident person ~~outside of this state~~ or to a person or group granted a permit
9 under sub. (3) (c) 1. to 7. A resident wholesaler or resident jobber that ships the
10 fireworks sold under this subsection shall package and ship the fireworks in
11 accordance with applicable state and federal law by, as defined in s. 194.01 (1), (2),
12 and (11), common motor carrier, contract motor carrier, or private motor carrier.

13 **SECTION 2881ap.** 167.10 (8) (b) of the statutes is amended to read:

14 167.10 (8) (b) Fireworks stored, handled, sold, possessed, or used by a person
15 who violates ~~this section, an ordinance adopted under sub. (5)~~ sub. (6m) (a), (b), or
16 (c); a rule promulgated under sub. (6m) (e); or a court order under par. (a) may be
17 seized and held as evidence of the violation. Except as provided in s. 968.20 (4), only
18 the fireworks that are the subject of a violation of this section, an ordinance adopted
19 under sub. (5), or a court order under par. (a) may be destroyed after conviction for
20 a violation. Except as provided in s. 968.20 (4), fireworks that are seized as evidence
21 of a violation for which no conviction results shall be returned to the owner in the
22 same condition as they were when seized to the extent practicable.”.

23 **1140.** Page 965, line 5: delete the material beginning with that line and
24 ending with page 972, line 7.

1 **1141.** Page 972, line 7: after that line insert:

2 “**SECTION 2882c.** 175.35 (2i) of the statutes is amended to read:

3 175.35 **(2i)** The department shall charge a firearms dealer ~~an \$8~~ a \$17 fee for
4 each firearms restrictions record search that the firearms dealer requests under sub.
5 (2) (c). The firearms dealer may collect the fee from the transferee. The department
6 may refuse to conduct firearms restrictions record searches for any firearms dealer
7 who fails to pay any fee under this subsection within 30 days after billing by the
8 department.”.

9 **1142.** Page 985, line 20: after that line insert:

10 “**SECTION 2936p.** 185.981 (4t) of the statutes is amended to read:

11 185.981 **(4t)** A sickness care plan operated by a cooperative association is
12 subject to ss. 252.14, 631.17, 631.89, 631.95, 632.72 (2), 632.745 to 632.749, 632.85,
13 632.853, 632.855, 632.87 (2m), (3), (4),₁ and (5), 632.895 (10) to ~~(14)~~ (15), and 632.897
14 (10) and chs. 149 and 155.

15 **SECTION 2936t.** 185.983 (1) (intro.) of the statutes is amended to read:

16 185.983 **(1)** (intro.) Every such voluntary nonprofit sickness care plan shall be
17 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,
18 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.17, 631.89, 631.93,
19 631.95, 632.72 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.85, 632.853,
20 632.855, 632.87 (2m), (3), (4),₁ and (5), 632.895 (5) and (9) to ~~(14)~~ (15), 632.896,₁ and
21 632.897 (10) and chs. 609, 630, 635, 645,₁ and 646, but the sponsoring association
22 shall:”.

23 **1143.** Page 989, line 6: after that line insert:

24 “**SECTION 2981m.** 196.208 (5p) of the statutes is created to read:

1 196.208 (5p) TOLL-FREE CALLS ANSWERED BY PRISONERS. (a) In this subsection:

2 1. “Charitable organization” has the meaning given in s. 440.41 (1).

3 2. “Prisoner” has the meaning given in s. 134.73 (1) (b).

4 (b) If a prisoner is employed directly or indirectly by a charitable organization
5 or toll-free service vendor to answer calls made to the charitable organization or
6 toll-free service vendor, the prisoner shall do all of the following immediately upon
7 answering a call:

8 1. Identify himself or herself by name.

9 2. State that he or she is a prisoner.

10 3. Inform the calling party of the name of the correctional or detention facility
11 in which he or she is a prisoner and the city and state in which the facility is located.

12 (c) A charitable organization or toll-free service vendor that directly or
13 indirectly employs a prisoner shall provide reasonable supervision of the prisoner to
14 assure the prisoner’s compliance with par. (b).

15 **SECTION 2981p.** 196.208 (10) (a) of the statutes is amended to read:

16 196.208 (10) (a) Subsections (2) to (5) apply to any pay-per-call service that
17 a caller may access by a call originating in this state and ~~sub.~~ subs. (5p) and (5t)
18 applies apply to any charitable organization, toll-free service vendor, or employee of
19 a charitable organization or toll-free service vendor that a caller may access by a call
20 originating in this state.

21 **SECTION 2981r.** 196.208 (11) (d) of the statutes is renumbered 196.208 (11) (d)

22 1. and amended to read:

23 196.208 (11) (d) 1. ~~Any~~ Except as provided in subd. 2., any person who violates
24 subs. (2) to (9) shall be required to forfeit not less than \$25 nor more than \$5,000 for
25 each offense.

1 3. Forfeitures under this paragraph subds. 1. and 2. shall be enforced by action
2 on behalf of the state by the department of justice or, upon informing the department
3 of justice, by the district attorney of the county where the violation occurs.

4 **SECTION 2981s.** 196.208 (11) (d) 2. of the statutes is created to read:

5 196.208 (11) (d) 2. a. A prisoner who violates sub. (5p) (b) may be required to
6 forfeit not more than \$500.

7 b. A person who employs a prisoner to answer calls made to a toll-free
8 telephone number may be required to forfeit not more than \$10,000 if the person
9 violates sub. (5p) (c), aids and abets a prisoner’s violation of sub. (5p) (b), is a party
10 to a conspiracy with a prisoner to commit a violation of sub. (5p) (b), or advises, hires,
11 or counsels or otherwise procures a prisoner to commit a violation of sub. (5p) (b).”.

12 **1144.** Page 989, line 13: delete lines 13 to 17.

13 **1145.** Page 1002, line 17: delete lines 17 to 20.

14 **1146.** Page 1003, line 6: after that line insert:

15 “**SECTION 3020h.** 200.49 (1) (a) of the statutes is amended to read:

16 200.49 (1) (a) “Minority business” means a ~~sole proprietorship, partnership,~~
17 ~~limited liability company, joint venture or corporation that is at least 51% owned and~~
18 ~~controlled by one or more minority group members and that is engaged in~~
19 ~~construction or construction-related activities~~ business that is certified by the
20 department of commerce under s. 560.036 (2).

21 **SECTION 3020i.** 200.49 (3) (intro.) of the statutes is amended to read:

22 200.49 (3) **REQUEST FOR PROPOSALS.** (intro.) The executive director shall request
23 proposals for prime contracts from bondable general contractors or construction

1 contractors that are ~~bona fide independent~~ minority businesses. Each proposal
2 submitted shall include all of the following conditions:

3 **SECTION 3020j.** 200.49 (3) (b) of the statutes is amended to read:

4 200.49 (3) (b) A subcontracting plan that provides sufficient detail to enable
5 the executive director to determine that the prime contractor has made or will make
6 a good faith effort to award at least 20% of the total contract amount to ~~bona fide~~
7 ~~independent~~ minority business subcontractors.

8 **SECTION 3020k.** 200.49 (4) of the statutes is repealed.”.

9 **1147.** Page 1003, line 6: delete “~~20.505 (4) (is)~~ 20.530 (1) (ir)” and substitute
10 “20.505 (4) (is)”.

11 **1148.** Page 1003, line 7: delete lines 7 to 9.

12 **1149.** Page 1003, line 12: after that line insert:

13 “**SECTION 3036e.** 229.64 (2) of the statutes is amended to read:

14 229.64 (2) The legislature determines that a district including a county with
15 a population of more than ~~500,000~~ 600,000 serves a public purpose in that county and
16 all counties that are contiguous to that county by providing recreation, by
17 encouraging economic development and tourism, by reducing unemployment and by
18 bringing needed capital into the multicounty area for the benefit of people in the
19 multicounty area.

20 **SECTION 3036g.** 229.67 of the statutes is amended to read:

21 **229.67 Jurisdiction.** A district’s jurisdiction is any county with a population
22 of more than ~~500,000~~ 600,000 and all counties that are contiguous to that county and
23 that are not already included in a different district. Once created, a district’s
24 jurisdiction is fixed even if the population of other counties within the district

1 subsequently ~~exceed 500,000~~ exceeds 600,000. Once a county is included in a
2 district's jurisdiction the county remains in the district until the district is dissolved
3 under s. 229.71. In this section, "contiguous" includes a county that touches another
4 county only at a corner."

5 **1150.** Page 1003, line 12: after that line insert:

6 "SECTION 3037h. 229.46 (1) (a) of the statutes is amended to read:

7 229.46 (1) (a) "Minority business" ~~has the meaning given in s. 200.49 (1) (a)~~
8 means a business that is certified by the department of commerce under s. 560.036
9 (2)."

10 **1151.** Page 1003, line 12: after that line insert:

11 "SECTION 3037ea. 229.41 (6) of the statutes is amended to read:

12 229.41 (6) "Exposition center" means one or more related structures, including
13 fixtures and equipment, owned, operated, or leased by a district and used primarily
14 for conventions, expositions, trade shows, musical or dramatic events, or other
15 events involving educational, cultural, or commercial activities, and not primarily
16 for recreational or sporting activities, except that with regard to an exposition center
17 whose board is described under s. 229.42 (10), "exposition center" may include
18 fixtures and equipment, owned, operated, or leased by a district and used primarily
19 for recreational or sporting activities.

20 SECTION 2037ec. 229.42 (4) (intro.) of the statutes is amended to read:

21 229.42 (4) (intro.) If Except as provided in sub. (10), if the sole sponsoring
22 municipality is a 1st class city, the board of directors shall consist of 15 members, who
23 shall be qualified and appointed, subject to sub. (7) (b), as follows:

24 SECTION 2037ee. 229.42 (7) (a) of the statutes is amended to read:

1 229.42 (7) (a) Appointments by the chief executive officer under subs. (5) and,
2 (6), and (10) shall be subject to confirmation by the governing body of the sponsoring
3 municipality. ~~The Subject to sub. (10), the~~ terms of office of the public sector members
4 of the board of directors shall be 3 years and shall expire upon the earlier of a date
5 specified in the enabling resolution or the expiration of their respective terms of
6 public office. ~~The Subject to sub. (10), the~~ terms of office of the members who are
7 officers or employees of a private sector entity shall be 3 years, except that for the
8 initial appointments for a newly created district one-third of the appointments of
9 such members shall be for one year, one-third shall be for 2 years and one-third shall
10 be for 3 years. If the number of members who are officers or employees of a private
11 sector entity is not divisible by 3, for the initial appointments of such members for
12 a newly created district, approximately one-third of the appointments shall be for
13 one year, approximately one-third shall be for 2 years and approximately one-third
14 shall be for 3 years. No members who are officers or employees of a private sector
15 entity may serve more than 2 consecutive full terms. Members may be removed from
16 the board of directors prior to the expiration of their terms only by the chief executive
17 officer and only for malfeasance or nonfeasance in office.

18 **SECTION 2037eg.** 229.42 (7) (b) 1. of the statutes is amended to read:

19 229.42 (7) (b) 1. Subject to subds. 2. and 3., and except as provided in sub. (10),
20 the terms of office of the members of the board shall be 3 years, except that for the
21 initial appointments for a newly created district, as specified in the enabling
22 resolution, 4 of the appointments shall be for one year, 4 appointments, including the
23 3 members appointed under sub. (4) (d), shall be for 2 years and 4 appointments shall
24 be for 3 years. The cochairpersons of the joint committee on finance or their
25 designees shall serve on the board for a term that is concurrent with their terms in

1 office and the comptroller's appointment shall be for the comptroller's tenure in his
2 or her position.

3 **SECTION 2037ei.** 229.42 (10) of the statutes is created to read:

4 229.42 **(10)** (a) Notwithstanding the provisions of sub. (4), with regard to a
5 district whose sole sponsoring municipality is a 1st class city and that is in existence
6 on the effective date of this paragraph [revisor inserts date], the board of directors
7 of such a district that is in office on that date shall be dissolved on the first day of the
8 second month beginning after the effective date of this paragraph [revisor inserts
9 date], or the date on which the members of the district board as described under par.
10 (b) are appointed and qualified, whichever is later.

11 (b) The board of directors of a district that replaces a board of directors that is
12 described and dissolved under par. (a) shall consist of 9 members. Subject to par. (d),
13 the members of the board shall be:

14 1. Two members chosen by the governor from among the members of the
15 Bradley Center Sports and Entertainment Corporation under s. 232.03 (2) who are
16 serving on that board on the effective date of this subdivision [revisor inserts
17 date].

18 2. Three members chosen by the governor from among the members of the
19 board of directors of the district described under par. (a) who are serving on that
20 board on the effective date of this subdivision [revisor inserts date].

21 3. One member chosen by the president of the senate.

22 4. One member chosen by the speaker of the assembly.

23 5. One member, who shall be a resident of the city of Milwaukee, chosen by the
24 mayor of Milwaukee.

1 6. One member, who shall be a resident of the city of Milwaukee, chosen by the
2 president of the Milwaukee common council.

3 (c) Subject to sub. (7) (b) 2. and 3., the terms of the members of the board shall
4 be 3 years, except as follows:

5 1. The terms of office of the members appointed under par. (b) 1. shall be the
6 same as the terms to which they were appointed under s. 232.03 (2).

7 2. The terms of office of the members appointed under par. (b) 2. shall be the
8 same as the terms to which they were appointed under sub. (4).

9 3. The initial term of office of the members appointed under par. (b) 3. and 4.
10 shall be 2 years.

11 4. The initial term of office of the members appointed under par. (b) 5. and 6.
12 shall be 3 years.

13 (d) Upon the expiration of the terms of the members appointed under par. (b)
14 1. and 2., the governor shall appoint members to replace those members whose terms
15 expired, but such members need not have any connection with the Bradley Center
16 or the district described under par. (a).

17 (e) The 2 members of the board of directors described under par. (b) 1. shall be
18 a subcommittee of the board of directors who shall be the only members of the board
19 who may negotiate the terms and conditions of the next lease or the next extension
20 of a lease relating to the continued tenancy of a professional basketball team that on
21 the effective date of this paragraph [revisor inserts date], uses the Bradley Center,
22 as that term is used in s. 232.05 (2) (a), as its home basketball stadium. Any lease
23 or extension of a lease that is negotiated by the subcommittee may not take effect
24 until it is approved by a majority vote of the entire board of directors. This paragraph
25 does not apply after the sooner of the following:

1 1. A lease or extension of a lease between the district and the professional
2 basketball team described in this paragraph is entered into.

3 2. The terms of at least one of the members described under par. (b) 1. expires.

4 (f) The board of directors described under par. (b) shall accept all of the assets,
5 debts, liabilities, tangible personal property, pending matters, and obligations of the
6 Bradley Center Sports and Entertainment Corporation that is dissolved under s.
7 232.10, and shall accept an assignment of all contracts with other persons, with
8 respect to the Bradley Center, that are in force at the time of the dissolution.

9 **SECTION 3037ek.** 229.44 (4) (a) of the statutes is amended to read:

10 229.44 (4) (a) Acquire, construct, equip, maintain, improve, operate and
11 manage the exposition center and exposition center facilities, or engage other
12 persons to do these things, except that a district that has within its control the
13 Bradley Center, as that term is used in s. 232.05 (2) (a), 1999 stats., may not change
14 the name of that facility.”.

15 **1152.** Page 1003, line 24: after that line insert:

16 “**SECTION 3037p.** 229.70 (1) (a) of the statutes is amended to read:

17 229.70 (1) (a) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~
18 means a business that is certified by the department of commerce under s. 560.036
19 (2).

20 **SECTION 3037q.** 229.8273 (1) (b) of the statutes is amended to read:

21 229.8273 (1) (b) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~
22 means a business that is certified by the department of commerce under s. 560.036
23 (2).

24 **SECTION 3037r.** 229.845 (1) (a) of the statutes is amended to read:

1 229.845 (1) (a) “Minority business” has the meaning given in s. 560.036 (1) (e)
2 means a business that is certified by the department of commerce under s. 560.036
3 (2).”.

4 **1153.** Page 1003, line 25: delete the material beginning with that line and
5 ending with page 1004, line 9.

6 **1154.** Page 1004, line 10: delete lines 10 and 11.

7 **1155.** Page 1004, line 12: delete lines 12 to 18.

8 **1156.** Page 1004, line 19: delete lines 19 and 20.

9 **1157.** Page 1004, line 21: delete lines 21 to 25.

10 **1158.** Page 1005, line 1: delete lines 1 to 16.

11 **1159.** Page 1005, line 8: after that line insert:

12 “**SECTION 3053m.** 230.08 (2) (m) of the statutes is repealed.”.

13 **1160.** Page 1005, line 20: delete lines 20 to 25.

14 **1161.** Page 1006, line 1: delete lines 1 to 13.

15 **1162.** Page 1007, line 18: after that line insert:

16 “**SECTION 3079e.** 230.35 (2r) (b) of the statutes is amended to read:

17 230.35 (2r) (b) The secretary may establish, by rule, a catastrophic leave
18 program that permits ~~classified~~ employees to donate certain types and amounts of
19 leave credits to other ~~classified~~ employees who have been ~~granted an unpaid leave~~
20 ~~of absence on account of~~ absent from pay status because of a catastrophic need for
21 which ~~absence~~ there is no paid leave benefits or replacement income available. The
22 secretary shall determine the types and amounts of leave credits that may be
23 donated.

1 **SECTION 3079r.** 230.35 (2r) (c) of the statutes is amended to read:

2 230.35 **(2r)** (c) No ~~classified~~ employee may grieve under an agency's grievance
3 procedure any appointing authority's decision relating to a catastrophic leave
4 program under this subsection or appeal any such decision to the commission under
5 s. 230.44 or 230.45 (1) (c).".

6 **1163.** Page 1007, line 21: delete "the naval militia.".

7 **1164.** Page 1008, line 10: delete ". naval militia.".

8 **1165.** Page 1008, line 24: after that line insert:

9 "**SECTION 3086.** 231.01 (4m) of the statutes is amended to read:

10 231.01 **(4m)** "Educational facility" means a facility used for education by a
11 regionally accredited, private, ~~postsecondary~~ educational institution that is
12 described in section 501 (c) (3) of the Internal Revenue Code, as defined in s. 71.22
13 (4), and that is exempt from federal taxation under section 501 (a) of the Internal
14 Revenue Code.".

15 **1166.** Page 1011, line 6: after that line insert:

16 "**SECTION 3095j.** 232.05 (2) (d) of the statutes is amended to read:

17 232.05 **(2)** (d) Seek to enter into contracts for the purchase of goods and services
18 with minority businesses that are certified by the department of commerce under s.
19 560.036 (2).".

20 **1167.** Page 1011, line 6: after that line insert:

21 "**SECTION 3095k.** 233.06 of the statutes is created to read:

22 **233.06 Conflict of interests prohibited. (1)** No member of the board of
23 directors may hold an ownership interest in, be employed by, or be affiliated with a
24 person providing goods or services to the authority. The authority may not contract

1 with a person for the provision of goods and services if a former board member held
2 an ownership interest in, was employed by, or was affiliated with the person within
3 one year of the board member's expiration of his or her term or resignation from the
4 board of directors.

5 (2) A person who violates this section is subject to a forfeiture of not more than
6 \$10,000 for each violation. Each day of violation constitutes a separate offense.”.

7 **1168.** Page 1011, line 6: after that line insert:

8 “**SECTION 3095k.** 231.27 (2) of the statutes is amended to read:

9 231.27 (2) The authority shall annually report to the department of
10 administration the total amount purchased from and contracted or subcontracted
11 under contracts made by the authority to minority businesses, the total amount of
12 bonds issued by the authority with the underwriting services of minority investment
13 firms, and the total amount of moneys expended by the authority for the services of
14 minority financial advisers and minority investment firms during the preceding
15 state fiscal year.

16 **SECTION 3095m.** 231.27 (3) of the statutes is created to read:

17 231.27 (3) (a) The authority shall ensure that at least 6% of the total bonds
18 issued in each fiscal year by the authority are underwritten by minority investment
19 firms.

20 (b) The authority shall ensure that at least 6% of the total moneys expended
21 in each fiscal year by the authority for the services of financial advisers are expended
22 for the services of minority financial advisors.

1 (c) The authority shall ensure that at least 6% of the total moneys expended
2 in each fiscal year by the authority for the services of investment firms are expended
3 for the services of minority investment firms.”.

4 **1169.** Page 1011, line 6: after that line insert:

5 “SECTION 3095m. 232.10 of the statutes is created to read:

6 **232.10 Dissolution of the corporation, transfer of assets and liabilities.**

7 The corporation shall be dissolved on the first day of the second month beginning
8 after the effective date of this section [revisor inserts date], or the date on which
9 the members of the district board as described under s. 229.42 (10) (b) are appointed
10 and qualified, whichever is later. Upon its dissolution, all of its assets, debts,
11 liabilities, tangible personal property, including records, pending matters, and
12 obligations, including any judgment, order, or decree which may be entered against
13 it in any pending legal action, shall transfer to the local exposition district described
14 in s. 229.42 (10) (a).”.

15 **1170.** Page 1011, line 15: after that line insert:

16 “SECTION 3097e. 234.01 (4n) (a) 3m. d. of the statutes is amended to read:

17 234.01 (4n) (a) 3m. d. The facility is owned or controlled by a minority business
18 that is certified by the department of commerce under s. 560.036 (2) or that is more
19 than 50% owned or controlled by women or minorities.

20 SECTION 3098v. 234.65 (1) (g) of the statutes is amended to read:

21 234.65 (1) (g) In granting loans under this section the authority shall give
22 preference to businesses ~~which~~ that are minority businesses certified by the
23 department of commerce under s. 560.036 (2) or that are more than 50% owned or
24 controlled by women ~~or minorities~~, to businesses that, together with all of their

1 affiliates, subsidiaries, and parent companies, have current gross annual sales of
2 \$5,000,000 or less or that employ 25 or fewer persons, and to new businesses that
3 have less than 50% of their ownership held or controlled by another business and
4 have their principal business operations in this state.”.

5 **1171.** Page 1018, line 11: after that line insert:

6 “SECTION 13126m. 234.94 (5) of the statutes is amended to read:

7 234.94 (5) “Primary employment” means work which pays at least the
8 minimum wage as established under ~~ch. 104 s. 104.035 (2)~~ or under federal law,
9 whichever is greater, offers adequate fringe benefits, including health insurance,
10 and is not seasonal or part time.

11 **SECTION 3126p.** 234.94 (8) of the statutes is amended to read:

12 234.94 (8) “Target group” means a population group for which the
13 unemployment level is at least 25% higher than the statewide unemployment level,
14 or a population group for which the average wage received is less than 1.2 times the
15 minimum wage as established under ~~ch. 104 s. 104.035 (2)~~ or under federal law,
16 whichever is greater. No population group is required to be located within a
17 contiguous geographic area to be considered a target group.”.

18 **1172.** Page 1018, line 12: delete the material beginning with that line and
19 ending with page 1027, line 24.

20 **1173.** Page 1031, line 17: after that line insert:

21 “SECTION 3128pd. 250.01 (4) (a) 2. of the statutes is amended to read:

22 250.01 (4) (a) 2. A city–county health department established under s. 251.02
23 ~~(1)~~ (1m).

1 **SECTION 3128pe.** 251.01 (1) of the statutes is renumbered 251.01 (1r) and
2 amended to read:

3 251.01 (1r) “County board of health” means a board of health for a single county
4 health department or for a multiple county health department.

5 **SECTION 3128pf.** 251.01 (1g) of the statutes is created to read:

6 251.01 (1g) “City–county board of health” means a board of health for a
7 city–county health department.

8 **SECTION 3128pg.** 251.01 (2) of the statutes is repealed.

9 **SECTION 3128ph.** 251.01 (3) of the statutes is amended to read:

10 251.01 (3) “County health officer” means the position of a local health officer
11 in a single county health department or in a multiple county health department.

12 **SECTION 3128pi.** 251.01 (7m) of the statutes is created to read:

13 251.01 (7m) “Represented employee” means an employee in a collective
14 bargaining unit for which a representative is recognized or certified under subch. IV
15 of ch. 111.

16 **SECTION 3128pj.** 251.02 (1) of the statutes is amended to read:

17 251.02 (1) In counties with a population of less than 500,000, unless a county
18 board establishes a city–county health department under sub. (1m) jointly with the
19 governing body of a city or establishes a multiple county health department under
20 sub. (3) in conjunction with another county, the county board shall establish a single
21 county health department ~~that meets, which shall meet~~ the requirements of this
22 chapter. The county health department shall serve all areas of the county that are
23 not served by a city health department that was established prior to
24 January 1, 1994, by a town or village health department established under sub.
25 (3m), or by a multiple municipal local health department established under sub. (3r).

1 No ~~governing body of a city may establish a city health department may be~~
2 ~~established after January 1, 1994, but a city-county health department may be~~
3 ~~established after that date.~~

4 **SECTION 3128pk.** 251.02 (1m) of the statutes is created to read:

5 251.02 **(1m)** Subject to sub. (1r), in counties with a population of less than
6 500,000, the county board and the governing body of a city that has a city health
7 department may jointly establish a city-county health department, which shall meet
8 the requirements of this chapter. A city-county health department shall serve all
9 areas of the county that are not served by a city health department that was
10 established prior to January 1, 1994, by a town or village health department
11 established under sub. (3m), or by a multiple municipal local health department
12 established under sub. (3r). A city-county health department established under this
13 subsection after the effective date of this subsection [revisor inserts date], is
14 subject to the control of the city and county acting jointly under an agreement
15 entered into under s. 66.0301 that specifies, in conformity with this chapter, all of the
16 following:

17 (a) The powers and duties of the city-county health department.

18 (b) The powers and duties of the city-county board of health for the city-county
19 health department.

20 (c) The relative powers and duties of the city and county with respect to
21 governance of the city-county health department and the city-county board of
22 health.

23 **SECTION 3128pL.** 251.02 (1r) of the statutes is created to read:

24 251.02 **(1r)** If a city that assigns represented employees to its city health
25 department and if a county that assigns represented employees to its county health

1 department jointly establish a city–county health department under an agreement
2 specified under sub. (1m), all of the following shall apply, but only if the represented
3 employees at the city health department and at the county health department who
4 perform similar functions are included in collective bargaining units that are
5 represented by the same representative:

6 (a) The city–county health department shall offer employment to all city and
7 county employees who are represented employees and who perform functions for the
8 city and county that are transferred to the city–county health department in the
9 agreement under sub. (1m).

10 (b) Notwithstanding s. 111.70 (4) (d), if, in any collective bargaining unit that
11 is initially created at the city–county health department, all of the former city and
12 county employees were represented by the same representative when they were
13 employed by the city or county, that representative shall become the initial
14 representative of the employees in the collective bargaining unit without the
15 necessity of filing a petition or conducting an election.

16 (c) Unless otherwise prohibited by law, with respect to city–county health
17 department employees who were formerly represented employees at the city or
18 county, the city–county health department shall adhere to the terms of the collective
19 bargaining agreements that covered these employees while they were employed by
20 the city or county until such time that the city–county health department and the
21 representative of the employees have entered into a collective bargaining agreement.

22 **SECTION 3128pm.** 251.02 (3) of the statutes is amended to read:

23 251.02 (3) A county board may, in conjunction with the county board of another
24 county, establish a multiple county health department ~~in conjunction with the~~
25 ~~county board of another county, which shall meet the requirements of this chapter.~~

1 A multiple county health department shall serve all areas of the respective counties
2 that are not served by a city health department that was established prior to January
3 1, 1994, by a town or village health department established under sub. (3m), or by
4 a multiple municipal local health department established under sub. (3r).

5 **SECTION 3128pn.** 251.04 (1) of the statutes is amended to read:

6 251.04 (1) ~~A city or county board of health shall govern each local health~~
7 ~~department other than a local health department~~ Except as authorized in s. 251.02
8 (3m) and (3r) ~~and a, a city board of health shall govern a city health department, a~~
9 county board of health shall govern a county health department or multiple county
10 health department, and a city-county board of health shall govern a city-county
11 health department. A city or board of health, a county board of health, a city-county
12 board of health, or a board of health for a local health department as authorized in
13 s. 251.02 (3m) and (3r) shall assure the enforcement of state public health statutes
14 and public health rules of the department as prescribed for a Level I local health
15 department. A local board of health may contract or subcontract with a public or
16 private entity to provide public health services. The contractor's staff shall meet the
17 appropriate qualifications for positions in a Level I local health department.

18 **SECTION 3128pp.** 251.08 of the statutes is amended to read:

19 **251.08 Jurisdiction of local health department.** The jurisdiction of the
20 local health department shall extend to the entire area represented by the governing
21 body of the county, city, village or town that established the local health department,
22 except that the jurisdiction of a single or multiple county health department or of a
23 city-county health department does not extend to cities, villages and towns that
24 have local health departments. Cities, towns and villages having local health
25 departments may by vote of their local boards of health determine to come under the

1 jurisdiction of the county health department. No part of any expense incurred under
2 this section by a county health department may be levied against any property
3 within any city, village or town that has a local health department and that has not
4 determined to come under the jurisdiction of the county health department.

5 **SECTION 3128pq.** 251.11 (1) of the statutes is amended to read:

6 251.11 (1) The local board of health of every multiple county health department
7 established under s. 251.02 (3) and of every city–county health department
8 established under s. 251.02 (4) (1m) shall annually prepare a budget of its proposed
9 expenditures for the ensuing fiscal year and determine the proportionate cost to each
10 participating county and city on the basis of equalized valuation. A certified copy of
11 the budget, which shall include a statement of the amount required from each county
12 and city, shall be delivered to the county board of each participating county and to
13 the mayor or city manager of each participating city. The appropriation to be made
14 by each participating county and city shall be determined by the governing body of
15 the county and city. No part of the cost apportioned to the county shall be levied
16 against any property within the city.

17 **SECTION 3128pr.** 251.11 (2) of the statutes is amended to read:

18 251.11 (2) The local board of health of every a multiple county health
19 department established under s. 251.02 (3) ~~and of every city–county health~~
20 ~~department established under s. 251.02 (4)~~ shall, under this section, determine the
21 compensation for the employees of the multiple county health departments ~~and~~
22 ~~city–county health departments.~~ The local board of health of a city–county health
23 department established under s. 251.02 (1m) shall, under this section, determine the
24 compensation for the employees of the city–county health department.

25 **SECTION 3128ps.** 251.15 (2) of the statutes is amended to read:

1 251.15 (2) A city that had established a local health department prior to
2 deciding to participate in a city–county health department established under s.
3 251.02 (4) (1m) may withdraw from the city–county health department if the
4 common council of the city gives written notice to the county board of the
5 participating county.”.

6 **1174.** Page 1031, line 17: after that line insert:

7 “**SECTION 3128xb.** 250.13 of the statutes is created to read:

8 **250.13 Community water fluoridation grants.** From the appropriation
9 under s. 20.435 (5) (fL), the department shall award grants each year to applying
10 communities for any of the following purposes:

11 (1) Purchase of water fluoridation equipment.

12 (2) Construction of additional building space to house water fluoridation
13 equipment.

14 (3) Payment of salaries of employees who operate water fluoridation
15 equipment.

16 **SECTION 14328xc.** 250.15 (1) of the statutes is renumbered 250.15 (1) (intro.)
17 and amended to read:

18 250.15 (1) DEFINITIONS. (intro.) In this section, “community:

19 (a) “Community–health center” means a health care entity that provides
20 primary health care, health education, and social services to low–income
21 individuals.

22 **SECTION 3128xd.** 250.15 (1) (b) of the statutes is created to read:

1 250.15 (1) (b) “Qualified applicant” means an entity that provides, or seeks to
2 provide, dental care services to low-income individuals and that does not receive a
3 federal grant under 42 USC 254b (c), (g), or (h).

4 **SECTION 3128xe.** 250.15 (2) (d) of the statutes is created to read:

5 250.15 (2) (d) From the appropriation under s. 20.435 (5) (fh), the department
6 shall distribute to qualified applicants grants totaling \$1,600,000 in fiscal year
7 2002–03 to enable the applicants to provide or expand provision of dental care
8 services. The department shall give preference for grants to qualified applicants that
9 are located in dental health professional shortage areas, as designated under 42 CFR
10 part V, appendix B. Applicants who receive grants under this paragraph shall do all
11 of the following:

12 1. Make every attempt to collect appropriate reimbursement for its costs in
13 providing dental services to persons who are eligible for and receiving badger care
14 health care, medical assistance, or assistance for medical expenses under any other
15 public assistance program or have coverage under a private insurance program.

16 2. Prepare and utilize a fee schedule for the provision of its services consistent
17 with locally prevailing charges that is designed to cover its reasonable costs of
18 operation and prepare a corresponding schedule of discounts to be applied to the
19 payment of such fees. The discounts shall be adjusted on the basis of the patient’s
20 ability to pay.

21 3. Establish a governing board that, except in the case of an applicant that is
22 an Indian tribe or band, is composed of individuals who are representative of persons
23 served by the applicant and a majority of whom are being served by the applicant.
24 The board shall be responsible for the following:

25 a. Establishing policies surrounding the entity’s program operations.

- 1 b. Holding regularly scheduled meetings and keeping minutes of the meetings.
- 2 c. Approving the selection or dismissal of an entity's director or chief executive
3 officer.
- 4 d. Establishing personnel policies and procedures, including employee
5 selection and dismissal procedures, salary and benefit scales, employee grievance
6 procedures, and equal opportunity practices.
- 7 e. Adopting policies for financial management practices, including a system to
8 ensure accountability for resources, approval of the annual budget, priorities,
9 eligibility for services, including criteria for the fee schedule under subd. 2., and
10 long-range financial planning.
- 11 f. Evaluating the entity's activities including service utilization patterns,
12 productivity, patient satisfaction, achievement of objectives, and development of a
13 process for hearing and resolving patient grievances.
- 14 g. Ensuring that the entity is operated in compliance with applicable federal,
15 state, and local laws.
- 16 h. Adopting health care policies including scope and availability of services,
17 location, hours of services, and quality of care audit procedures.
- 18 4. Use any funds provided under this paragraph to supplement, and not
19 supplant, other funds that are or may be available to the entity.
- 20 5. Implement a patient screening process to determine patient eligibility for
21 medical assistance, badger care health care, and the payment schedule under subd.
22 2.
- 23 6. Provide oral health education in programs operated by and affiliated with
24 the department, including the special supplemental food program for women,
25 infants, and children and head start.

1 7. Provide dental screening, risk assessments, and preventive dental
2 treatment to pregnant women; infants; preschoolers; persons with diabetes, heart
3 disease, or lung disease; and persons using psychotropic medication.”.

4 **1175.** Page 1034, line 12: after that line insert:

5 “**SECTION 3140c.** 252.12 (2) (a) 9. of the statutes is created to read:

6 252.12 (2) (a) 9. ‘Grant for family resource center.’ The department shall award
7 a grant in each fiscal year to develop and implement an African–American family
8 resource center in the city of Milwaukee that targets activities toward the prevention
9 and treatment of HIV infection and related infections, including hepatitis C virus
10 infection, of minority group members, as defined in s. 560.036 (1) (f).”.

11 **1176.** Page 1034, line 13: delete lines 13 to 21 and substitute:

12 “**SECTION 3141d.** 252.12 (2) (c) 2. of the statutes is amended to read:

13 252.12 (2) (c) 2. From the appropriation under s. 20.435 (5) (am), the
14 department shall award \$75,000 in each fiscal year as grants for services to prevent
15 HIV infection and related infections, including hepatitis C virus infection. Criteria
16 for award of the grants shall include the criteria specified under subd. 1. The
17 department shall award 60% of the funding to applying organizations that receive
18 funding under par. (a) 8. and 40% of the funding to applying community–based
19 organizations that are operated by minority group members, as defined in s. 560.036
20 (1) (f) minority businesses certified by the department of commerce under s. 560.036
21 (2).”.

22 **1177.** Page 1043, line 12: after that line insert:

23 “**SECTION 3160q.** 280.25 of the statutes is created to read:

1 **280.25 Air filtration for residential wells.** The owner of a residential well,
2 other than a driven well, that has a casing shall filter air that enters the well to
3 prevent airborne bacteria from contaminating the well water if any of the following
4 applies:

5 **(1)** The construction of the well begins after the effective date of this subsection
6 [revisor inserts date].

7 **(2)** The water from the well tests positive for bacteria.”.

8 **1178.** Page 1049, line 21: delete the material beginning with that line and
9 ending with page 1050, line 3.

10 **1179.** Page 1055, line 6: after that line insert:

11 “**SECTION 3207v.** 281.74 of the statutes is created to read:

12 **281.74 Land spreading reduction pilot program.** If the Elcho Sanitary
13 District charges not more than \$30 per thousand gallons to accept septic tank waste
14 for treatment and not more than \$6 per thousand gallons to accept holding tank
15 waste for treatment, the department shall provide the funds available under s.
16 20.370 (6) (dc) to the Elcho Sanitary District.”.

17 **1180.** Page 1055, line 6: after that line insert:

18 “**SECTION 3207p.** 281.73 of the statutes is created to read:

19 **281.73 Wastewater and drinking water grant.** The department of natural
20 resources shall provide a grant from the appropriation under s. 20.370 (6) (bk) to the
21 Town of Swiss, Burnett County, and the St. Croix Band of Chippewa for design,
22 engineering, and construction of wastewater and drinking water treatment
23 facilities.”.

24 **1181.** Page 1055, line 7: delete lines 7 and 8.

1 **1182.** Page 1056, line 23: delete lines 23 to 25.

2 **1183.** Page 1057, line 1: delete lines 1 and 2.

3 **1184.** Page 1057, line 8: delete lines 8 to 16.

4 **1185.** Page 1057, line 21: after that line insert:

5 “**SECTION 3222e.** 287.03 (1) (e) and (f) of the statutes are created to read:

6 287.03 (1) (e) Promulgate rules to implement s. 287.07 (7) (a).

7 (f) Promulgate rules, for the purposes of s. 287.235 (1) (b), that specify the
8 minimum elements of coordinated program delivery, including all of the following:

9 1. The joint provision of, a single program operated by the responsible unit for,
10 or a single contract for, the collection of materials from single-family residences that
11 are separated for recycling under an effective recycling program.

12 2. The joint provision of, a single program operated by the responsible unit for,
13 or a single contract for, the processing and marketing of recyclable materials
14 collected under an effective recycling program.

15 3. The joint or coordinated planning of solid waste management services within
16 the responsible unit.

17 **SECTION 3222f.** 287.07 (7) (a) of the statutes is amended to read:

18 287.07 (7) (a) The prohibitions in subs. (3) and (4) do not apply with respect to
19 solid waste, except medical waste, as defined in par. (c) 1. cg., that is generated in a
20 region that has an effective recycling program, as determined under s. 287.11, if the
21 solid waste contains an incidental amount of materials specified in subs. (3) and (4),
22 as provided by the department by rule. This paragraph does not apply to solid waste
23 that is separated for recycling as part of an effective recycling program under s.
24 287.11.

1 **SECTION 3222g.** 287.07 (9) of the statutes is created to read:

2 **287.07 (9) ACCEPTANCE BY SOLID WASTE FACILITY.** (a) Except as provided under
3 par. (b), no person operating a solid waste facility may accept solid waste from a
4 building containing 5 or more dwelling units or a commercial, retail, industrial, or
5 governmental facility that does not provide for the collection of materials that are
6 subject to subs. (3) and (4) and that are separated from other solid waste by users or
7 occupants of the building or facility.

8 **SECTION 3222p.** 287.23 (2) of the statutes is renumbered 287.23 (2) (intro.) and
9 amended to read:

10 **287.23 (2) DEPARTMENT POWERS AND DUTIES.** (intro.) The department shall
11 develop, implement, and administer a program to provide financial assistance to
12 responsible units. The department shall develop criteria for reporting on and
13 evaluating the program. Each year the department, in cooperation with the
14 University of Wisconsin–Extension, shall ~~audit~~ review the recycling programs of at
15 least 5% of the recipients of grants in the previous year to ensure that programs and
16 activities funded by grants under this section meet the requirements of this section.
17 do all of the following:

18 **SECTION 3222q.** 287.23 (2) (a) to (c) of the statutes are created to read:

19 **287.23 (2) (a)** Ensure compliance with s. 287.07 (1m), (2), (3), and (4).

20 (b) Ensure compliance with s. 287.11 and rules promulgated under that section.

21 (c) Identify activities, methods, or procedures that would enable the
22 responsible unit to make its recycling program more efficient or effective.”.

23 **1186.** Page 1057, line 21: after that line insert:

24 “**SECTION 3222c.** 285.69 (2) (a) 11. of the statutes is amended to read:

1 285.69 **(2)** (a) 11. That no provision is used that would increase the fee per unit
2 of pollutant emitted in order to compensate for decreases in overall amounts of
3 emissions, but that for fees billed in each year after 2001 the fee per unit of pollutant
4 emitted is increased by the percentage by which the consumer price index, as defined
5 in 42 USC 7661a (b) (3) (B) (v), increased in the preceding year.”.

6 **1187.** Page 1058, line 2: after that line insert:

7 “**SECTION 3225c.** 287.23 (5b) (title) and (intro.) of the statutes are amended to
8 read:

9 287.23 **(5b)** (title) GRANT AWARD FOR 2000 AND 2001. (intro.) ~~The~~ For 2000 and
10 2001, the department shall award a grant under this subsection to each eligible
11 responsible unit that submits a complete grant application under sub. (4) for
12 expenses allowable under sub. (3) (b). The department shall determine the amount
13 of the grants under this subsection as follows:

14 **SECTION 3225f.** 287.23 (5d) of the statutes is created to read:

15 287.23 **(5d)** GRANT AMOUNT FOR YEARS AFTER 2001. (a) Beginning with grants for
16 the year 2002, the department shall award a grant under this subsection to each
17 eligible responsible unit that submits a complete grant application under sub. (4) for
18 expenses allowable under sub. (3) (b).

19 (b) Except as provided in pars. (c), (d), (e), (f), and (g) and sub. (5p), the
20 department shall award an eligible responsible unit a grant under this subsection
21 equal to \$11.80 times the population of the responsible unit.

22 (c) A grant under this subsection may not exceed the allowable expenses under
23 sub. (3) (b) that the responsible unit incurred in the year 2 years before the year for
24 which the grant is made.

1 (d) For a county that is the responsible unit for at least 75% of the population
2 of the county, the department shall award a grant under this subsection equal to
3 \$100,000 or the amount determined under par. (a), but not more than the allowable
4 expenses under sub. (3) (b).

5 (e) For grants for the year 2002, the department shall award a grant to a
6 responsible unit that received an award in 2001 that is equal to at least 80% of the
7 amount received in 2001.

8 (f) Beginning with grants for the year 2005, the department shall reduce a
9 grant calculated under par. (b) by \$3 times the population of the responsible unit if
10 the responsible unit is not eligible for a grant under s. 287.235.

11 (g) If the available funds are insufficient to pay the grant amounts determined
12 under this subsection, the department shall achieve the necessary reduction in the
13 total amount of the grants by reducing the amount of each grant determined under
14 this subsection, except a grant determined under par. (d) or (e), by an equal
15 percentage.”.

16 **1188.** Page 1058, line 6: after that line insert:

17 “**SECTION 3226c.** 287.23 (6) of the statutes is renumbered 287.23 (6) (a) and
18 amended to read:

19 287.23 (6) (a) ~~The~~ Except as provided in par. (b), the department shall disburse
20 a grant to the applicant after approval, but no later than June 1 of the year for which
21 the grant is made.

22 **SECTION 3226d.** 287.23 (6) (b) of the statutes is created to read:

1 287.23 **(6)** (b) For grants for the year 2002, the department shall disburse a
2 total of \$28,900,000 no later than June 1, 2002, and a total of \$13,550,000 after June
3 30, 2002, but no later than December 1, 2002.

4 **SECTION 3226k.** 287.235 of the statutes is created to read:

5 **287.235 Recycling efficiency incentive grants. (1) ELIGIBILITY.** Beginning
6 in fiscal year 2002–03 the department shall make a recycling efficiency incentive
7 grant to a responsible unit that satisfies all of the following criteria:

8 (a) The responsible unit is one of the following:

9 1. A county.

10 2. A responsible unit, other than a county, with a population of 50,000 or more.

11 3. A responsible unit that is formed by the merger of 3 or more responsible units
12 or that is the responsible unit for 3 or more municipalities.

13 (b) The responsible unit engages in coordinated program delivery, as specified
14 under s. 287.03 (1) (f).

15 **(2) GRANT AMOUNT.** (a) Except as provided in par. (b) and sub. (3) (a), the
16 department shall provide a grant amount to an eligible responsible unit equal to \$2
17 times the population of the responsible unit.

18 (b) If the available funds are insufficient to pay the grant amount determined
19 under par. (a), the department shall achieve the necessary reduction in the total
20 amount of the grants by reducing the grant amount determined under par. (a) for
21 each eligible responsible unit by an equal percentage.

22 **(3) APPLICATION AND PAYMENT.** (a) Applications for grants under this subsection
23 are due on October 1 of the year preceding the year for which the grant is sought.
24 If a responsible unit submits its application after that date, the department shall
25 reduce the grant, or deny the application, as provided in s. 287.23 (5p).

1 (b) The department shall disburse a grant to the applicant after approval, but
2 no later than June 1 of the year for which the grant is made.

3 **SECTION 3227e.** 287.95 (3) (b) of the statutes is amended to read:

4 287.95 (3) (b) After December 31, 1996, any person who violates s. 287.07 (3)
5 ~~and, (4), or (9)~~ may be required to forfeit \$50 for a first violation, may be required to
6 forfeit \$200 for a 2nd violation, and may be required to forfeit not more than \$2,000
7 for a 3rd or subsequent violation.”.

8 **1189.** Page 1058, line 7: delete lines 7 to 9.

9 **1190.** Page 1059, line 9: after that line insert:

10 “**SECTION 3228d.** 289.645 (3) (a) of the statutes is amended to read:

11 289.645 (3) (a) For all solid waste other than high-volume industrial waste, 30
12 cents \$10 per ton.

13 **SECTION 3228e.** 289.645 (3) (b) of the statutes is created to read:

14 289.645 (3) (b) For all high-volume industrial waste, 25 cents per ton.

15 **SECTION 3228f.** 289.67 (1) (cp) of the statutes is amended to read:

16 289.67 (1) (cp) *Amount of environmental repair fee.* Notwithstanding par. (cm)
17 and except as provided under par. (d), the environmental repair fee imposed under
18 par. (a) is 30 60 cents per ton for solid or hazardous waste, other than high-volume
19 industrial waste, ~~disposed of on or after January 1, 1988, but before July 1, 1989,~~
20 ~~and 50 cents per ton disposed of on or after July 1, 1989.”.~~

21 **1191.** Page 1068, line 2: after that line insert:

22 “**SECTION 3327q.** 301.03 (2p) of the statutes is created to read:

23 301.03 (2p) Offer the same level of alcohol or other drug abuse treatment to
24 female inmates as to male inmates.”.

1 **1192.** Page 1068, line 2: after that line insert:

2 “**SECTION 3325k.** 295.33 (4) of the statutes is amended to read:

3 295.33 (4) No person may conduct drilling operations for the exploration for or
4 production of oil or gas ~~from~~ if the drilling extends beneath the beds of the Great
5 Lakes or bays or harbors that are adjacent to the Great Lakes, ~~unless all drilling~~
6 ~~operations originate from locations above and on the landward side of the ordinary~~
7 ~~high-water mark and are conducted according to the terms of a written lease~~
8 ~~obtained from the department under, notwithstanding s. 30.20 (2) (b).”.~~

9 **1193.** Page 1068, line 2: after that line insert:

10 “**SECTION 3325q.** 301.029 (2) (a) of the statutes is amended to read:

11 301.029 (2) (a) The department may not enter into any contract or other
12 agreement if, in the performance of the contract or agreement, a prisoner would
13 perform data entry or telemarketing services and have access to an individual’s
14 financial transaction card numbers, checking or savings account numbers; or social
15 security number or to any personal identifying information, as defined in s. 943.201
16 (1) (b), of an individual who is not a prisoner.”.

17 **1194.** Page 1068, line 3: delete lines 3 to 9.

18 **1195.** Page 1069, line 25: after that line insert:

19 “**SECTION 3329x.** 301.03 (25) of the statutes is created to read:

20 301.03 (25) Jointly, with the department of health and family services, develop
21 a gender-specific program for addressing the individual treatment needs of female
22 inmates.”.

23 **1196.** Page 1069, line 25: after that line insert:

24 “**SECTION 3330h.** 301.03 (35) of the statutes is created to read:

1 301.03 (35) When complying with s. 19.35, provide access to all records that do
2 not compromise institutional security, including final mortality review committee
3 reports. The department may protect inmate privacy by redacting the name and
4 number of an inmate in appropriate cases.”.

5 **1197.** Page 1069, line 25: after that line insert:

6 “**SECTION 3330g.** 301.03 (34) of the statutes is created to read:

7 301.03 (34) Comply with guidelines established by the U.S. attorney general
8 under 42 USC 13704 (2) in reporting, on a quarterly basis, information regarding the
9 death of any person in the custody of the department, including inmates incarcerated
10 in facilities located outside this state, and provide this information to the Wisconsin
11 attorney general at the same time that it is submitted to the U.S. attorney general.”.

12 **1198.** Page 1069, line 25: after that line insert:

13 “**SECTION 3330e.** 301.03 (32) of the statutes is created to read:

14 301.03 (32) On its Internet web site that is accessible to the public, publish
15 statistical information regarding adult corrections, including the total adult
16 population; adult population in each institution; commitments to the adult
17 correctional system; releases from the adult correctional system; average adult
18 inmate sentence length; and offenses, race, gender, educational level, marital status,
19 parental status, religion, and county of commitment of adult inmates.

20 **SECTION 3330f.** 301.03 (33) of the statutes is created to read:

21 301.03 (33) On its Internet web site that is accessible to the public, publish
22 statistical information regarding juvenile corrections, including the total juvenile
23 population; juvenile population in each institution; average juvenile population;
24 admissions to the juvenile correctional system; releases from the juvenile

1 correctional system; and offenses, race, gender, average age, and county of
2 commitment of juveniles.”.

3 **1199.** Page 1069, line 25: after that line insert:

4 “**SECTION 3330c.** 301.03 (30) of the statutes is created to read:

5 301.03 (30) Create and maintain an inmate tracking system that includes the
6 inmate’s criminal history, medical and mental health history, alcohol and other drug
7 abuse history, victimization history, violence history, education and vocational
8 history, religion, marital status, and status of all of his or her children.

9 **SECTION 3330d.** 301.03 (31) of the statutes is created to read:

10 301.03 (31) Collect and maintain information that determines the number of
11 inmates that return to prison due to a probation or parole revocation and whether
12 the revocation is due to the inmate committing a new crime or violating a condition
13 or rule of probation or parole.”.

14 **1200.** Page 1070, line 1: delete lines 1 to 9.

15 **1201.** Page 1070, line 19: after “Lisbon.” insert “This subsection does not
16 apply before January 1, 2004.”.

17 **1202.** Page 1070, line 19: after that line insert:

18 “**SECTION 3337d.** 301.16 (1v) of the statutes is amended to read:

19 301.16 (1v) In addition to the institutions under sub. (1), the department shall
20 establish a medium security correctional institution in Chippewa Falls. This
21 subsection does not apply before January 1, 2004.

22 **SECTION 3337k.** 301.18 (1) (c) of the statutes is amended to read:

23 301.18 (1) (c) Provide the facilities necessary for the correctional institution
24 under s. 301.16 (1v) using the Highview building located at the Northern Wisconsin

1 Center for the Developmentally Disabled and converted to a correctional facility
2 under 1999 Wisconsin Act 9, section 9107 (1) (b) 1. This paragraph does not apply
3 before January 1, 2004.”.

4 **1203.** Page 1071, line 1: delete lines 1 to 4 and substitute:

5 “(b) “Correctional facility” means an institution or facility, or a portion of an
6 institution or facility, that is used to confine juveniles alleged or found to be
7 delinquent or a prison, jail, house of correction, or lockup facility but does not include
8 a secured group home, as defined in s. 938.02 (15p).”.

9 **1204.** Page 1073, line 12: delete lines 12 to 19 and substitute:

10 “**SECTION 3344e.** 301.26 (7) (a) (intro.) of the statutes is renumbered 301.26 (7)
11 (a) and amended to read:

12 301.26 (7) (a) For community youth and family aids under this section,
13 amounts not to exceed ~~\$42,091,800~~ \$44,138,500 for the last 6 months of 1999,
14 ~~\$85,183,700 for 2000~~ 2001, \$89,349,900 for 2002, and ~~\$43,091,900~~ \$45,211,400 for
15 the first 6 months of ~~2001~~ 2003.

16 (b) Of those the amounts specified in par. (a), the department shall allocate
17 \$1,000,000 \$2,000,000 for the last 6 months of 1999, ~~\$3,000,000 for 2000~~ and
18 ~~\$2,000,000~~ 2001, \$4,000,000 for 2002, and \$2,000,000 for the first 6 months of ~~2001~~
19 2003 to counties based on each of the following factors weighted equally:

20 **SECTION 3344f.** 301.26 (7) (a) 1. to 3. of the statutes are renumbered 301.26 (7)

21 (b) 1. to 3.

22 **SECTION 3344g.** 301.26 (7) (c) of the statutes is created to read:

23 301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate
24 \$1,046,700 for the last 6 months of 2001, \$3,166,300 for 2002, and \$2,119,500 for the

1 first 6 months of 2003 to counties based on each of the factors specified in par. (b) 1.
2 to 3. weighted equally, except that no county may receive an allocation under this
3 paragraph that is less than 93% nor more than 115% of the amount that the county
4 would have received under this paragraph if the allocation had been distributed only
5 on the basis of the factor specified in par. (b) 3.”.

6 **1205.** Page 1075, line 16: delete “\$150,000” and substitute “\$150,000
7 \$180,000”.

8 **1206.** Page 1076, line 24: delete that line and substitute “security
9 correctional institution at Redgranite, the correctional”.

10 **1207.** Page 1077, line 7: after “prisons.” insert “Beginning on January 1,
11 2004, the medium security correctional facility at New Lisbon and the correctional
12 facility authorized under s. 301.16 (1v) are also state prisons.”.

13 **1208.** Page 1077, line 8: delete lines 8 to 16.

14 **1209.** Page 1077, line 16: after that line insert:

15 “**SECTION 3354b.** 301.048 (2m) of the statutes is repealed.

16 **SECTION 3354c.** 301.048 (3) (a) (intro.) of the statutes is amended to read:

17 301.048 (3) (a) (intro.) The Subject to par. (bm), the department shall provide
18 each participant with one or more of the following sanctions:

19 **SECTION 3354d.** 301.048 (3) (a) 1. of the statutes is amended to read:

20 301.048 (3) (a) 1. Placement in a Type 1 prison or a jail, county reforestation
21 camp, residential treatment facility or community–based residential facility. The
22 Except as provided in par. (bm), the department may not place a participant under
23 this paragraph for more than one year ~~or, if applicable, the period specified by the~~

1 court under s. 973.032 (3) (b), whichever is shorter, except as provided in s. 973.032
2 (4).

3 **SECTION 3354db.** 301.048 (3) (b) of the statutes is amended to read:

4 301.048 (3) (b) The Except as provided in par. (bm), the department may
5 provide the sanctions under par. (a) in any order and may provide more than one
6 sanction at a time. Subject to the cumulative time restrictions under ~~par.~~ pars. (a)
7 1. and (bm) 2., the department may return to a sanction that was used previously for
8 a participant. A participant is not entitled to a hearing regarding the department's
9 exercise of authority under this subsection or its decision to not petition the court
10 under s. 973.032 (4m) (b) for permission to release a person from a placement under
11 par. (a) 1. unless the department provides for a hearing by rule.

12 **SECTION 3354df.** 301.048 (3) (bm) of the statutes is created to read:

13 301.048 (3) (bm) 1. The department shall initially place a person required to
14 participate in the intensive sanctions program under s. 973.032 (1) in a Type 1 prison
15 or a jail, county reforestation camp, residential treatment facility, or
16 community-based residential facility under par. (a) 1. Except as provided under
17 subd. 2. or unless, under sub. (4) (a), the person's extended supervision is revoked,
18 the department shall maintain the person in that placement until the court
19 authorizes the person's release from the placement under s. 973.032 (4m).

20 2. The department may not place a person described in subd. 1. in a placement
21 under par. (a) 1. for a total of more than 2 years.

22 **SECTION 3354e.** 301.048 (4) (a) of the statutes is amended to read:

23 301.048 (4) (a) A participant is in the custody and under the control of the
24 department, subject to its rules and discipline. A participant entering the program
25 under sub. (2) (am) 1. is a prisoner, except that he or she is a person on extended

1 supervision for the purposes of revocation if the department is precluded under sub.
2 (3) (bm) 2. from placing the person under sub. (3) (a) 1. A participant entering the
3 program under sub. (2) (am) ~~1.~~ or 2. is a prisoner. A participant entering the program
4 under sub. (2) (am) 3. is a prisoner, except that he or she is a parolee for purposes of
5 revocation. A participant entering the program under sub. (2) (am) 3m. is a prisoner,
6 except that he or she remains a person on extended supervision for purposes of
7 revocation. A participant entering the program under sub. (2) (am) 4. is a prisoner,
8 except that he or she remains a probationer, parolee, or person on extended
9 supervision, whichever is applicable, for purposes of revocation.

10 **SECTION 3354f.** 301.048 (4) (ar) of the statutes is created to read:

11 301.048 **(4)** (ar) If a participant enters the program under sub. (2) (am) 1. and
12 his or her extended supervision is revoked, the time remaining on the bifurcated
13 sentence for the purposes of s. 302.113 (9) is the total length of the bifurcated
14 sentence, less time served by the person in custody under sub. (3) (a) 1. before release
15 to extended supervision.

16 **SECTION 3354g.** 301.048 (6) (a) of the statutes is amended to read:

17 301.048 **(6)** (a) Except as provided in ~~par.~~ pars. (b) and (c), the department may
18 discharge a participant from participation in the program and from departmental
19 custody and control at any time.

20 **SECTION 3354h.** 301.048 (6) (c) of the statutes is created to read:

21 301.048 **(6)** (c) 1. If the department determines that a person participating
22 under sub. (2) (am) 1. has successfully completed the intensive sanctions program,
23 the department shall inform the court that sentenced the inmate.

24 2. Upon being informed by the department under subd. 1. that an inmate whom
25 the court sentenced under s. 973.01 has successfully completed the intensive

1 sanctions program, the court shall modify the inmate’s bifurcated sentence as
2 follows:

3 a. The court shall reduce the term of confinement in prison portion of the
4 inmate’s bifurcated sentence in a manner that provides for the release of the inmate
5 to extended supervision within 30 days of the date on which the court receives the
6 information from the department under subd. 1.

7 b. The court shall lengthen the term of extended supervision imposed so that
8 the total length of the bifurcated sentence originally imposed does not change.

9 3. The court may not increase the total length of the bifurcated sentence when
10 modifying a bifurcated sentence under subd. 2.”.

11 **1210.** Page 1078, line 2: after that line insert:

12 “**SECTION 3354x.** 302.11 (1i) of the statutes is repealed.”.

13 **1211.** Page 1078, line 3: delete lines 3 to 11.

14 **1212.** Page 1078, line 17: delete the material beginning with that line and
15 ending on page 1080, line 2.

16 **1213.** Page 1080, line 3: delete lines 3 to 6.

17 **1214.** Page 1080, line 7: delete lines 7 to 11.

18 **1215.** Page 1080, line 20: delete the material beginning with that line and
19 ending on line 25.

20 **1216.** Page 1081, line 1: delete lines 1 to 16 and substitute:

21 “**SECTION 3369m.** 302.113 (9) (a) of the statutes is amended to read:

22 302.113 (9) (a) If a person released to extended supervision under this section
23 violates a condition of extended supervision, the division of hearings and appeals in
24 the department of administration, upon proper notice and hearing, or the

1 department of corrections, if the person on extended supervision waives a hearing,
2 may revoke the extended supervision of the person and return the person to prison.
3 If the person is returned to prison, he or she shall be returned to prison for any
4 specified period of time that does not exceed the time remaining on the bifurcated
5 sentence. The Except as provided in s. 301.048 (4) (ar), the time remaining on the
6 bifurcated sentence is the total length of the bifurcated sentence, less time served by
7 the person in custody before release to extended supervision. The revocation order
8 shall provide the person on extended supervision with credit in accordance with ss.
9 304.072 and 973.155.”.

10 **1217.** Page 1081, line 17: delete the material beginning with that line and
11 ending on page 1083, line 21.

12 **1218.** Page 1084, line 4: delete the material beginning with that line and
13 ending with page 1086, line 9.

14 **1219.** Page 1088, line 5: delete lines 5 to 11 and substitute:

15 “**SECTION 3386d.** 302.18 (7) of the statutes is amended to read:

16 302.18 (7) Except as provided in s. 973.013 (3m), the department shall keep all
17 prisoners a person under 15 years of age who has been sentenced to the Wisconsin
18 state prisons in a secured juvenile correctional facilities or facility or a secured child
19 caring institutions institution, but the department may transfer them that person
20 to an adult correctional institutions institution after they attain the person attains
21 15 years of age. The department may not transfer any person under 18 years of age
22 to the correctional institution authorized in s. 301.16 (1n).”.

23 **1220.** Page 1088, line 5: delete lines 5 to 16.

24 **1221.** Page 1088, line 24: delete that line.

1 **1222.** Page 1089, line 1: delete lines 1 to 4.

2 **1223.** Page 1089, line 16: delete the material beginning with that line and
3 ending with page 1090, line 13, and substitute:

4 “**SECTION 3389gm.** 303.01 (2) (em) of the statutes is amended to read:

5 303.01 (2) (em) Lease space, with or without equipment, within the precincts
6 of state prisons, as specified in s. 302.02, or within the confines of correctional
7 institutions operated by the department for holding in secure custody persons
8 adjudged delinquent, to not more than ~~6~~ 2 private businesses to employ prison
9 inmates and institution residents to manufacture products or components or to
10 provide services for sale on the open market. The department shall comply with s.
11 16.75 in selecting businesses under this paragraph. ~~The department may enter into~~
12 ~~a contract under this paragraph only with the approval of the joint committee on~~
13 ~~finance. The Beginning on the effective date of this paragraph [revisor inserts~~
14 ~~date], the department may not enter into, extend, renew, or amend a contract under
15 this paragraph unless the contract or amendment specifies each state prison or
16 juvenile correctional institution at which the private business will employ inmates
17 or institution residents. ~~The department shall consult with appropriate trade~~
18 ~~organizations and labor unions prior to issuing requests for proposals and prior to~~
19 ~~selecting proposals~~ under this paragraph. Each such private business may conduct
20 its operations as a private business, subject to the wage standards under sub. (4), the
21 disposition of earnings under sub. (8), the provisions regarding displacement in sub.
22 (11), the requirements for notification and hearing under sub. (1) (c), the requirement
23 for prison industries board approval under s. 303.015 (1) (b) and the authority of the
24 department to maintain security and control in its institutions. The private business~~

1 and its operations are not a prison industry. Inmates employed by the private
2 business are not subject to the requirements of inmates participating in prison
3 industries, except as provided in this paragraph;

4 **SECTION 3389gn.** 303.01 (2) (em) of the statutes, as affected by 2001 Wisconsin
5 Act (this act), is repealed.

6 **SECTION 3389kb.** 303.01 (8) (b) of the statutes is amended to read:

7 303.01 (8) (b) The department shall distribute earnings of an inmate or
8 resident, ~~other than an inmate or resident employed under sub. (2) (em),~~ for the crime
9 victim and witness assistance surcharge under s. 973.045 (4), for the delinquency
10 victim and witness assistance surcharge under s. 938.34 (8d) (c), for the
11 deoxyribonucleic acid analysis surcharge under s. 973.046 (4) and for compliance
12 with s. 303.06 (2) and may distribute earnings for the support of the inmate's or
13 resident's dependents and for other obligations either acknowledged by the inmate
14 or resident in writing or which have been reduced to judgment that may be satisfied
15 according to law.

16 **SECTION 3389kg.** 303.01 (8) (c) of the statutes is repealed.

17 **SECTION 3389km.** 303.01 (8) (d) of the statutes is repealed.

18 **SECTION 3389kq.** 303.01 (8) (e) of the statutes is repealed.

19 **SECTION 3389ks.** 303.01 (11) of the statutes is repealed.

20 **SECTION 3389kx.** 303.06 (3) of the statutes is repealed.

21 **SECTION 3389kz.** 303.21 (1) (b) of the statutes is amended to read:

22 303.21 (1) (b) Inmates are included under par. (a) if they are participating in
23 a structured work program away from the institution grounds under s. 302.15 or a
24 secure work program under s. 303.063. Inmates are not included under par. (a) if
25 they are employed in a prison industry under s. 303.06 (2), participating in a work

1 release program under s. 303.065 (2), ~~participating in employment with a private~~
2 ~~business under s. 303.01 (2) (em)~~ or participating in the transitional employment
3 program, but they are eligible for worker’s compensation benefits under ch. 102.
4 Residents subject to s. 303.01 (1) (b) are not included under par. (a) but they are
5 eligible for worker’s compensation benefits under ch. 102.”.

6 **1224.** Page 1090, line 13: after that line insert:

7 “**SECTION 3389h.** 303.063 of the statutes is repealed.

8 **SECTION 3389j.** 303.21 (1) (b) of the statutes is amended to read:

9 303.21 (1) (b) Inmates are included under par. (a) if they are participating in
10 a structured work program away from the institution grounds under s. 302.15 ~~or a~~
11 ~~secure work program under s. 303.063.~~ Inmates are not included under par. (a) if
12 they are employed in a prison industry under s. 303.06 (2), participating in a work
13 release program under s. 303.065 (2), participating in employment with a private
14 business under s. 303.01 (2) (em), or participating in the transitional employment
15 program, but they are eligible for worker’s compensation benefits under ch. 102.
16 Residents subject to s. 303.01 (1) (b) are not included under par. (a) but they are
17 eligible for worker’s compensation benefits under ch. 102.”.

18 **1225.** Page 1090, line 19: after that line insert:

19 “**SECTION 3389n.** 304.02 (4) of the statutes is repealed.”.

20 **1226.** Page 1090, line 24: after that line insert:

21 “**SECTION 3389pm.** 304.06 (1y) of the statutes is repealed.”.

22 **1227.** Page 1093, line 11: after that line insert:

23 “**SECTION 3389z.** 304.071 (2) of the statutes is amended to read:

1 304.071 **(2)** If a prisoner is not eligible for parole under s. 939.62 (2m) (c), 961.49
2 (2), 973.01 (6), or 973.014 (1) (c) or (1g) or 973.032 (5), he or she is not eligible for
3 parole under this section.”.

4 **1228.** Page 1093, line 12: delete lines 12 to 22.

5 **1229.** Page 1094, line 20: on lines 20 and 21, delete “55., or 56.” and substitute
6 “or 55.”.

7 **1230.** Page 1095, line 4: on lines 4 and 20, delete “55., or 56.” and substitute
8 “or 55.”.

9 **1231.** Page 1098, line 7: delete lines 7 to 19.

10 **1232.** Page 1098, line 20: delete the material beginning with “statutes” and
11 ending with “(this act),” on line 21 and substitute “statutes”.

12 **1233.** Page 1098, line 24: delete “55., or 56.” and substitute “or 55.”.

13 **1234.** Page 1099, line 2: delete “55., or 56.” and substitute “or 55.”.

14 **1235.** Page 1101, line 10: delete the material beginning with that line and
15 ending on page 1103, line 14.

16 **1236.** Page 1104, line 13: after that line insert:

17 “**SECTION 3409d.** 343.10 (1) (a) of the statutes is amended to read:

18 343.10 **(1)** (a) If a person’s license or operating privilege is revoked or
19 suspended under this chapter or s. 767.303 or 961.50, or if the person’s operating
20 privilege was suspended for failing to pay a forfeiture imposed for violating an
21 ordinance unrelated to the person’s operation of a motor vehicle under s. 345.47 (1)
22 (b), 800.09 (1) (c), 800.095 (4) (b) 4., 938.17 (2) (d), 938.34 (8), or 938.343 (2), and if
23 the person is engaged in an occupation, including homemaking or full-time or

1 part-time study, or a trade making it essential that he or she operate a motor vehicle,
2 the person, after payment of the fee provided in sub. (6), may file an application with
3 the department setting forth in detail the need for operating a motor vehicle. No
4 person may file more than one application with respect to each revocation or
5 suspension of the person's license or operating privilege under this chapter or s.
6 767.303 or 961.50, except that this limitation does not apply to an application to
7 amend an occupational license restriction.”.

8 **1237.** Page 1106, line 2: after that line insert:

9 “**SECTION 3409j.** 343.10 (6) of the statutes is renumbered 343.10 (6) (a) and
10 amended to read:

11 343.10 **(6)** (a) ~~No~~ Except as provided in par. (b), no person may file an
12 application for an occupational license under sub. (1) unless he or she first pays a fee
13 of \$40 to the department.

14 **SECTION 3409k.** 343.10 (6) (b) of the statutes is created to read:

15 343.10 **(6)** (b) A person whose operating privilege was suspended solely for
16 failing to pay a forfeiture imposed for violating an ordinance unrelated to the person's
17 operation of a motor vehicle under s. 345.47 (1) (b), 800.09 (1) (c), 800.095 (4) (b) 4.,
18 938.17 (2) (d), 938.34 (8), or 938.343 (2) may not file an application for an
19 occupational license under sub. (1) unless he or she first pays a fee of \$10 to the
20 department.”.

21 **1238.** Page 1118, line 21: after that line insert:

22 “**SECTION 3427t.** 345.11 (1t) of the statutes is created to read:

1 345.11 **(1t)** The uniform traffic citation may be used by a traffic officer
2 employed under s. 110.07 for a violation of s. 167.10 (3) (a) when committed on a
3 highway.

4 **SECTION 3427g.** 345.20 (2) (h) of the statutes is created to read:

5 345.20 **(2)** (h) Sections 23.50 to 23.85 apply to actions in circuit court to recover
6 forfeitures for violations of s. 167.10 (3) (a). No demerit points may be assessed
7 against the driving record of a person convicted of a violation of s. 167.10 (3) (a). No
8 report of conviction of a violation of s. 167.10 (3) (a) may be forwarded to the
9 department.”.

10 **1239.** Page 1118, line 21: after that line insert:

11 “**SECTION 3427r.** 344.576 (3) (a) 5. of the statutes is amended to read:

12 344.576 **(3)** (a) 5. The address and telephone number of the department of
13 agriculture, ~~trade and consumer protection~~ justice.

14 **SECTION 3427t.** 344.576 (3) (c) of the statutes is amended to read:

15 344.576 **(3)** (c) The department of agriculture, ~~trade and consumer protection~~
16 justice shall promulgate rules specifying the form of the notice required under par.
17 (a), including the size of the paper and the type size and any highlighting of the
18 information described in par. (a). The rule may specify additional information that
19 must be included in the notice and the precise language that must be used.

20 **SECTION 3427y.** 344.579 (2) (intro.) of the statutes is amended to read:

21 344.579 **(2)** ENFORCEMENT. (intro.) The department of agriculture, ~~trade and~~
22 ~~consumer protection~~ justice shall investigate violations of ss. 344.574, 344.576 (1),
23 (2) and (3) (a) and (b), 344.577 and 344.578. The department of agriculture, ~~trade~~
24 ~~and consumer protection~~ justice may on behalf of the state:”.

1 **1240.** Page 1143, line 6: after that line insert:

2 “**SECTION 3492m.** 423.102 of the statutes is amended to read:

3 **423.102 Scope.** This chapter applies to all consumer transactions, except that
4 subch. II does not apply to cemetery preneed sales under s. ss. 440.92 and 440.922.”.

5 **1241.** Page 1145, line 10: after that line insert:

6 “**SECTION 3504b.** 440.03 (1) of the statutes is amended to read:

7 440.03 (1) The department may promulgate rules defining uniform procedures
8 to be used by the department, the cemetery board, the real estate board, the real
9 estate appraisers board, and all examining boards and affiliated credentialing
10 boards attached to the department or an examining board, for receiving, filing, and
11 investigating complaints, for commencing disciplinary proceedings and for
12 conducting hearings.

13 **SECTION 3504d.** 440.03 (3) of the statutes is amended to read:

14 440.03 (3) If the secretary reorganizes the department, no modification may
15 be made in the powers and responsibilities of the examining boards ~~or~~, affiliated
16 credentialing boards, or other boards attached to the department or an examining
17 board under s. 15.03, 15.405, or 15.406.

18 **SECTION 3504f.** 440.03 (7m) of the statutes is amended to read:

19 440.03 (7m) The department may promulgate rules that establish procedures
20 for submitting an application for a credential or credential renewal by electronic
21 transmission. Any rules promulgated under this subsection shall specify procedures
22 for complying with any requirement that a fee be submitted with the application.
23 The rules may also waive any requirement in chs. 440 to 480 that an application
24 submitted to the department, an examining board or an affiliated credentialing

1 board be executed, verified, certified, signed, sworn, or made under oath,
2 notwithstanding ss. 440.26 (2) (b), 440.42 (2) (intro.), 440.91 (2) (intro.), 443.06 (1)
3 (a), 443.10 (2) (a), 445.04 (2), 445.08 (4), 445.095 (1) (a), 448.05 (7), 450.09 (1) (a),
4 452.10 (1), and 480.08 (2m).

5 **SECTION 3504h.** 440.03 (13) of the statutes is renumbered 440.03 (13) (a) and
6 amended to read:

7 440.03 (13) (a) The Except as provided in par. (b), the department may conduct
8 an investigation to determine whether an applicant for a credential issued under chs.
9 440 to 480 satisfies any of the eligibility requirements specified for the credential,
10 including whether the applicant does not have an arrest or conviction record.

11 (c) In conducting an investigation under ~~this subsection~~ par. (a) or (b), the
12 department may require an applicant to provide any information that is necessary
13 for the investigation or, for the purpose of obtaining information related to an arrest
14 or conviction record of an applicant, to complete forms provided by the department
15 of justice or the federal bureau of investigation. The department shall charge the
16 applicant any fees, costs, or other expenses incurred in conducting the investigation
17 under ~~this subsection~~ par. (a) or (b).

18 **SECTION 3504k.** 440.03 (13) (b) of the statutes is created to read:

19 440.03 (13) (b) Before granting a credential to a cemetery authority, cemetery
20 salesperson, or preneed seller, or renewing such a credential, the department shall
21 conduct an investigation to determine whether a person specified in s. 440.93 (1)
22 (intro.) has been convicted of an offense specified in s. 440.93 (1) (d).”.

23 **1242.** Page 1145, line 15: after that line insert:

24 **“SECTION 3404q.** 440.04 (1) of the statutes is amended to read:

1 440.04 (1) Centralize, at the capital and in such district offices as the
2 operations of the department and the attached boards, examining boards, and
3 affiliated credentialing boards require, the routine housekeeping functions required
4 by the department, the boards, the examining boards, and the affiliated
5 credentialing boards.

6 **SECTION 3404r.** 440.04 (2) of the statutes is amended to read:

7 440.04 (2) Provide the bookkeeping, payroll, accounting, and personnel
8 advisory services required by the department and the legal services, except for
9 representation in court proceedings and the preparation of formal legal opinions,
10 required by the attached boards, examining boards, and affiliated credentialing
11 boards.

12 **SECTION 3404s.** 440.04 (3) of the statutes is amended to read:

13 440.04 (3) Control the allocation, disbursement, and budgeting of the funds
14 received by the boards, examining boards, and affiliated credentialing boards in
15 connection with their credentialing and, regulation, or other functions.

16 **SECTION 3404t.** 440.04 (4) of the statutes is amended to read:

17 440.04 (4) Employ, assign, and reassign such staff as are required by the
18 department and the attached boards, examining boards, and affiliated credentialing
19 boards in the performance of their functions.

20 **SECTION 3404u.** 440.04 (5) (intro.) of the statutes is amended to read:

21 440.04 (5) (intro.) With the advice of the boards, examining boards, or affiliated
22 credentialing boards:

23 **SECTION 3404v.** 440.04 (5) (c) of the statutes is amended to read:

24 440.04 (5) (c) Provide such other services as the boards, examining boards, or
25 affiliated credentialing boards request.

1 **SECTION 3404w.** 440.045 of the statutes is amended to read:

2 **440.045 Disputes.** Any dispute between a board in the department, an
3 examining board, or an affiliated credentialing board and the secretary shall be
4 arbitrated by the governor or the governor’s designee after consultation with the
5 disputants.

6 **SECTION 3404x.** 440.05 (intro.) of the statutes is amended to read:

7 **440.05 Standard fees.** (intro.) The following standard fees apply to all initial
8 credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, 440.91 (1m) (a),
9 442.06, 444.03, 444.05, 444.11, 447.04 (2) (c) 2., 449.17, 449.18, and 459.46.”.

10 **1243.** Page 1148, line 25: after that line insert:

11 “**SECTION 3529b.** 440.08 (2) (a) 21. of the statutes is amended to read:

12 440.08 (2) (a) 21. Cemetery authority, licensed: January 1 of each
13 odd-numbered year; \$343.

14 **SECTION 3529c.** 440.08 (2) (a) 21m. of the statutes is created to read:

15 440.08 (2) (a) 21m. Cemetery authority, registered: January 1 of each
16 odd-numbered year; \$5.”.

17 **1244.** Page 1154, line 17: after that line insert:

18 “**SECTION 3579c.** 440.08 (2) (a) 66m. of the statutes is created to read:

19 440.08 (2) (a) 66m. Real estate closing agent: January 1 of each odd-numbered
20 year; \$53.”.

21 **1245.** Page 1156, line 6: after that line insert:

22 “**SECTION 3608m.** 450.045 (1) of the statutes is amended to read:

1 450.045 (1) Internships in the practice of pharmacy shall be conducted under
2 the general supervision and according to the procedures and standards of the
3 pharmacy ~~internship~~ examining board.

4 **SECTION 3608r.** 450.045 (2) of the statutes is amended to read:

5 450.045 (2) Internships shall consist of practical experience in the
6 responsibilities of a pharmacist and shall be conducted under the supervision of a
7 pharmacist approved by the pharmacy ~~internship~~ examining board.”.

8 **1246.** Page 1156, line 6: after that line insert:

9 **“SECTION 3607.** 445.125 (1) (a) 2. of the statutes is amended to read:

10 445.125 (1) (a) 2. Notwithstanding s. 701.12 (1), such agreements may be made
11 irrevocable as to the first ~~\$2,500~~ \$3,000 of the funds paid under the agreement by
12 each depositor.”.

13 **1247.** Page 1156, line 6: after that line insert:

14 **“SECTION 3592d.** 440.13 (2) (d) of the statutes is created to read:

15 440.13 (2) (d) With respect to a credential granted by the department under
16 subch. VIII of ch. 440, the cemetery board shall restrict, limit, or suspend the
17 credential when directed to do so by the department.

18 **SECTION 3592h.** 440.14 (1) (a) of the statutes is amended to read:

19 440.14 (1) (a) “List” means information compiled or maintained by the
20 department ~~or~~, a credentialing board, or another board in the department that
21 contains the personal identifiers of 10 or more individuals.

22 **SECTION 3592p.** 440.14 (2) of the statutes is amended to read:

23 440.14 (2) If a form that the department ~~or~~, a credentialing board, or another
24 board in the department requires an individual to complete in order to apply for a

1 credential or credential renewal or to obtain a product or service from the
2 department ~~or the~~, credentialing board, or other board requires the individual to
3 provide any of the individual's personal identifiers, the form shall include a place for
4 the individual to declare that the individual's personal identifiers obtained by the
5 department ~~or the~~, credentialing board, or other board from the information on the
6 form may not be disclosed on any list that the department ~~or the~~, credentialing board,
7 or other board furnishes to another person.

8 **SECTION 3592pb.** 440.14 (3) of the statutes is amended to read:

9 440.14 (3) If the department ~~or~~, a credentialing board, or another board in the
10 department requires an individual to provide, by telephone or other electronic
11 means, any of the individual's personal identifiers in order to apply for a credential
12 or credential renewal or to obtain a product or service from the department ~~or a,~~
13 credentialing board, or other board, the department ~~or the~~, credentialing board, or
14 other board shall ask the individual at the time that the individual provides the
15 information if the individual wants to declare that the individual's personal
16 identifiers obtained by telephone or other electronic means may not be disclosed on
17 any list that the department ~~or the~~, credentialing board, or other board furnishes to
18 another person.

19 **SECTION 3592pd.** 440.14 (4) of the statutes is amended to read:

20 440.14 (4) The department ~~or~~, a credentialing board, or another board in the
21 department shall provide to an individual upon request a form that includes a place
22 for the individual to declare that the individual's personal identifiers obtained by the
23 department ~~or~~, credentialing board, or other board may not be disclosed on any list
24 that the department ~~or~~, credentialing board, or other board furnishes to another
25 person.

1 **SECTION 3592pf.** 440.14 (5) of the statutes is amended to read:

2 440.14 (5) (a) The department ~~or~~, a credentialing board, or another board in the
3 department may not disclose on any list that it furnishes to another person a
4 personal identifier of any individual who has made a declaration under sub. (2), (3),
5 or (4).

6 (b) Paragraph (a) does not apply to a list that the department ~~or~~, a credentialing
7 board, or another board in the department furnishes to another state agency, a law
8 enforcement agency, or a federal governmental agency. A state agency that receives
9 a list from the department ~~or~~, a credentialing board, or another board in the
10 department containing a personal identifier of any individual who has made a
11 declaration under sub. (2), (3), or (4) may not disclose the personal identifier to any
12 person other than a state agency, a law enforcement agency, or a federal
13 governmental agency.

14 **SECTION 3592t.** 440.22 (1) of the statutes is amended to read:

15 **440.22 Assessment of costs. (1)** In this section, “costs of the proceeding”
16 means the compensation and reasonable expenses of hearing examiners and of
17 prosecuting attorneys for the department, examining board ~~or~~, affiliated
18 credentialing board, or other board in the department, a reasonable disbursement
19 for the service of process or other papers, amounts actually paid out for certified
20 copies of records in any public office, postage, telephoning, adverse examinations and
21 depositions and copies, expert witness fees, witness fees and expenses, compensation
22 and reasonable expenses of experts and investigators, and compensation and
23 expenses of a reporter for recording and transcribing testimony.

24 **SECTION 3605gb.** 440.90 (1) of the statutes is renumbered 440.90 (1d).

25 **SECTION 3605gd.** 440.90 (1b) of the statutes is created to read:

1 440.90 **(1b)** “Board” means the cemetery board.

2 **SECTION 3605gf.** 440.90 (1c) of the statutes is created to read:

3 440.90 **(1c)** “Burial space” has the meaning given in s. 157.061 (1d).

4 **SECTION 3605gh.** 440.90 (1g) of the statutes is created to read:

5 440.90 **(1g)** “Business entity” has the meaning given in s. 452.01 (3j).

6 **SECTION 3605gj.** 440.90 (1r) of the statutes is created to read:

7 440.90 **(1r)** “Business representative” has the meaning given in s. 452.01 (3k).

8 **SECTION 3605gL.** 440.90 (3g) of the statutes is created to read:

9 440.90 **(3g)** “Columbarium” has the meaning given in s. 157.061 (3g).

10 **SECTION 3605gn.** 440.90 (3r) of the statutes is created to read:

11 440.90 **(3r)** “Columbarium space” has the meaning given in s. 157.061 (3r).

12 **SECTION 3605gp.** 440.90 (4e) of the statutes is created to read:

13 440.90 **(4e)** “Lawn crypt” has the meaning given in s. 157.061 (8g).

14 **SECTION 3605gr.** 440.90 (4m) of the statutes is created to read:

15 440.90 **(4m)** “Licensed cemetery authority” means a cemetery authority that
16 is licensed under s. 440.91 (1).

17 **SECTION 3605gt.** 440.90 (4r) of the statutes is created to read:

18 440.90 **(4r)** “Licensee” means a person licensed under this subchapter.

19 **SECTION 3605gv.** 440.90 (10m) of the statutes is created to read:

20 440.90 **(10m)** “Registrant” means a person registered under this subchapter.

21 **SECTION 3605gx.** 440.90 (10r) of the statutes is created to read:

22 440.90 **(10r)** “Religious cemetery authority” has the meaning given in s.
23 157.061 (15m).

24 **SECTION 3605gz.** 440.90 (14) of the statutes is repealed.

1 **SECTION 3605ib.** 440.91 (1) of the statutes is renumbered 440.91 (1) (a) and
2 amended to read:

3 440.91 (1) (a) Except as provided in sub. (6m), every cemetery authority that
4 operates a cemetery that is 5 acres or more in size, that sells ~~or solicits the sale of a~~
5 ~~total of 10~~ 20 or more cemetery lots or mausoleum burial spaces at a cemetery during
6 ~~a calendar year and that pays any commission or other compensation to any person~~
7 ~~for selling or soliciting the sale of its cemetery lots or mausoleum spaces shall register~~
8 ~~with,~~ or that has \$100,000 or more in trust fund accounts for a cemetery shall apply
9 to the department. ~~The registration shall be in writing and shall include the names~~
10 ~~of the officers of the cemetery authority for a license for that cemetery. A cemetery~~
11 ~~authority that operates more than one cemetery shall apply for a separate license for~~
12 ~~each cemetery that is 5 acres or more in size and for each cemetery, at which it sells~~
13 ~~20 or more burial spaces or at which it has \$100,000 or more in trust fund accounts.~~

14 **SECTION 3605id.** 440.91 (1) (b) of the statutes is created to read:

15 440.91 (1) (b) Except as provided in s. 440.93 (1), the department shall grant
16 a license to a cemetery authority if all of the following are satisfied:

17 1. The cemetery authority submits an application for the license to the
18 department on a form provided by the department. The application shall require the
19 cemetery authority to provide the names of the officers of the cemetery authority and
20 to identify a business representative who is primarily responsible for the cemetery
21 authority's compliance with subch. II of ch. 157 and this subchapter.

22 2. The cemetery authority pays the fee specified in s. 440.05 (1) and any fees,
23 costs, or expenses charged by the department under s. 440.03 (13) (c).

24 **SECTION 3605idc.** 440.91 (1) (c) of the statutes is created to read:

1 440.91 (1) (c) A licensed cemetery authority shall notify the department if it
2 designates a substitute business representative to take the place of a business
3 representative identified under par. (b) 1.

4 **SECTION 3605idf.** 440.91 (1) (d) of the statutes is created to read:

5 440.91 (1) (d) If a licensed cemetery authority notifies the department under
6 s. 157.08 (2) (b) 1. (intro.) that it proposes to take an action specified in s. 157.08 (2)
7 (b) 1. b. or c. and the department does not object to the action under s. 157.08 (2) (b)
8 3., the department shall revoke the license granted under par. (b) and require the
9 licensed cemetery authority to reapply for a license under par. (b).

10 **SECTION 3605idg.** 440.91 (1) (e) of the statutes is created to read:

11 440.91 (1) (e) 1. The renewal dates and renewal fees for licenses granted under
12 par. (b) are specified in s. 440.08 (2) (a), except that a licensed cemetery authority is
13 not required to renew its license if the cemetery authority sells less than 10 burial
14 spaces during a period of 2 consecutive calendar years.

15 2. A licensed cemetery authority that is not required to renew its license under
16 subd. 1. shall renew the license if, during a period of 2 consecutive calendar years
17 that is subsequent to the period specified in subd. 1., the cemetery authority sells 10
18 or more burial spaces.

19 **SECTION 3605if.** 440.91 (1m) of the statutes is created to read:

20 440.91 (1m) (a) Except as provided in par. (c) and sub. (6m), a cemetery
21 authority that operates a cemetery for which a license is not required under sub. (1)
22 shall register the cemetery with the department by paying a \$5 registration fee and
23 submitting an application on a form provided by the department that requires the
24 applicant to provide the names of the officers of the cemetery authority and any other
25 information that the department may require. A cemetery authority that operates

1 more than one cemetery for which a license is not required under sub. (1) shall pay
2 a separate registration fee and submit a separate application for each cemetery.

3 (b) The renewal dates and renewal fees for registrations under par. (a) are
4 specified in s. 440.08 (2) (a).

5 (c) A cemetery authority is not required to register under par. (a) if it receives
6 no income, other than gifts, from the sale of lots or services or from trust fund
7 earnings.

8 **SECTION 3605if.** 440.91 (2) (intro.) of the statutes is amended to read:

9 440.91 (2) (intro.) Except as provided in subs. (7) and (10), every individual who
10 person that sells or solicits the sale of, or who that expects to sell or solicit the sale
11 of, a total of ~~10~~ 20 or more cemetery lots or mausoleum burial spaces during ~~a~~ 2
12 calendar year years shall register with be licensed by the department. ~~An individual~~
13 A person may not be ~~registered~~ licensed as a cemetery salesperson except upon the
14 written request of a cemetery authority and the payment of the fee specified in s.
15 440.05 (1). The cemetery authority shall certify in writing to the department that
16 the ~~individual~~ person is competent to act as a cemetery salesperson. ~~Within 10 days~~
17 ~~after the certification of any cemetery salesperson, the cemetery salesperson shall~~
18 ~~verify and~~ An applicant for licensure as a cemetery salesperson shall furnish to the
19 department, in such form as the department prescribes, all of the following
20 information:

21 **SECTION 3605ij.** 440.91 (2) (a) of the statutes is repealed and recreated to read:

22 440.91 (2) (a) The name and address of the applicant and, if the applicant is
23 a business entity, the name and address of each business representative.

24 **SECTION 3605iL.** 440.91 (2) (b) of the statutes is repealed.

25 **SECTION 3605iLg.** 440.91 (2) (c) of the statutes is repealed.

1 **SECTION 3605im.** 440.91 (4) of the statutes is amended to read:

2 440.91 (4) Renewal applications shall be submitted to the department on a
3 form provided by the department on or before the applicable renewal date specified
4 under s. 440.08 (2) (a) and shall include the applicable renewal fee specified under
5 s. 440.08 (2) (a). An applicant for renewal of a cemetery salesperson license shall
6 identify each individual that is exempt from licensure under sub. (7) and that the
7 applicant has supervised during the prior 2 years.

8 **SECTION 3605in.** 440.91 (6m) of the statutes is repealed and recreated to read:

9 440.91 (6m) A religious cemetery authority is not required to be licensed under
10 sub. (1) or registered under sub. (1m).

11 **SECTION 3605ip.** 440.91 (7) of the statutes is renumbered 440.91 (7) (a) and
12 amended to read:

13 440.91 (7) (a) An individual who solicits the sale of cemetery lots or mausoleum
14 spaces in a cemetery organized, maintained, and operated by a town, village, or city,
15 ~~church, synagogue or mosque, religious, or~~ fraternal or benevolent society ~~or~~
16 ~~incorporated college of a religious order~~ is not required to be registered licensed
17 under sub. (2) if the individual is supervised by a cemetery salesperson licensed
18 under sub. (2).

19 **SECTION 3605ir.** 440.91 (7) (b) of the statutes is created to read:

20 440.91 (7) (b) An individual who solicits the sale of cemetery lots or mausoleum
21 spaces in a cemetery owned and operated by a religious cemetery authority is not
22 required to be licensed under sub. (2).

23 **SECTION 3605it.** 440.91 (8) of the statutes is repealed.

24 **SECTION 3605iv.** 440.91 (9) of the statutes is amended to read:

1 440.91 **(9)** No cemetery authority or cemetery salesperson registered licensed
2 under sub. (1) or (2) may pay a fee or commission as compensation for a referral or
3 as a finder's fee relating to the sale of a ~~cemetery lot~~, cemetery merchandise or
4 ~~mausoleum~~ a burial space to any person who is not ~~registered~~ licensed under sub. (1)
5 or (2) or who is not regularly and lawfully engaged in the sale of ~~cemetery lots~~,
6 cemetery merchandise or ~~mausoleum~~ burial spaces in another state or territory of
7 the United States or a foreign country.

8 **SECTION 3605ix.** 440.91 (10) of the statutes is amended to read:

9 440.91 **(10)** Nothing in this section requires an individual who is registered
10 licensed as a preneed seller under s. 440.92 (1) to be ~~registered~~ licensed as a cemetery
11 salesperson under sub. (2) if the individual only sells or solicits the sale of cemetery
12 merchandise or undeveloped spaces under preneed sales contracts.

13 **SECTION 3605iz.** 440.92 of the statutes is repealed.

14 **SECTION 3605kb.** 440.92 (1) (title) of the statutes is repealed and recreated to
15 read:

16 440.92 **(1)** (title) LICENSURE.

17 **SECTION 3605kd.** 440.92 (1) (a) of the statutes is amended to read:

18 440.92 **(1)** (a) Except as provided in subs. (4), and (9) (a) ~~and~~ (10), every
19 individual who sells or solicits the sale of cemetery merchandise or an undeveloped
20 space under a preneed sales contract ~~and, if the~~ is required to be licensed under this
21 subsection and, if applicable, comply with the requirements under s. 445.125. If such
22 an individual is employed by or acting as an agent for a cemetery authority or any
23 other person, that cemetery authority or other person is also required to be registered
24 licensed under this subsection.

25 **SECTION 3605kf.** 440.92 (1) (b) (intro.) of the statutes is amended to read:

1 440.92 (1) (b) (intro.) The department shall issue a certificate of registration
2 licensure as a cemetery preneed seller to any person who does all of the following:

3 **SECTION 3605kh.** 440.92 (1) (bm) of the statutes is created to read:

4 440.92 (1) (bm) If a cemetery authority that is registered under this subsection
5 notifies the department under s. 157.08 (2) (b) 1. (intro.) that it proposes to take an
6 action specified in s. 157.08 (2) (b) 1. b. or c. and the department does not object to
7 the action under s. 157.08 (2) (b) 3., the department shall revoke the registration and
8 require the cemetery authority to reapply for a registration under this subsection.

9 **SECTION 3605kj.** 440.92 (1) (e) of the statutes is amended to read:

10 440.92 (1) (e) Nothing in this subsection requires an individual who is
11 registered licensed as a cemetery salesperson under s. 440.91 (2) to be registered
12 licensed under this subsection if the individual does not conduct or solicit any sale
13 under a preneed sales contract.

14 **SECTION 3605kL.** 440.92 (2) (title) of the statutes is renumbered 440.922 (title).

15 **SECTION 3605km.** 440.92 (2) (a) of the statutes is renumbered 440.922 (1) (a),
16 and 440.922 (1) (a) 2., 3., 3g. and 4. (intro.), as renumbered, are amended to read:

17 440.922 (1) (a) 2. By affixing the cemetery merchandise to the ~~cemetery lot or~~
18 mausoleum burial space.

19 3. By storing the cemetery merchandise in a warehouse that is located on the
20 property of the preneed seller if the preneed seller insures the cemetery merchandise
21 and the preneed sales contract requires the preneed seller to ultimately affix the
22 cemetery merchandise to the ~~cemetery lot or mausoleum~~ burial space without
23 additional charge.

24 3g. By storing the cemetery merchandise anywhere on the property of the
25 preneed seller if the property of the preneed seller is located in this state, the preneed

1 seller insures the cemetery merchandise and the preneed sales contract requires the
2 preneed seller to ultimately affix the cemetery merchandise to a cemetery lot burial
3 space, to the outside of or the grounds surrounding a mausoleum or columbarium or
4 to any other outdoor location without additional charge.

5 4. (intro.) By having the cemetery merchandise stored in a warehouse that is
6 not located on the property of the preneed seller if the warehouse has agreed to ship
7 the cemetery merchandise to the preneed seller, purchaser, or beneficiary named in
8 the preneed sales contract without additional charge to the purchaser and the
9 preneed sales contract requires that the cemetery merchandise ultimately be affixed
10 to the cemetery lot or mausoleum burial space without additional charge. If the
11 cemetery merchandise is delivered under this subdivision, all of the following apply:

12 **SECTION 3605kn.** 440.92 (2) (am) of the statutes is renumbered 440.922 (2) and
13 amended to read:

14 440.922 (2) AFFIXTURE OF CEMETERY MERCHANDISE. If a preneed sales contract
15 for the sale of cemetery merchandise requires the preneed seller to ultimately affix
16 the cemetery merchandise to a cemetery lot, ~~mausoleum~~ burial space or other
17 location but the purchaser has not informed the preneed seller of the location where
18 the cemetery merchandise is to be affixed and the location where the cemetery
19 merchandise is to be affixed is not specified in the preneed sales contract, the preneed
20 sales contract may provide that the preneed seller may charge the purchaser an
21 additional fee at the time that the cemetery merchandise is affixed not to exceed the
22 additional costs to the preneed seller that are necessitated by the purchaser's choice
23 of location.

24 **SECTION 3605kp.** 440.92 (2) (b) of the statutes is renumbered 440.922 (1) (b).

1 **SECTION 3605kr.** 440.92 (2) (c) of the statutes is renumbered 440.922 (3) and
2 amended to read:

3 440.922 (3) VOIDING OF CONTRACTS. Except as provided in ~~par. (cm)~~ sub. (4), a
4 preneed sales contract shall provide that if the purchaser voids the preneed sales
5 contract at any time within 10 days after the date of the initial payment the preneed
6 seller shall, within 30 days after the date on which the preneed sales contract is
7 voided, refund all money paid by the purchaser for cemetery merchandise that has
8 not been supplied or delivered and for the mausoleum space.

9 **SECTION 3605kt.** 440.92 (2) (cm) of the statutes is renumbered 440.922 (4).

10 **SECTION 3605kv.** 440.92 (2) (d) of the statutes is renumbered 440.922 (5) (a).

11 **SECTION 3605kx.** 440.92 (2) (e) of the statutes is renumbered 440.922 (5) (b).

12 **SECTION 3605kz.** 440.92 (2) (f) of the statutes is renumbered 440.922 (5) (c) and
13 amended to read:

14 440.922 (5) (c) If a preneed sales contract is voided under par. (e) (b), the
15 preneed seller shall, within 30 days after the date on which the preneed sales
16 contract is voided, refund all money paid by the purchaser, together with interest
17 calculated at the legal rate of interest as provided under s. 138.04.

18 **SECTION 3605mb.** 440.92 (2) (g) and (h) of the statutes are renumbered 440.922
19 (6) and (10).

20 **SECTION 3605md.** 440.92 (2) (i) of the statutes is renumbered 440.922 (7) and
21 amended to read:

22 440.922 (7) TRUSTING REQUIREMENTS. If a preneed sales contract includes
23 provisions for the sale of cemetery merchandise or an undeveloped space that is
24 subject to the trusting requirements under ~~sub. s. 440.92~~ (3) (a) and (b) and for the
25 sale of other goods or services that are not subject to the trusting requirements under

1 ~~sub. s. 440.92~~ (3) (a) and (b), the sale price of the goods or services that are not subject
2 to the trusting requirements may not be inflated for the purpose of allocating a lower
3 sale price to the cemetery merchandise or undeveloped space that is subject to the
4 trusting requirements.

5 **SECTION 3605mf.** 440.92 (2) (j) of the statutes is renumbered 440.922 (8).

6 **SECTION 3605mh.** 440.92 (2) (k) of the statutes is renumbered 440.922 (9) and
7 amended to read:

8 440.922 (9) NOTICE OF RIGHTS. A preneed sales contract shall include the
9 following language in not less than 10–point boldface type: “SECTION 440.92 (2)
10 440.922 OF THE WISCONSIN STATUTES SPECIFIES THE RIGHTS OF THE
11 PURCHASER UNDER THIS CONTRACT. DEPENDING ON THE
12 CIRCUMSTANCES, THESE MAY INCLUDE THE RIGHT TO VOID THE
13 CONTRACT AND RECEIVE A REFUND OR THE RIGHT TO ASSIGN AN
14 INTEREST IN THE CONTRACT TO ANOTHER PERSON.”

15 **SECTION 3605mj.** 440.92 (3) (a) (intro.) of the statutes is renumbered 440.92
16 (3) (a) and amended to read:

17 440.92 (3) (a) A preneed seller shall deposit into a preneed trust fund an
18 amount equal to at least 40% of each payment of principal that is received from the
19 sale of cemetery merchandise under a preneed sales contract, ~~or the wholesale cost~~
20 ~~ratio for the cemetery merchandise multiplied by the amount of the payment of~~
21 ~~principal that is received, whichever is greater.~~ In addition to the amount required
22 to be deposited under this paragraph for the sale of cemetery merchandise and except
23 as provided in par. (c), if a preneed seller receives payment for the sale of an
24 undeveloped space under a preneed sales contract, the preneed seller shall deposit

1 a percentage at least 40% of each payment of principal that is received from the sale
2 of the undeveloped space into a preneed trust fund, ~~determined as follows:~~

3 **SECTION 3605mL.** 440.92 (3) (a) 1. and 2. of the statutes are repealed.

4 **SECTION 3605mn.** 440.92 (3) (c) (intro.) of the statutes is amended to read:

5 440.92 **(3)** (c) (intro.) A preneed seller is not required to make the deposits
6 required under par. (a) ~~1. and 2.~~ for payments for sales of undeveloped spaces under
7 preneed contracts if any of the following applies:

8 **SECTION 3605mp.** 440.92 (4) (title) of the statutes is amended to read:

9 440.92 **(4)** (title) EXCEPTIONS TO REGISTRATION LICENSURE REQUIREMENT.

10 **SECTION 3605mr.** 440.92 (4) (a) (intro.) of the statutes is amended to read:

11 440.92 **(4)** (a) (intro.) Any person who sells or solicits the sale of cemetery
12 merchandise under a preneed sales contract is not required to be registered licensed
13 under sub. (1) and the requirements of sub. (3) (a) and (b) do not apply to the sale if
14 all payments received under the preneed sales contract are trusted as required under
15 s. 445.125 (1) (a) 1. or if all of the following conditions are met:

16 **SECTION 3605mt.** 440.92 (4) (b) of the statutes is amended to read:

17 440.92 **(4)** (b) If any preneed seller who is not registered licensed under sub.
18 (1) accepts a payment under a preneed sales contract and the merchandise is not
19 delivered within 180 days after the date of the sale, the preneed seller shall
20 immediately notify the purchaser that the purchaser is entitled to a refund of all
21 money paid by the purchaser, together with interest calculated at the legal rate of
22 interest as provided under s. 138.04, at any time before the merchandise is delivered.

23 **SECTION 3605mv.** 440.92 (5) of the statutes is renumbered 440.924.

24 **SECTION 3605mx.** 440.92 (6) (title) of the statutes is renumbered 440.926 (title)

25 and amended to read:

1 **440.926** (title) **Reporting; Preneed seller reporting and record keeping;**
2 **audits.**

3 **SECTION 3605mz.** 440.92 (6) (a) of the statutes is renumbered 440.926 (1) (a)
4 and amended to read:

5 440.926 (1) (a) Every preneed seller registered licensed under sub. s. 440.92
6 (1) shall file an annual report with the department. The report shall be made on a
7 form prescribed and furnished by the department. The report shall be made on a
8 calendar-year basis unless the department, by rule, provides for other reporting
9 periods. The report is due on or before the 60th day after the last day of the reporting
10 period.

11 **SECTION 3605ob.** 440.92 (6) (b) and (c) of the statutes are renumbered 440.926
12 (1) (b) and (c).

13 **SECTION 3605od.** 440.92 (6) (d) of the statutes is renumbered 440.926 (2) (c)
14 and amended to read:

15 440.926 (2) (c) All records described under ~~pars. sub. (1) (b) 2. and (c)~~ and
16 maintained by the department are confidential and are not available for inspection
17 or copying under s. 19.35 (1). This paragraph does not apply to any information
18 regarding the name, address, or employer of or financial information related to an
19 individual that is requested under s. 49.22 (2m) by the department of workforce
20 development or a county child support agency under s. 59.53 (5).

21 **SECTION 3605of.** 440.92 (6) (e) and (f) of the statutes are renumbered 440.926
22 (1) (d) and (e).

23 **SECTION 3605oh.** 440.92 (6) (g) of the statutes is renumbered 440.926 (2) (a),
24 and 440.926 (2) (a) 1. and 2., as renumbered, are amended to read:

1 440.926 **(2)** (a) 1. The records needed to prepare the reports required under ~~par.~~
2 ~~sub. (1)~~ (a).

3 2. Records that show, for each deposit in a trust fund or account specified in
4 ~~pars. sub. (1)~~ (b) 2. and (c), the name of the purchaser or beneficiary of the preneed
5 sales contract relating to the deposit and the item purchased.

6 **SECTION 3605oj.** 440.92 (6) (h) of the statutes is renumbered 440.926 (2) (b) and
7 amended to read:

8 440.926 **(2)** (b) The records under ~~par. sub. (1)~~ (b) 1. shall be permanently
9 maintained by the preneed seller. The records under ~~par. sub. (1)~~ (b) 2. shall be
10 maintained for not less than 3 years after all of the obligations of the preneed sales
11 contract have been fulfilled. The department may promulgate rules to establish
12 longer time periods for maintaining records under this paragraph.

13 **SECTION 3605oL.** 440.92 (6) (i) of the statutes is renumbered 440.926 (3) (a) and
14 amended to read:

15 440.926 **(3)** (a) The department may promulgate rules requiring preneed
16 sellers ~~registered~~ licensed under ~~sub. s. 440.92~~ (1) to maintain other records and
17 establishing minimum time periods for the maintenance of those records.

18 **SECTION 3605on.** 440.92 (6) (j) of the statutes is renumbered 440.926 (4) and
19 amended to read:

20 440.926 **(4)** AUDITS. The department may audit, at reasonable times and
21 frequency, the records, trust funds, and accounts of any preneed seller ~~registered~~
22 licensed under ~~sub. s. 440.92~~ (1), including records, trust funds, and accounts
23 pertaining to services provided by a preneed seller which are not otherwise subject
24 to the requirements under this ~~section~~ subchapter. The department may conduct
25 audits under this ~~paragraph~~ subsection on a random basis, and shall conduct all

1 audits under this ~~paragraph~~ subsection without providing prior notice to the preneed
2 seller.

3 **SECTION 3605op.** 440.92 (6) (k) of the statutes is renumbered 440.926 (3) (b)
4 and amended to read:

5 440.926 (3) (b) The department may promulgate rules establishing a filing fee
6 to accompany the report required under ~~par. sub. (1)~~ (a). The filing fee shall be based
7 on the approximate cost of regulating preneed sellers.

8 **SECTION 3605or.** 440.92 (7) of the statutes is renumbered 440.927 and
9 amended to read:

10 **440.927 Approval of warehouses.** No person may own or operate a
11 warehouse located inside or outside this state unless the warehouse is approved by
12 the department. ~~Upon application, the department shall approve a warehouse that~~
13 ~~is located in this state if the person who operates the warehouse is licensed as a public~~
14 ~~warehouse keeper by the department of agriculture, trade and consumer protection~~
15 ~~under ch. 99, but may not approve a warehouse that is located in this state unless~~
16 ~~the person is so licensed.~~ The department shall promulgate rules establishing the
17 requirements for approval of warehouses ~~that are located outside this state~~ under
18 this section. The rules shall require warehouses ~~that are located outside this state~~
19 to file with the department a bond furnished by a surety company authorized to do
20 business in this state in an amount that is sufficient to guarantee the delivery of
21 cemetery merchandise to purchasers under preneed sales contracts. The
22 department shall compile and keep a current list of the names and addresses of all
23 warehouses approved under this ~~subsection~~ section and shall make the list available
24 for public inspection during the times specified in s. 230.35 (4) (f).

25 **SECTION 3605ot.** 440.92 (9) (title) of the statutes is amended to read:

1 440.92 (9) (title) EXEMPTIONS; CERTIFICATION OF COMPLIANCE OF RELIGIOUS
2 CEMETERY AFFILIATED WITH RELIGIOUS SOCIETY AUTHORITIES.

3 **SECTION 3605ov.** 440.92 (9) (a) of the statutes is amended to read:

4 440.92 (9) (a) ~~If the cemetery authority of a cemetery that is affiliated with a~~
5 ~~religious society organized under ch. 187 or that religious society~~ a religious
6 cemetery authority or the church, synagogue, mosque, incorporated college of a
7 religious order, or religious society organized under ch. 187 that is affiliated with a
8 religious cemetery authority files an annual certification with the department as
9 provided in this subsection, neither the religious cemetery authority nor any
10 employee of the cemetery is required to be ~~registered~~ licensed as a cemetery preneed
11 seller under sub. (1) during the period for which the certification is effective, but the
12 religious cemetery authority and any employee are required to comply, if applicable,
13 with the requirements of s. 445.125.

14 **SECTION 3605ox.** 440.92 (9) (b) 3. of the statutes is amended to read:

15 440.92 (9) (b) 3. A notarized statement of a person who is legally authorized to
16 act on behalf of the religious ~~society~~ cemetery authority under this subsection that,
17 during the 12-month period immediately preceding the date on which the
18 certification is filed with the department, each employee specified under subd. 2. and
19 the religious cemetery authority have either fully complied or have substantially
20 complied with ~~subs. (2),~~ sub. (3) (a) and (b) and (5) ss. 440.922 and 440.924.

21 **SECTION 3605oz.** 440.92 (9) (c) of the statutes is amended to read:

22 440.92 (9) (c) If the statement under par. (b) 3. includes a statement of
23 substantial compliance, the statement of substantial compliance must also specify
24 those instances when the employee or religious cemetery authority did not fully
25 comply with sub. ~~(2),~~ (3) (a) or (b) or ~~(5)~~ s. 440.922 or 440.924.

1 **SECTION 3605qb.** 440.92 (9) (e) of the statutes is amended to read:

2 440.92 (9) (e) During the effective period specified under par. (d), the
3 department may not audit the preneed trust funds or any records or accounts
4 relating to the preneed trust funds of the religious cemetery authority or any
5 employee of the cemetery to which a certification under this subsection applies.

6 **SECTION 3605qd.** 440.92 (9) (f) of the statutes is amended to read:

7 440.92 (9) (f) The church, synagogue, mosque, incorporated college of a
8 religious order, or religious society that is affiliated with a cemetery to which a
9 certification under this subsection applies is liable for the damages of any person
10 that result from the failure of any employee specified under par. (b) 2. or the religious
11 cemetery authority to fully comply with sub. ~~(2)~~, (3) (a) or (b) or ~~(5)~~ s. 440.922 or
12 440.924 during the 12-month period for which such compliance has been certified
13 under this subsection.

14 **SECTION 3605qf.** 440.92 (10) of the statutes is repealed.

15 **SECTION 3605qh.** 440.922 (1) (title) of the statutes is created to read:

16 440.922 (1) (title) DELIVERY OF CEMETERY MERCHANDISE.

17 **SECTION 3605qhc.** 440.922 (4) (title) of the statutes is created to read:

18 440.922 (4) (title) PHYSICAL ALTERATION OF CEMETERY MERCHANDISE.

19 **SECTION 3605qhe.** 440.922 (5) (title) of the statutes is created to read:

20 440.922 (5) (title) UNDEVELOPED SPACE SALES.

21 **SECTION 3605qhg.** 440.922 (6) (title) of the statutes is created to read:

22 440.922 (6) (title) INTEREST ASSIGNMENTS.

23 **SECTION 3605qhj.** 440.922 (8) (title) of the statutes is created to read:

24 440.922 (8) (title) CONTRACT REQUIREMENTS.

25 **SECTION 3605qhk.** 440.922 (10) (title) of the statutes is created to read:

1 440.922 **(10)** (title) CONFLICTING PROVISIONS.

2 **SECTION 3605qj.** 440.926 (1) (title) of the statutes is created to read:

3 440.926 **(1)** (title) REPORTS.

4 **SECTION 3605qjd.** 440.926 (2) (title) of the statutes is created to read:

5 440.926 **(2)** (title) RECORDS.

6 **SECTION 3605qjf.** 440.926 (3) (title) of the statutes is created to read:

7 440.926 **(3)** (title) RULES.

8 **SECTION 3605qL.** 440.928 of the statutes is created to read:

9 **440.928 Burial space purchase agreements. (1)** In this section:

10 (a) “Cemetery authority” does not include a religious cemetery authority.

11 (b) “Opening or closing fees” means fees charged by a cemetery authority for
12 opening or closing a burial space.

13 (c) “Purchase agreement” means an agreement for the purchase of a burial
14 space.

15 **(2)** Before entering into a purchase agreement, a cemetery authority shall
16 disclose to the purchaser any opening or closing fees charged by the cemetery
17 authority.

18 **(3)** A purchase agreement shall be in writing and shall include each of the
19 following:

20 (a) The terms and conditions and any other pertinent information regarding
21 the purchase, including the price of the burial space, any perpetual care
22 requirements, and any resale, inheritor, cancellation, or refund rights under the
23 agreement.

24 (b) A description of all goods and services that are reasonably expected to be
25 required at the time of need that are not subject to the purchase agreement,

1 including opening and closing fees and any additional fees for weekend, holiday, or
2 after hours burial.

3 (4) A cemetery authority shall assign a serial number to each purchase
4 agreement that it enters into, maintain file copies in numerical order according to
5 the serial number and enter the serial number and a description of each purchase
6 agreement into a sales journal. Any additional purchase by a purchaser more than
7 30 days after entering a purchase agreement shall be the subject of a separate
8 purchase agreement with a separate serial number that is the current unused serial
9 number in consecutive order.

10 **SECTION 3605qn.** 440.929 of the statutes is created to read:

11 **440.929 Rules.** The department shall promulgate rules that establish a code
12 of ethics to govern the professional conduct of cemetery authorities licensed under
13 s. 440.91 (1), cemetery salespersons licensed under s. 440.91 (2), and preneed sellers
14 licensed under s. 440.92 (1).

15 **SECTION 3605qp.** 440.93 (1) (intro.) of the statutes is amended to read:

16 440.93 (1) (intro.) The department may deny a certificate of licensure or
17 registration of a cemetery authority, cemetery salesperson, or preneed seller and the
18 board may reprimand a licensee or registrant or deny, limit, suspend, or revoke a
19 certificate of licensure or registration ~~a cemetery authority, cemetery salesperson or~~
20 ~~preneed seller if it~~ if the department or board, respectively, finds that the applicant,
21 licensee, or registrant, or, if the applicant, licensee, or registrant, is an association,
22 partnership, limited liability company, or corporation, any officer, director, trustee,
23 member, or shareholder who beneficially owns, holds, or has the power to vote 5% or
24 more of any class of security issued by the applicant, licensee, or registrant, has done
25 any of the following:

1 **SECTION 3605qr.** 440.93 (1) (b) of the statutes is amended to read:

2 440.93 (1) (b) Made a substantial misrepresentation or false promise to an
3 individual to influence the individual to purchase a ~~cemetery lot~~, cemetery
4 merchandise or ~~mausoleum~~ a burial space.

5 **SECTION 3605qt.** 440.93 (1) (c) of the statutes is amended to read:

6 440.93 (1) (c) Engaged in any practice relating to the operation or management
7 of a cemetery or the sale of a cemetery lot, cemetery merchandise or ~~mausoleum~~ a
8 burial space which clearly demonstrates a lack of knowledge or ability to apply
9 professional principles or skills.

10 **SECTION 3605qv.** 440.93 (1) (cm) of the statutes is created to read:

11 440.93 (1) (cm) Engaged in unprofessional or unethical conduct in violation of
12 the code of ethics established in the rules promulgated under s. 440.929.

13 **SECTION 3605qx.** 440.93 (1) (d) of the statutes is amended to read:

14 440.93 (1) (d) ~~Subject to ss. 111.321, 111.322 and 111.335, been convicted of an~~
15 ~~offense~~ Violated any law the circumstances of which substantially relate to the
16 operation or management of a cemetery or the sale of a cemetery lot, cemetery
17 merchandise or ~~mausoleum~~ a burial space. A certified copy of a judgment of
18 conviction is prima facie evidence of a violation.

19 **SECTION 3605qz.** 440.93 (1) (f) of the statutes is amended to read:

20 440.93 (1) (f) Subject to ss. 111.321, 111.322, and 111.34, engaged in any
21 practice relating to the operation or management of a cemetery or the sale of a
22 ~~cemetery lot~~, cemetery merchandise or ~~mausoleum~~ a burial space while the person's
23 ability to practice was impaired by mental disease or defect or alcohol or other drugs.

24 **SECTION 3605sb.** 440.93 (1) (g) of the statutes is amended to read:

1 440.93 (1) (g) Violated this subchapter or subch. II of ch. 157, any rule
2 promulgated under this subchapter or subch. II of ch. 157, or any order of the
3 department or the board.

4 **SECTION 3605sd.** 440.93 (1m) of the statutes is created to read:

5 440.93 (1m) The board may, in addition to or in lieu of a reprimand or
6 revocation, limitation, suspension, or denial of a certificate of registration or
7 licensure, assess against a person licensed or registered under this subchapter who
8 has done anything specified in sub. (1) (a) to (g) a forfeiture of no more than \$5,000
9 for each separate offense. Each day of continued violation constitutes a separate
10 offense.

11 **SECTION 3605sf.** 440.93 (2) of the statutes is amended to read:

12 440.93 (2) The department board shall determine in each case the period that
13 a limitation, suspension, or revocation of a certificate is effective. This subsection
14 does not apply to a limitation or suspension under s. 440.13 (2) (a).

15 **SECTION 3605sh.** 440.945 (1) (a) of the statutes is amended to read:

16 440.945 (1) (a) “Installed” means permanently affixed to a cemetery lot burial
17 space.

18 **SECTION 3605sj.** 440.945 (2) (a) of the statutes is amended to read:

19 440.945 (2) (a) Adopt regulations, consistent with this section and with
20 standards that the cemetery authority uses for its own monument installations,
21 prescribing requirements and procedures for the sale, delivery, installation, or care
22 of monuments, including requirements that each vendor provide reasonable advance
23 notice to the cemetery authority of the date on which the vendor desires to install a
24 monument; that each vendor carry worker’s compensation insurance and a
25 minimum amount of comprehensive general liability insurance, such minimum

1 amount not to exceed \$300,000; and that each owner of a ~~cemetery lot~~ burial space
2 pay all fees and other amounts due the cemetery authority to satisfy any
3 encumbrances pertaining to the ~~cemetery lot~~ burial space before a monument is
4 installed.

5 **SECTION 3605sL.** 440.945 (2) (c) of the statutes is amended to read:

6 440.945 (2) (c) Charge either the owner of a ~~cemetery lot~~ burial space or a
7 vendor a reasonable fee to cover the cemetery authority's labor costs. In this
8 paragraph, "labor costs" means the amount, calculated in accordance with generally
9 accepted accounting principles and practices, that is payable to employees of the
10 cemetery authority for wages and fringe benefits for the period that the employees
11 were engaged in marking the location for and inspecting the installation of the
12 monument to ensure that it was properly installed, and may include any general
13 administrative or overhead costs of the cemetery authority or any other costs that
14 are directly related to marking the location for and inspecting the installation of the
15 monument to ensure that it was properly installed.

16 **SECTION 3605sn.** 440.945 (3) (a) (intro.) of the statutes is amended to read:

17 440.945 (3) (a) (intro.) Every cemetery authority shall keep on file and make
18 available for inspection and copying to owners and prospective purchasers of
19 ~~cemetery lots~~ burial spaces and to other interested persons all of the following
20 information:

21 **SECTION 3605sp.** 440.945 (4) (a) 1. of the statutes is amended to read:

22 440.945 (4) (a) 1. Require the owner or purchaser of a ~~cemetery lot~~ burial space
23 to purchase a monument or services related to the installation of a monument from
24 the cemetery authority.

25 **SECTION 3605sr.** 440.945 (4) (a) 2. of the statutes is amended to read:

1 440.945 (4) (a) 2. Restrict the right of the owner or purchaser of a cemetery lot
2 burial space to purchase a monument or services related to the installation of a
3 monument from the vendor of his or her choice.

4 **SECTION 3605st.** 440.945 (4) (a) 3. of the statutes is amended to read:

5 440.945 (4) (a) 3. Except as provided in sub. (2) (c), charge the owner or
6 purchaser of a cemetery lot burial space a fee for purchasing a monument or services
7 related to the installation of a monument from a vendor, or charge a vendor a fee for
8 delivering or installing the monument. Nothing in this subdivision shall be
9 construed to prohibit a cemetery authority from charging the owner or purchaser of
10 a cemetery lot burial space a reasonable fee for services relating to the care of a
11 monument.

12 **SECTION 3605sv.** 440.945 (4) (a) 4. of the statutes is amended to read:

13 440.945 (4) (a) 4. Discriminate against any owner or purchaser of a cemetery
14 lot burial space who has purchased a monument or services related to the
15 installation of a monument from a vendor.

16 **SECTION 3605sx.** 440.945 (5) (a) of the statutes is amended to read:

17 440.945 (5) (a) If the department board has reason to believe that any person,
18 other than a religious cemetery authority, is violating this section and that the
19 continuation of that activity might cause injury to the public interest, the
20 department may investigate.

21 **SECTION 3605sz.** 440.945 (5) (am) of the statutes is created to read:

22 440.945 (5) (am) If the department has reason to believe that any religious
23 cemetery authority is violating this section and that the continuation of that activity
24 might cause injury to the public interest, the department may investigate.

25 **SECTION 3605ub.** 440.945 (5) (b) of the statutes is amended to read:

1 440.945 (5) (b) The department of justice or any district attorney, upon
2 informing the department of justice, may commence an action in circuit court in the
3 name of the state to restrain by temporary or permanent injunction any violation of
4 this section. The court may, prior to entry of final judgment, make such orders or
5 judgments as may be necessary to restore to any person any pecuniary loss suffered
6 because of the acts or practices involved in the action, if proof of such loss is submitted
7 to the satisfaction of the court. The department of justice may subpoena persons and
8 require the production of books and other documents, and may request the
9 department of regulation and licensing or board to exercise its authority under par.
10 (a) or (am) to aid in the investigation of alleged violations of this section.

11 **SECTION 3605ud.** 440.947 (1) (c) of the statutes is renumbered 440.90 (6g).

12 **SECTION 3605uf.** 440.947 (5) of the statutes is amended to read:

13 440.947 (5) A person who sells a casket, outer burial container, or cemetery
14 merchandise shall retain a copy of the price list specified in sub. (2) (intro.) for at least
15 one year after the date of its last distribution to a prospective buyer and shall retain
16 a copy of each form that is provided to a buyer under sub. (3) (intro.) for at least one
17 year after completion of a sale. A person required to retain a copy under this
18 subsection shall make the copy available for inspection by the department or board
19 upon request.

20 **SECTION 3605uh.** 440.948 of the statutes is created to read:

21 **440.948 Burial agreements.** Any agreement for the purchase of a casket,
22 outer burial container not preplaced into the burial excavation of a grave, or
23 combination casket–outer burial container, that is not immediately required for the
24 burial or other disposition of human remains, is subject to the requirements of s.
25 445.125 (1).

1 **SECTION 3605uj.** 440.949 of the statutes is created to read:

2 **440.949 Rules; review of rules. (1)** Before submitting any proposed rules
3 relating to this subchapter, except for rules relating exclusively to religious cemetery
4 authorities, to the legislative council staff under s. 227.15, the department shall
5 submit the proposed rules to the board for comment. The board shall have 30 days
6 to submit comments on the proposed rules to the secretary.

7 **(2)** When promulgating emergency rules under s. 227.24 relating to this
8 subchapter, except for rules relating exclusively to religious cemetery authorities,
9 the department shall provide a copy of the rules to the board prior to publication of
10 the rules in the official state newspaper.

11 **(3)** The chairperson of the board, or his or her designee from the board, may
12 cochair with the secretary, or the secretary's designee, any public hearing held by the
13 department on proposed rules relating to this subchapter other than rules relating
14 exclusively to religious cemetery authorities.

15 **(4)** The department shall submit to the board a copy of the report required
16 under s. 227.19 (2) on any proposed final rules relating to this subchapter other than
17 rules relating exclusively to religious cemetery authorities. The board may prepare
18 a dissenting report stating its recommendations on the proposed final rules. Any
19 dissenting report shall be prepared within 10 days from the date of receipt of the
20 department's report, attached to the department's report and sent to the presiding
21 officer of each house of the legislature and distributed under s. 227.19 (2). The
22 department shall publish a statement to appear in the Wisconsin administrative
23 register indicating that a dissenting report of the board has been submitted to the
24 presiding officer of each house of the legislature.

1 **(5)** The department shall provide staff to assist the board in the review of
2 administrative rules and preparation of comments or dissenting reports.

3 **SECTION 3605uL.** 440.95 (1) of the statutes is amended to read:

4 440.95 **(1)** Any cemetery authority that is required to register under s. 440.91
5 ~~(1)~~ (1m) and that knowingly fails to register may be fined not more than \$100.

6 **SECTION 3605un.** 440.95 (1m) of the statutes is created to read:

7 440.95 **(1m)** Any cemetery authority that, without a license granted under s.
8 440.91 (1), sells 10 or more burial, mausoleum, or columbarium spaces at a cemetery
9 during a calendar year or has \$100,000 or more in trust fund accounts for a cemetery
10 may be fined not more than \$100.

11 **SECTION 3605up.** 440.95 (2) of the statutes is amended to read:

12 440.95 **(2)** Any ~~individual who~~ person that is required to register be licensed
13 as a cemetery salesperson under s. 440.91 (2) and ~~who fails to register~~ that is not
14 licensed may be fined not less than \$25 nor more than \$200 or imprisoned for not
15 more than 6 months or both.

16 **SECTION 3605ur.** 440.95 (2m) of the statutes is created to read:

17 440.95 **(2m)** Any person that is required to be licensed as a preneed seller under
18 s. 440.92 (1) (a) and that is not licensed may be fined not more than \$1,000 or
19 imprisoned for not more than 90 days or both.

20 **SECTION 3605ut.** 440.95 (4) (a) of the statutes is repealed.

21 **SECTION 3605uv.** 440.95 (4) (c) of the statutes is amended to read:

22 440.95 **(4)** (c) Fails to file a report or files an incomplete, false, or misleading
23 report under s. ~~440.92 (6)~~ 440.926.

24 **SECTION 3605ux.** 440.95 (5) of the statutes is amended to read:

1 440.95 (5) Except as provided in sub. (4), any person who violates s. ss. 440.92
2 to 440.927 or any rule promulgated under s. ss. 440.92 to 440.927 may be required
3 to forfeit not more than \$200 for each offense. Each day of continued violation
4 constitutes a separate offense.”.

5 **1248.** Page 1156, line 6: after that line insert:

6 “**SECTION 3619c.** 560.031 (1) (bt) of the statutes is created to read:

7 560.031 (1) (bt) “High-volume industrial waste” has the meaning given in s.
8 289.01 (17).

9 **SECTION 3619e.** 560.031 (2) (a) of the statutes, as created by 1997 Wisconsin
10 act 27, is amended to read:

11 560.031 (2) (a) At the request of the board, the department shall provide the
12 financial assistance awarded by the board under subs. (3) ~~and~~, (4), and (4m).

13 **SECTION 3619g.** 560.031 (2) (b) 3. of the statutes is created to read:

14 560.031 (2) (b) 3. The department shall provide the financial assistance
15 awarded under sub. (4m) from the appropriations under s. 20.143 (1) (hr) and (rr).

16 **SECTION 3619k.** 560.031 (3) of the statutes, as created by 1997 Wisconsin act
17 27, is renumbered 560.031 (3) (a).

18 **SECTION 3619m.** 560.031 (3) (bc) of the statutes is created to read:

19 560.031 (3) (bc) In awarding grants, loans, and manufacturing rebates under
20 this subsection, the board shall give priority to projects that involve recovered
21 materials that constitute a relatively high volume of solid waste generated in this
22 state or that are hazardous to human health or the environment.

23 **SECTION 3619n.** 560.031 (3) (cm) of the statutes is created to read:

1 560.031 **(3)** (cm) Annually, the board shall allocate up to \$200,000 in financial
2 assistance under this subsection for forgivable loans for projects that have
3 exceptional potential to meet one of the qualifying considerations under par. (a) 1.,
4 2., 3., or 4., but do not comply with the standard criteria established by the board or
5 department for meeting its fiduciary responsibilities in managing state resources.

6 **SECTION 3619p.** 560.031 (4m) of the statutes is created to read:

7 560.031 **(4m)** The board may award a grant or loan under this subsection for
8 a project to develop markets for high-volume industrial waste or to assist generators
9 of high-volume industrial waste in marketing high-volume industrial waste. Before
10 awarding a grant or loan, the board shall consider whether the project does all of the
11 following:

12 (a) Maximizes the marketability of high-volume industrial waste on a
13 statewide basis.

14 (b) Minimizes the amount of high-volume industrial waste disposed of in
15 landfills.

16 (c) Maintains present markets or creates new or expanded markets for
17 high-volume industrial waste.”.

18 **1249.** Page 1156, line 6: after that line insert:

19 **“SECTION 3608cg.** 452.01 (3p) of the statutes is created to read:

20 452.01 **(3p)** “Closing agent” means any person who coordinates the closing of
21 a conveyance of real estate by ensuring that title to the real estate is transferred to
22 the buyer and that the purchase price is transferred to the seller, except that “closing
23 agent” does not include any of the following:

1 (a) A receiver, trustee, administrator, executor, guardian, or other person
2 appointed by or acting under the judgment or order of any court.

3 (b) A public officer while performing his or her official duties.

4 (c) A depository institution.

5 (d) An employee of a person specified in pars. (a) to (c) when the employee is
6 engaged in the specific performance as such an employee.

7 (e) An attorney licensed to practice in this state while acting within the scope
8 of his or her attorney's license.

9 **SECTION 3608cm.** 452.035 of the statutes is created to read:

10 **452.035 Closing agents.** No person, including an escrow agent, as defined in
11 s. 138.052 (5m) (a) or 707.49 (1) (d), may engage in the business or occupation of, or
12 advertise or hold himself or herself out as, a closing agent unless the person is
13 registered as a closing agent by the department. The department shall issue a
14 certificate of registration as a closing agent to a person who submits an application
15 to the department on a form provided by the department, pays the fee specified in
16 s. 440.05 (1), and submits evidence satisfactory to the department that he or she is
17 competent to act as a closing agent. Renewal applications shall be submitted to the
18 department on a form provided by the department on or before the applicable
19 renewal date specified under s. 440.08 (2) (a) and shall include the applicable
20 renewal fee specified under s. 440.08 (2) (a).

21 **SECTION 3608cr.** 452.05 (1) (a) of the statutes is amended to read:

22 452.05 (1) (a) Grant and issue licenses to brokers and salespersons and
23 registrations to time-share salespersons and closing agents.

24 **SECTION 3608dg.** 452.11 (1) of the statutes is amended to read:

1 452.11 (1) A nonresident may become a broker, salesperson ~~or~~, time-share
2 salesperson, or closing agent by conforming to all the provisions of this chapter.

3 **SECTION 3608dm.** 452.12 (6) (a) of the statutes is amended to read:

4 452.12 (6) (a) Any licensee, except a time-share salesperson registered under
5 s. 452.025 or a closing agent registered under s. 452.035, may apply for registration
6 as an inactive licensee on or before the license renewal date. This paragraph does
7 not apply after October 31, 1995.

8 **SECTION 3608dr.** 452.13 (1) (b) of the statutes is renumbered 452.01 (3w).

9 **SECTION 3608eg.** 452.13 (1) (c) of the statutes is created to read:

10 452.13 (1) (c) “Closing funds” means any money related to the closing of real
11 estate conveyance that is received by a closing agent. “Closing funds” does not
12 include client funds, unless the client funds are transferred to a closing agent.

13 **SECTION 3608em.** 452.13 (2) (a) of the statutes is amended to read:

14 452.13 (2) (a) A broker who holds client funds or a closing agent who holds
15 closing funds shall establish an interest-bearing common trust account in a
16 depository institution. The interest-bearing common trust account shall earn
17 interest at a rate not less than that applicable to individual accounts of the same
18 type, size, and duration and for which withdrawals or transfers can be made without
19 delay, subject to any notice period that the depository institution is required to
20 observe by law or regulation.

21 **SECTION 3608er.** 452.13 (2) (b) (intro.) of the statutes is amended to read:

22 452.13 (2) (b) (intro.) Any broker or closing agent who maintains an
23 interest-bearing common trust account shall do all of the following:

24 **SECTION 3608fg.** 452.13 (2) (c) of the statutes is amended to read:

1 452.13 (2) (c) A broker or closing agent shall deposit all client funds or closing
2 funds in the interest-bearing common trust account.

3 **SECTION 3608fm.** 452.13 (2) (e) (intro.) of the statutes is amended to read:

4 452.13 (2) (e) (intro.) For each interest-bearing common trust account, the
5 broker or closing agent shall direct the depository institution to do all of the
6 following:

7 **SECTION 3608fr.** 452.13 (2) (e) 2. of the statutes is amended to read:

8 452.13 (2) (e) 2. When the interest remittance is sent, furnish to the
9 department of administration and to the broker or closing agent maintaining the
10 interest-bearing common trust account a statement that includes the name of the
11 broker or closing agent for whose account the remittance is made, the rate of interest
12 applied, the amount of service charges or fees deducted, if any, and the account
13 balance for the period that the statement covers.

14 **SECTION 3608gg.** 452.13 (2) (f) 1. of the statutes is amended to read:

15 452.13 (2) (f) 1. May not assess a service charge or fee that is due on an
16 interest-bearing common trust account against any broker or closing agent or,
17 except as provided in subd. 3., against any other account, regardless of whether the
18 same broker or closing agent maintains the other account.

19 **SECTION 3608gm.** 452.13 (3) of the statutes is amended to read:

20 452.13 (3) DEPOSIT PROVISIONS. A broker or closing agent who deposits client
21 funds or closing funds in an interest-bearing common trust account in compliance
22 with this section may not be held liable to the owner or beneficial owner of the client
23 funds or closing funds for damages due to compliance with this section. A broker,
24 salesperson, or time-share salesperson who deposits client funds, or a closing agent
25 who deposits closing funds, in an interest-bearing common trust account in

1 compliance with this section is not required to disclose alternative depository
2 arrangements that could be made by the parties or to disclose that a deposit will be
3 made under this section.

4 **SECTION 3608gr.** 452.13 (4) of the statutes is amended to read:

5 452.13 (4) TRUST ACCOUNT OPTIONAL. This section does not require a broker or
6 closing agent to hold client funds or closing funds or require a person to transfer
7 client funds to a broker or transfer closing funds to a closing agent.

8 **SECTION 3608hg.** 452.14 (1) of the statutes is amended to read:

9 452.14 (1) The department shall, upon motion of the board or upon its own
10 determination, conduct investigations and, as appropriate, may hold hearings and
11 make findings, if the department receives credible information that a broker,
12 salesperson or time-share salesperson, or closing agent has violated this chapter or
13 any rule promulgated under this chapter.

14 **SECTION 3608hm.** 452.14 (3) (intro.) of the statutes is amended to read:

15 452.14 (3) (intro.) Disciplinary proceedings shall be conducted by the board
16 according to rules adopted under s. 440.03 (1). The board may revoke, suspend, or
17 limit any broker's, salesperson's or time-share salesperson's, or closing agent's
18 license or registration, or reprimand the holder of the license or registration, if it
19 finds that the holder of the license or registration has:

20 **SECTION 3608hr.** 452.14 (3) (b) of the statutes is amended to read:

21 452.14 (3) (b) Made any substantial misrepresentation with reference to a
22 transaction injurious to a seller or purchaser in which the broker, salesperson or
23 time-share salesperson, or closing agent acts as agent;

24 **SECTION 3608ig.** 452.14 (3) (h) of the statutes is amended to read:

1 452.14 (3) (h) Failed, within a reasonable time, to account for or remit any
2 moneys coming into the broker's, salesperson's or time-share salesperson's, or
3 closing agent's possession which belong to another person;

4 **SECTION 3608im.** 452.14 (3) (i) of the statutes is amended to read:

5 452.14 (3) (i) Demonstrated incompetency to act as a broker, salesperson or,
6 time-share salesperson, or closing agent in a manner which safeguards the interests
7 of the public;

8 **SECTION 3608ir.** 452.14 (3) (jm) of the statutes is amended to read:

9 452.14 (3) (jm) Intentionally encouraged or discouraged any person from
10 purchasing or renting real estate in a particular area on the basis of race. If the board
11 finds that any broker, salesperson or, time-share salesperson, or closing agent has
12 violated this paragraph, the board shall, in addition to any temporary penalty
13 imposed under this subsection, apply the penalty provided in s. 452.17 (4);

14 **SECTION 3608jg.** 452.17 (2) of the statutes is amended to read:

15 452.17 (2) Any person who engages in or follows the business or occupation of,
16 or advertises or holds himself or herself out as or acts temporarily or otherwise as,
17 a time-share salesperson or closing agent in this state without being registered with
18 the department shall be prosecuted by the district attorney in the county where the
19 violation occurs and may be fined not less than \$25 nor more than \$200 or imprisoned
20 not less than 10 days nor more than 6 months or both.

21 **SECTION 3608jm.** 452.17 (4) (a) (intro.) of the statutes is amended to read:

22 452.17 (4) (a) (intro.) If the board finds that any broker, salesperson or,
23 time-share salesperson, or closing agent has violated s. 452.14 (3) (jm), the board:

24 **SECTION 3608jr.** 452.17 (4) (a) 1. of the statutes is amended to read:

1 452.17 (4) (a) 1. Shall, for the first offense, suspend the license or registration
2 of the broker, salesperson ~~or~~, time–share salesperson, or closing agent for not less
3 than 90 days.

4 **SECTION 3608kg.** 452.17 (4) (a) 2. of the statutes is amended to read:

5 452.17 (4) (a) 2. Shall, for the 2nd offense, revoke the license or registration of
6 the broker, salesperson ~~or~~, time–share salesperson, closing agent.

7 **SECTION 3608km.** 452.20 of the statutes is amended to read:

8 **452.20 Limitation on actions for commissions.** No person engaged in the
9 business or acting in the capacity of a broker, salesperson ~~or~~, time–share salesperson,
10 or closing agent within this state may bring or maintain an action in the courts of this
11 state for the collection of a commission or compensation for the performance of any
12 act mentioned in this chapter without alleging and proving that he or she was a duly
13 licensed broker, or salesperson or registered time–share salesperson or closing agent
14 at the time the alleged cause of action arose.

15 **SECTION 3608kr.** 452.21 of the statutes is amended to read:

16 **452.21 Compensation presumed.** In any prosecution for violation of this
17 chapter, proof that a person acted as a broker, agent, salesperson ~~or~~, time–share
18 salesperson, or closing agent is prima facie proof that compensation therefor was
19 received or promised.

20 **SECTION 3608Lg.** 452.22 (2) of the statutes is amended to read:

21 452.22 (2) The certificate of the secretary or his or her designee to the effect that
22 a specified individual or business entity is not or was not on a specified date the
23 holder of a broker's, salesperson's ~~or~~, time–share salesperson's, or closing agent's
24 license or registration, or that a specified license or registration was not in effect on
25 a date specified, or as to the issuance, limitation, suspension, or revocation of any

1 license or registration or the reprimand of any holder thereof, the filing or
2 withdrawal of any application or its existence or nonexistence, is prima facie
3 evidence of the facts therein stated for all purposes in any action or proceedings.”.

4 **1250.** Page 1156, line 6: after that line insert:

5 “**SECTION 3592nb.** 447.01 (10) of the statutes is created to read:

6 447.01 **(10)** “Oral risk assessment” means a review of the patient’s caries
7 experience, dental care utilization, use of preventive services, and medical history.
8 “Oral risk assessment” does not include a dental diagnosis.

9 **SECTION 3592nc.** 447.01 (12) of the statutes is amended to read:

10 447.01 **(12)** “Remediable procedures” means patient procedures that create
11 changes within the oral cavity or surrounding structures that are reversible without
12 professional intervention and do not involve any increased health risks to the
13 patient.

14 **SECTION 3592nd.** 447.02 (1) (c) of the statutes is amended to read:

15 447.02 **(1)** (c) Subject to ch. 553 and s. 447.06 ~~(1)~~ 447.055, governing dental
16 franchising.

17 **SECTION 3592ne.** 447.02 (2) (d) of the statutes is amended to read:

18 447.02 **(2)** (d) The oral systemic premedications and subgingival sustained
19 release chemotherapeutic agents that may be administered by a dental hygienist
20 licensed under this chapter under s. 447.06 ~~(2) (e) 1.~~ and ~~3~~ (6) (a) and (c).

21 **SECTION 3592nf.** 447.02 (2) (e) of the statutes is amended to read:

22 447.02 **(2)** (e) The educational requirements for administration of local
23 anesthesia by a dental hygienist licensed under this chapter under s. 447.06 ~~(2) (e)~~
24 ~~2~~ (6) (b).

1 **SECTION 3592ng.** 447.02 (3) of the statutes is created to read:

2 447.02 **(3)** By January 1, 2003, and every 5 years thereafter, the examining
3 board shall submit jointly with the department of health and family services a report
4 to the legislature under s. 13.172 (2) and to the governor on the ability of the dental
5 work force to meet the oral health care needs of individuals in this state. The report
6 shall include findings and any recommendations of the examining board and the
7 department.

8 **SECTION 3592nh.** 447.03 (2) (intro.), (a) and (b) of the statutes are renumbered
9 447.03 (2) (a) (intro.), 1. and 2.

10 **SECTION 3592ni.** 447.03 (2) (b) of the statutes is created to read:

11 447.03 **(2)** (b) Any individual who is licensed as a dental hygienist under this
12 chapter is not required to be licensed as a dentist to perform acts delegated by a
13 dentist under s. 447.06.

14 **SECTION 3592nj.** 447.03 (3) (g) of the statutes is amended to read:

15 447.03 **(3)** (g) Any individual who provides remediable procedures or other
16 dentistry practices that are delegated under s. 447.065 (1) or (2).

17 **SECTION 3592nk.** 447.04 (1) (a) 4. of the statutes is amended to read:

18 447.04 **(1)** (a) 4. Submits evidence satisfactory to the examining board that he
19 or she has passed the national dental examination and either the examination of a
20 dental testing service approved by the examining board or an examination of a
21 regional dental testing service in the United States.

22 **SECTION 3592nL.** 447.04 (1) (b) of the statutes is amended to read:

23 447.04 **(1)** (b) The Except as provided in pars. (c) and (d), the examining board
24 may grant a license to practice dentistry to an individual who is licensed in good
25 standing to practice dentistry in another state or territory of the United States or in

1 another country if the applicant meets the requirements for licensure established by
2 the examining board by rule and upon presentation of the license and payment of the
3 fee specified under s. 440.05 (2).

4 **SECTION 3592nm.** 447.04 (1) (c) of the statutes is created to read:

5 447.04 (1) (c) 1. The examining board shall grant a license to practice dentistry
6 to an applicant who is licensed in good standing to practice dentistry in another state
7 or territory of the United States or in Canada upon presentation of the license,
8 payment of the fee specified under s. 440.05 (2), and submission of evidence
9 satisfactory to the examining board that all of the following conditions are met:

10 a. The applicant has graduated from a school of dentistry accredited by the
11 American Dental Association's commission on dental accreditation.

12 b. The applicant submits a certificate from each jurisdiction in which the
13 applicant is or has ever been licensed stating that no disciplinary action is pending
14 against the applicant or the license, and detailing all discipline, if any, that has ever
15 been imposed against the applicant or the license.

16 c. The applicant has been engaged in the active practice of dentistry, as defined
17 in s. DE 1.02 (2), Wis. Adm. Code, in one or more jurisdictions in which the applicant
18 has a current license in good standing, for at least 48 of the 60 months preceding the
19 application for licensure in this state.

20 d. The applicant has successfully completed a jurisprudence examination on
21 the provisions of Wisconsin statutes and administrative rules relating to dentistry
22 and dental hygiene.

23 e. The applicant possesses a current certificate of proficiency in
24 cardiopulmonary resuscitation.

1 f. The applicant has disclosed all discipline that has ever been taken against
2 the applicant in any jurisdiction shown in reports from the national practitioner data
3 bank and the American association of dental examiners.

4 g. The applicant has presented satisfactory responses during any personal
5 interview with the board that the board may require to resolve conflicts between the
6 licensing standards and the applicant's application or to inquire into any discipline
7 that was imposed against the applicant or the license in another jurisdiction.

8 2. Notwithstanding subd. 1., the examining board may refuse to grant a license
9 to an applicant following an interview under subd. 1. g. if the examining board
10 determines that discipline that was imposed against the applicant or the license in
11 another jurisdiction demonstrates that the applicant is unfit to practice dentistry.

12 **SECTION 3592nn.** 447.04 (1) (d) of the statutes is created to read:

13 447.04 (1) (d) 1. The examining board shall grant a license to practice dentistry
14 to an applicant who is licensed in good standing to practice dentistry in another state
15 or territory of the United States or in another country upon presentation of the
16 license, payment of the fee specified under s. 440.05 (2), and submission of evidence
17 satisfactory to the examining board that all of the following conditions are met:

18 a. The applicant is a faculty member at a school of dentistry in this state.

19 b. The applicant submits a certificate from each jurisdiction in which the
20 applicant is or has ever been licensed stating that no disciplinary action is pending
21 against the applicant or the license, and detailing all discipline, if any, that has ever
22 been imposed against the applicant or the license.

23 c. The applicant has successfully completed a jurisprudence examination on
24 the provisions of Wisconsin statutes and administrative rules relating to dentistry
25 and dental hygiene.

1 d. The applicant possesses a current certificate of proficiency in
2 cardiopulmonary resuscitation.

3 e. The applicant has disclosed all discipline that has ever been taken against
4 the applicant in any jurisdiction shown in reports from the national practitioner data
5 bank and the American association of dental examiners.

6 f. The applicant has presented satisfactory responses during any personal
7 interview with the board that the board may require to resolve conflicts between the
8 licensing standards and the applicant's application or to inquire into any discipline
9 that was imposed against the applicant or the license in another jurisdiction.

10 2. Notwithstanding subd. 1., the examining board may refuse to grant a license
11 to an applicant following an interview under subd. 1. f. if the examining board
12 determines that discipline that was imposed against the applicant or the license in
13 another jurisdiction demonstrates that the applicant is unfit to practice dentistry.

14 3. A license under this paragraph is no longer in effect if the licensee ceases to
15 be a faculty member at a school of dentistry in this state.

16 **SECTION 3592np.** 447.06 (title) of the statutes is amended to read:

17 **447.06 (title) Practice Dental hygienist practice limitations.**

18 **SECTION 3592nq.** 447.06 (1) of the statutes is renumbered 447.055 and
19 amended to read:

20 **447.055 Contract provisions.** No contract of employment entered into
21 between a dentist and any other party under which the dentist renders dental
22 services may require the dentist to act in a manner which violates the professional
23 standards for dentistry set forth in this chapter. Nothing in this ~~subsection~~ section
24 limits the ability of the other party to control the operation of the dental practice in

1 a manner in accordance with the professional standards for dentistry set forth in this
2 chapter.

3 **SECTION 3592nr.** 447.06 (2) (a) of the statutes is renumbered 447.06 (1m), and
4 447.06 (1m) (intro.), as renumbered, is amended to read:

5 447.06 (1m) PRACTICE CIRCUMSTANCES. (intro.) A dental hygienist may practice
6 dental hygiene or perform remediable procedures or other delegated procedures only
7 as an employee or as an independent contractor and only as follows:

8 **SECTION 3592ns.** 447.06 (2) (b) of the statutes is renumbered 447.06 (2m) (a)
9 and amended to read:

10 447.06 (2m) (a) ~~A Except as provided in subs. (3) and (4), a dental hygienist~~
11 ~~may practice dental hygiene or perform remediable procedures under par. (a) 1., 4.,~~
12 ~~6., 7. or 8. only as only if either authorized by a dentist who is licensed to practice~~
13 ~~dentistry under this chapter and who is present in the facility in which those~~
14 ~~practices or procedures are performed, except as provided in par. (c) or if the practices~~
15 ~~or procedures are performed pursuant to a prescription that meets the requirements~~
16 ~~of par. (b).~~

17 **SECTION 3592nt.** 447.06 (2) (c) of the statutes is renumbered 447.06 (2m) (b),
18 and 447.06 (2m) (b) (intro.), as renumbered, is amended to read:

19 447.06 (2m) (b) (intro.) ~~A dental hygienist may practice dental hygiene or~~
20 ~~perform remediable procedures under par. (a) 1., 4., 6., 7. or 8. if a dentist who is~~
21 ~~licensed to practice dentistry under this chapter is not present in the facility in which~~
22 ~~those The practices or procedures are under par. (a) may be performed pursuant to~~
23 ~~a prescription only if all of the following conditions are met:~~

24 **SECTION 3592nu.** 447.06 (2) (d) of the statutes is renumbered 447.06 (5).

25 **SECTION 3592nv.** 447.06 (2) (e) of the statutes is renumbered 447.06 (6).

1 **SECTION 3592nw.** 447.06 (2m) (title) of the statutes is created to read:

2 447.06 **(2m)** (title) REQUIREMENT FOR A DENTIST PRESENT OR A PRESCRIPTION IF A
3 DENTIST IS NOT PRESENT.

4 **SECTION 3592nx.** 447.06 (3) of the statutes is created to read:

5 447.06 **(3)** PRACTICE CIRCUMSTANCES WITHOUT A DENTIST PRESENT AND WITHOUT A
6 PRESCRIPTION; DENTAL HYGIENIST SCHOOL. A dental hygienist may practice dental
7 hygiene or perform remediable procedures at a school for the education of dental
8 hygienists without a dentist present in the facility in which the practices or
9 procedures are performed and without a written or oral prescription. A dental
10 hygienist may apply sealants on a patient at a school for the education of dental
11 hygienists without a diagnosis or treatment plan by a dentist if a dental hygienist
12 has performed an oral risk assessment of the patient. A dental hygienist shall
13 maintain a written record of the assessment and make appropriate referrals based
14 on the assessment.

15 **SECTION 3592ny.** 447.06 (4) of the statutes is created to read:

16 447.06 **(4)** PRACTICE CIRCUMSTANCES WITHOUT A DENTIST PRESENT AND WITHOUT A
17 PRESCRIPTION; ADDITIONAL EDUCATION AND EXPERIENCE. (a) A dental hygienist may
18 perform any of the following practices without a dentist present in the facility in
19 which the practices are performed and without a written or oral prescription if the
20 requirements of pars. (am), (b), and (c) are met and if the dental hygienist first
21 reviews the patient's medical history and performs an oral risk assessment:

22 1. Conduct an oral screening and have a plan of what dental hygiene
23 procedures will be performed on the patient. Oral screening that is performed solely
24 for the purpose of data collection does not require an oral risk assessment and does
25 not require certification under par. (c).

1 2. Apply dental sealants. Sealants may be applied under this subdivision
2 without a diagnosis or treatment plan by a dentist.

3 3. Provide fluoride therapies.

4 4. Provide patient education services.

5 5. Expose radiographs if a dentist will be available to read and diagnose the
6 radiographs.

7 6. Perform oral prophylaxis, if a dentist, nurse practitioner, physician or
8 physician assistant has reviewed a current medical history for the patient and has
9 indicated in writing that the patient may receive the service. The dental hygienist
10 may use topical anesthesia under this subdivision only if the anesthesia has been
11 prescribed by a dentist, nurse practitioner, physician, or physician assistant. Local
12 anesthesia may not be administered by a dental hygienist under this subdivision.

13 7. Remove supragingival or subgingival calcareous deposits, subgingival
14 cement, or extrinsic stains from a natural or restored surface of a human tooth or a
15 fixed replacement for a human tooth, perform debridement or deep scaling or root
16 planing of teeth, if a dentist, nurse practitioner, physician, or physician assistant has
17 reviewed a current medical history of the patient and has indicated in writing that
18 the patient may receive the service for the patient. The dental hygienist may use
19 topical anesthesia under this subdivision only if prescribed by a dentist, nurse
20 practitioner, physician, or physician assistant. Local anesthesia may not be
21 administered by a dental hygienist under this subdivision.

22 (am) A dental hygienist shall maintain a written record of and oral risk
23 assessment performed under par. (a) and make appropriate referrals based on the
24 assessment.

25 (b) The practices under par. (a) may be performed only as follows:

- 1 1. For a school board or a governing body of a private school.
- 2 2. For a facility, as defined in s. 50.01 (1m), a hospital, as defined in s. 50.33 (2),
- 3 or a facility established to provide care for terminally ill patients.
- 4 3. For a local health department, as defined in s. 250.01 (4).
- 5 4. For a charitable institution open to the general public or to members of a
- 6 religious sect or order.
- 7 5. For a nonprofit home health care agency.
- 8 6. For a nonprofit dental care program serving primarily indigent,
- 9 economically disadvantaged, or migrant worker populations.
- 10 (c) A dental hygienist may perform the practices under par. (a) only if certified
- 11 by the examining board in dental hygiene practice circumstances without a dentist
- 12 present and without a prescription. The examining board shall issue a certificate in
- 13 dental hygiene practice circumstances without a dentist present and without a
- 14 prescription to an individual who documents to the board that he or she has 2 years
- 15 of experience as a dental hygienist and meets any of the following:
- 16 1. Has submitted to the examining board proof of course completion issued by
- 17 an accredited dental school or an accredited dental hygiene school in dental hygiene
- 18 circumstances without a dentist present and without a prescription. This course
- 19 may be offered in conjunction with a national or state dental or dental hygiene
- 20 association.
- 21 2. Has been certified in community dental health, public health, or public
- 22 health education from an accredited dental school or an accredited dental hygiene
- 23 program.
- 24 3. Has worked for at least 1,000 hours in a public health or community health
- 25 setting.

1 4. Has received a bachelor's degree from an accredited college or university.

2 **SECTION 3592pb.** 447.06 (5) (title) of the statutes is created to read:

3 447.06 (5) (title) PROHIBITED PRACTICES.

4 **SECTION 3592pc.** 447.06 (6) (title), (d) and (e) of the statutes are created to read:

5 447.06 (6) (title) DELEGATION BY A DENTIST TO A DENTAL HYGIENIST.

6 (d) Any dentistry practice not included in dental hygiene, except as provided
7 in sub. (5), if all of the following conditions are met:

8 1. The delegated practices are ones that, in the opinion of the dentist and the
9 dental hygienist, the dental hygienist is competent to perform based on his or her
10 education, training, or experience.

11 2. The dental hygienist's performance of the practice is inspected by a dentist.

12 (e) A remediable procedure, except that a dentist need not be present on the
13 premises in which the procedure is performed if it is performed pursuant to a
14 prescription that meets the requirements of sub. (2m) (b).

15 **SECTION 3592pd.** 447.06 (7) of the statutes is created to read:

16 447.06 (7) DENTIST RESPONSIBLE FOR DELEGATION. A dentist who delegates to a
17 dental hygienist the performance of any practice or remediable procedure under sub.
18 (6) is responsible for that dental hygienist's performance of that delegated practice
19 or procedure.

20 **SECTION 3592pe.** 447.065 (title) of the statutes is amended to read:

21 **447.065 (title) Delegation of remediable procedures and dental**
22 **dentistry practices to unlicensed individuals.**

23 **SECTION 3592pf.** 447.065 (1) of the statutes is amended to read:

24 447.065 (1) A dentist who is licensed to practice dentistry under this chapter
25 may delegate to an individual who is not licensed under this chapter only the

1 performance of remediable procedures, ~~and only~~ or other dentistry practices subject
2 to sub. (2), if all of the following conditions are met:

3 (a) The unlicensed individual performs the remediable procedure or dentistry
4 practices in accordance with a treatment plan approved by the dentist.

5 (b) The dentist is on the premises when the unlicensed individual performs the
6 remediable procedures or dentistry practices.

7 (c) The unlicensed individual's performance of the remediable procedures or
8 dentistry practices is ~~subject to inspection~~ inspected by the dentist.

9 **SECTION 3592pg.** 447.065 (2) of the statutes is repealed and recreated to read:

10 447.065 (2) A dentist may make a delegation under sub. (1) of dentistry
11 practices that are not remediable procedures if all of the following requirements are
12 met:

13 (a) The practice does not involve a practice under s. 447.01 (3) (a), (b), (e), (f),
14 or (g), diagnosis of a dental disease or ailment, determination of any treatment or any
15 regimen of treatment, prescription or ordering of medication, performance of any
16 procedure that involves the intentional cutting of soft or hard tissue of the mouth by
17 any means, or administration of local anesthesia or subgingival sustained release
18 chemotherapeutic agents.

19 (b) The individual has graduated from an accredited dental assisting program
20 or has worked at least 1,000 hours during the preceding 12 months in a clinical
21 dentistry setting.

22 (c) The dentist making the delegation documents in his or her records that the
23 individual has been trained or educated to do the delegated practice by a dental
24 school; dental hygiene program; dental assisting program; a program offered or

1 approved by a national or state dental, dental hygiene, or dental assisting
2 association; or a program approved by the examining board.

3 (d) The delegated practices are ones that, in the opinion of the dentist and the
4 individual to whom the practices are delegated, the individual is competent to
5 perform based on his or her education, training, or experience.

6 **SECTION 3592ph.** 447.065 (3) of the statutes is amended to read:

7 447.065 (3) A dentist who delegates to ~~another~~ an unlicensed individual the
8 performance of any practice or remediable procedure is responsible for that
9 individual's performance of that delegated practice or procedure.”.

10 **1251.** Page 1156, line 7: after that line insert:

11 “**SECTION 3619s.** 560.031 (6m) of the statutes is created to read:

12 560.031 (6m) Annually, in consultation with the council on recycling, the board
13 shall establish a list of materials recovered from solid waste for which the board may
14 award financial assistance.”.

15 **1252.** Page 1156, line 7: after that line insert:

16 “**SECTION 3619w.** 560.06 (2) of the statutes is amended to read:

17 560.06 (2) In each fiscal year ~~1999–2000~~, the department may shall provide up
18 to \$100,000 from the appropriations under s. 20.143 (1) (c) and (ie) in assistance to
19 ~~a~~ the nonprofit organization specified in sub. (1) that provides assistance to
20 organizations and individuals in urban areas. Notwithstanding sub. (1), the
21 department shall use the moneys authorized under this subsection in accordance
22 with the memorandum of understanding under sub. (1) and shall ensure that the
23 nonprofit organization provides assistance to organizations and individuals in an
24 area that includes the city of Beloit.”.

1 **1253.** Page 1156, line 7: after that line insert:

2 “**SECTION 3619sd.** 560.036 (2) (a) of the statutes is amended to read:

3 560.036 **(2)** (a) For the purposes of ss. 16.75 (3m), 16.854, 16.855 (10m), 16.87
4 (2), 18.16, 18.64, 18.77, 25.17 (59), 25.185, 34.05 (4), 38.18, 43.17 (9) (a), 59.52 (29)
5 (c), 59.57 (1) (b), 60.47 (7), 61.55 (3), 62.15 (1) (c), 66.0901 (6), 84.075, 84.076, 119.495
6 (2), 120.12 (27), 200.49, 200.57, 229.46, 229.70, 229.8273, 229.845, 231.27 and,
7 232.05 (2) (d), 234.01 (4n) (a) 3m. d., 234.35, 234.65 (1) (g), 252.12 (2) (c) 2., 560.038,
8 560.039, and 560.80 to 560.85, the department shall establish and periodically
9 update a list of certified minority businesses, minority financial advisers, and
10 minority investment firms. Any business, financial adviser, or investment firm may
11 apply to the department for certification. For purposes of this paragraph, unless the
12 context otherwise requires, a “business” includes a financial adviser or investment
13 firm.

14 **SECTION 3619sg.** 560.036 (3) (a) of the statutes is amended to read:

15 560.036 **(3)** (a) The department shall promulgate rules establishing procedures
16 to implement sub. (2). Those rules shall include a rule prescribing a uniform
17 application form for certification under sub. (2).

18 **SECTION 3619sj.** 560.036 (3) (c) of the statutes is amended to read:

19 560.036 **(3)** (c) The department may promulgate rules establishing conditions
20 with which a business, financial adviser, or investment firm must comply to qualify
21 for certification, in addition to the qualifications specified under sub. (1) (e), (ep), and
22 (fm), respectively. Those rules may not require that a business, financial adviser, or
23 investment firm submit any income or franchise tax return to the department as a
24 condition for qualification for certification.

1 **SECTION 3619sm.** 560.038 (1) (ar) of the statutes is amended to read:

2 560.038 (1) (ar) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~
3 means a business that is certified by the department under s. 560.036 (2).

4 **SECTION 3619sp.** 560.039 (1) (b) of the statutes is amended to read:

5 560.039 (1) (b) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~
6 means a business that is certified by the department under s. 560.036 (2).”.

7 **1254.** Page 1156, line 7: after that line insert:

8 “**SECTION 3619t.** 560.036 (2) (a) of the statutes is amended to read:

9 560.036 (2) (a) For the purposes of ss. 16.63 (2m), 16.75 (3m), 16.855 (10m),
10 16.87 (2), 18.16, 18.64, 18.77, 25.185, 119.495 (2), 200.57, 231.27 and 234.35, the
11 department shall establish and periodically update a list of certified minority
12 businesses, minority financial advisers and minority investment firms. Any
13 business, financial adviser or investment firm may apply to the department for
14 certification. For purposes of this paragraph, unless the context otherwise requires,
15 a “business” includes a financial adviser or investment firm.”.

16 **1255.** Page 1156, line 7: after that line insert:

17 “**SECTION 3619v.** 560.036 (2) (a) of the statutes is amended to read:

18 560.036 (2) (a) For the purposes of ss. 16.75 (3m), 16.855 (10m), 16.87 (2), 18.16,
19 18.64, 18.77, 25.185, 84.014 (7r), 119.495 (2), 200.57, 231.27, and 234.35, the
20 department shall establish and periodically update a list of certified minority
21 businesses, minority financial advisers, and minority investment firms. Any
22 business, financial adviser, or investment firm may apply to the department for
23 certification. For purposes of this paragraph, unless the context otherwise requires,
24 a “business” includes a financial adviser or investment firm.

1 **SECTION 3619w.** 560.036 (2) (d) 1. b. of the statutes is amended to read:

2 560.036 **(2)** (d) 1. b. The department determines that, with respect to a specified
3 type of supply, material, equipment, or service, there are not enough certified
4 minority business suppliers in this state to enable this state to achieve compliance
5 with ss. 16.75 (3m), 16.855 (10m), 16.87 (2) and, 25.185, and 84.014 (7r).”.

6 **1256.** Page 1156, line 7: delete that line.

7 **1257.** Page 1162, line 7: after that line insert:

8 “**SECTION 3648m.** 560.145 (1) (intro.) of the statutes is amended to read:

9 560.145 **(1)** GRANTS. (intro.) Subject to sub. (3), the department may make a
10 grant to a person from the ~~appropriation~~ appropriations under s. 20.143 (1) (c) and
11 (kd) for the capitalization of a revolving loan fund if all of the following apply:

12 **SECTION 3648p.** 560.147 (1) (intro.) of the statutes is amended to read:

13 560.147 **(1)** LOANS. (intro.) Subject to sub. (4), the department may make a loan
14 to a person from the appropriations under s. 20.143 (1) (c) and, (ie), and (kd) for a
15 project described in sub. (2) if all of the following apply:”.

16 **1258.** Page 1162, line 10: after that line insert:

17 “**SECTION 3649c.** 560.16 (2) (a) of the statutes is amended to read:

18 560.16 **(2)** (a) From the appropriations under s. 20.143 (1) (c) and, (ie), and (kd),
19 the department may make grants to existing business groups for a feasibility study
20 to investigate the reorganization or new incorporation of an existing business as an
21 employee–owned business and for professional services to implement the study.”.

22 **1259.** Page 1164, line 22: after that line insert:

23 “**SECTION 3664m.** 560.175 (2) of the statutes is amended to read:

1 560.175 **(2)** Subject to subs. (3) and (6), the department may make a grant from
2 the appropriation appropriations under s. 20.143 (1) (c) and (kd) to a person to fund
3 an early planning project.”.

4 **1260.** Page 1165, line 11: delete lines 11 and 12 and substitute:

5 “560.183 **(1)** (ae) “Dentist” means an individual licensed under s. 447.04 (1).”.

6 **1261.** Page 1171, line 17: after that line insert:

7 “**SECTION 3693m.** 560.28 of the statutes is created to read:

8 **560.28 Heritage trust program. (1)** Beginning in the 2003–04 fiscal year,
9 the department may, subject to sub. (5), award grants to local governmental units,
10 as defined in s. 22.01 (7), for the preservation of historic buildings and properties
11 owned by the local units of government. The grants shall be financed from the
12 appropriation under s. 20.866 (2) (zbz).

13 **(2)** Annually, beginning in the 2003–04 fiscal year and ending in the 2011–12
14 fiscal year, from the appropriation under s. 20.143 (1) (dp), the department may
15 award up to \$500,000 in grants, plus any amount that may be carried over under sub.
16 (3), to nonprofit organizations for historic preservation. A nonprofit organization
17 receiving a grant under this subsection shall be required to contribute for the
18 project 25% of the amount of the grant unless the department determines that a
19 higher amount must be contributed.

20 **(3)** Annually, beginning in the 2003–04 fiscal year and ending in the 2011–12
21 fiscal year, from the appropriation under s. 20.143 (1) (dp), the department shall
22 match in an amount up to \$500,000 any contributions from individuals or
23 organizations that are deposited in the heritage trust fund, except that if the
24 department matches less than \$500,000 in any fiscal year the maximum amount that

1 may be awarded as grants under sub. (2) in the succeeding fiscal year is increased
2 by an amount equal to the difference between the amount matched under this
3 subsection in the current fiscal year and \$500,000.

4 (4) Beginning on July 1, 2012, the department may, subject to sub. (5), make
5 grants to nonprofit organizations for historic preservation. The grants shall be paid
6 from the appropriation under s. 20.143 (1) (rm).

7 (5) The department may award grants under this section only to historic
8 preservation projects that the state historical society determines are eligible under
9 s. 44.02 (27m).

10 (6) The department shall promulgate any rules necessary for the operation of
11 the program under this section.”.

12 **1262.** Page 1171, line 17: after that line insert:

13 “SECTION 3693m. 560.26 (1) (intro.) of the statutes is amended to read:

14 560.26 (1) (intro.) Subject to sub. (3), the department shall make grants from
15 the ~~appropriation~~ appropriations under s. 20.143 (1) (c) and (kd) to the Wisconsin
16 Procurement Institute if all of the following apply:”.

17 **1263.** Page 1172, line 22: after that line insert:

18 “SECTION 3698m. 560.61 (1) of the statutes is amended to read:

19 560.61 (1) Make a grant or loan to an eligible recipient for a project that meets
20 the criteria for funding under s. 560.605 (1) and (2) and under s. 560.62, 560.63,
21 560.65, or 560.66, whichever is appropriate, from the appropriations under s. 20.143
22 (1) (c), (cb) ~~and~~, (ie), and (kd).

23 **SECTION 3698p.** 560.61 (3) of the statutes is amended to read:

1 560.61 **(3)** Make a grant under s. 560.16 from the appropriations under s.
2 20.143 (1) (c) ~~and, (ie), and (kd)~~ if the board determines that the grant meets the
3 requirements of s. 560.16.”.

4 **1264.** Page 1173, line 7: after “(e)” insert “and (f)”.

5 **1265.** Page 1173, line 7: delete “zone” and substitute “zones”.

6 **1266.** Page 1173, line 11: after that line insert:

7 “**SECTION 3701m.** 560.795 (1) (f) of the statutes is created to read:

8 560.795 **(1)** (f) For the Gateway Project, an area in the city of Beloit, the legal
9 description of which is provided to the department by the local governing body of the
10 city of Beloit.”.

11 **1267.** Page 1173, line 18: delete “and (e)” and substitute “, (e), and (f)”.

12 **1268.** Page 1173, line 20: delete “designation of the area under sub. (1) (e)”
13 and substitute “designations of the areas under sub. (1) (e) and (f)”.

14 **1269.** Page 1173, line 24: after that line insert:

15 “**SECTION 3703m.** 560.795 (2) (b) 6. of the statutes is created to read:

16 560.795 **(2)** (b) 6. The limit for the tax benefits for the development opportunity
17 zone under sub. (1) (f) is \$4,700,000.”.

18 **1270.** Page 1174, line 2: after “(e)” insert “or (f)”.

19 **1271.** Page 1174, line 21: after “(e)” insert “or (f)”.

20 **1272.** Page 1174, line 24: after “(e)” insert “or (f)”.

21 **1273.** Page 1175, line 20: after “(e)” insert “or (f)”.

22 **1274.** Page 1176, line 12: after that line insert:

23 “**SECTION 3710j.** 560.80 (8) of the statutes is amended to read:

1 560.80 **(8)** “Minority business” means a ~~minority business, as defined in s.~~
2 ~~560.036 (1) (e),~~ business certified by the department under s. 560.036 (2) that has its
3 principal place of business in this state.”.

4 **1275.** Page 1176, line 18: delete the material beginning with that line and
5 ending with page 1179, line 11.

6 **1276.** Page 1179, line 19: after that line insert:

7 “**SECTION 3713jm.** 562.065 (4) of the statutes is amended to read:

8 562.065 **(4)** UNCLAIMED PRIZES. ~~Any~~ A licensee under s. 562.05 (1) (b) may retain
9 any winnings on a race ~~which~~ that are not claimed within 90 days after the end of
10 the period authorized for racing in that year under s. 562.05 (9) ~~shall be paid to the~~
11 department. ~~The department shall credit moneys received under this subsection to~~
12 the appropriation accounts under ~~ss. 20.455 (2) (g) and 20.505 (8) (g).~~”.

13 **1277.** Page 1180, line 21: after that line insert:

14 “**SECTION 3741n.** 609.73 of the statutes is created to read:

15 **609.73 Coverage of contraceptive articles and services.** Managed care
16 plans are subject to s. 632.895 (15).”.

17 **1278.** Page 1181, line 3: after that line insert:

18 “**SECTION 3755g.** 628.46 (2m) of the statutes is created to read:

19 628.46 **(2m)** Notwithstanding subs. (1) and (2), a claim for payment for
20 chiropractic services is overdue if not paid within 30 days after the insurer receives
21 clinical documentation from the chiropractor that the services were provided unless,
22 within those 30 days, the insurer provides to the insured and to the chiropractor the
23 written statement under s. 632.875 (2).

24 **SECTION 3760m.** 632.875 (2) (intro.) of the statutes is amended to read:

1 632.875 (2) (intro.) If, on the basis of an independent evaluation, an insurer
2 restricts or terminates a patient’s coverage for the treatment of a condition or
3 complaint by a chiropractor acting within the scope of his or her license and the
4 restriction or termination of coverage results in the patient becoming liable for
5 payment for his or her treatment, the insurer shall, within the time required under
6 s. 628.46 (2m), provide to the patient and to the treating chiropractor a written
7 statement that contains all of the following:”.

8 **1279.** Page 1181, line 3: after that line insert:

9 “**SECTION 3755c.** 628.46 (1) of the statutes is amended to read:

10 628.46 (1) Unless otherwise provided by law, an insurer shall promptly pay
11 every insurance claim. A claim shall be overdue if not paid within 30 days after the
12 insurer is furnished written notice of the fact of a covered loss and of the amount of
13 the loss. If such written notice is not furnished to the insurer as to the entire claim,
14 any partial amount supported by written notice is overdue if not paid within 30 days
15 after such written notice is furnished to the insurer. Any part or all of the remainder
16 of the claim that is subsequently supported by written notice is overdue if not paid
17 within 30 days after written notice is furnished to the insurer. ~~Any~~ Except as
18 provided in sub. (2c), any payment shall not be deemed overdue when the insurer has
19 reasonable proof to establish that the insurer is not responsible for the payment,
20 notwithstanding that written notice has been furnished to the insurer. For the
21 purpose of calculating the extent to which any claim is overdue, payment shall be
22 treated as being made on the date a draft or other valid instrument which is
23 equivalent to payment was placed in the U.S. mail in a properly addressed, postpaid

1 envelope, or, if not so posted, on the date of delivery. All overdue payments shall bear
2 simple interest at the rate of 12% per year.

3 **SECTION 3755e.** 628.46 (2c) of the statutes is created to read:

4 628.46 (2c) An insurer issuing a health care plan, as defined in s. 628.36 (2)
5 (a) 1., shall pay a claim that is covered under the health care plan within the time
6 required under subs. (1) and (2), even if the claim may be payable under ch. 102 but
7 has not yet been finally determined to be payable under ch. 102.”.

8 **1280.** Page 1181, line 3: after that line insert:

9 “**SECTION 3755c.** 632.38 (1) (c) of the statutes is amended to read:

10 632.38 (1) (c) “Motor vehicle” means any motor-driven vehicle required to be
11 registered under ch. 341 or exempt from registration under s. 341.05 (2), including
12 a demonstrator or executive vehicle not titled or titled by a manufacturer or a motor
13 vehicle dealer. “Motor vehicle” does not mean include a moped, as defined in s. 340.01
14 (29m), motorcycle, as defined in s. 340.01 (32), semitrailer, or trailer designed for use
15 in combination with a truck or truck tractor.

16 **SECTION 3755e.** 632.38 (2) (intro.) of the statutes is amended to read:

17 632.38 (2) NOTICE OF INTENDED USE; MOTOR VEHICLES OLDER THAN 5 MODEL YEARS.
18 (intro.) An insurer or the insurer’s representative may not require directly or
19 indirectly the use of a nonoriginal manufacturer replacement part in the repair of an
20 insured’s motor vehicle that is more than 5 model years of age when the damage for
21 which the repair is to be made occurs, unless the insurer or the insurer’s
22 representative provides to the insured the notice described in this subsection in the
23 manner required in sub. (3) ~~or~~ (4). The notice shall be in writing and shall include
24 all of the following information:

1 **SECTION 3755g.** 632.38 (2m) of the statutes is created to read:

2 **632.38 (2m)** NOTICE AND AUTHORIZATION FOR USE; MOTOR VEHICLES 5 MODEL YEARS
3 OLD OR NEWER. An insurer or the insurer’s representative may not require directly
4 or indirectly the use of a nonoriginal manufacturer replacement part in the repair
5 of an insured’s motor vehicle that is 5 model years of age or newer when the damage
6 for which the repair is to be made occurs, unless the insurer or the insurer’s
7 representative provides to the insured the notice and authorization form described
8 in this subsection in the manner required in sub. (3) and receives written
9 authorization from the insured before any nonoriginal manufacturer replacement
10 part is installed on the insured’s motor vehicle. The notice must be given, and
11 authorization must be obtained, on a form that is entitled “Replacement Parts Notice
12 and Authorization Form” and that includes only the following information:

13 (a) A clear identification of each nonoriginal manufacturer replacement part
14 that will be used in the repair of the insured’s motor vehicle if the insured provides
15 authorization for the part’s use.

16 (b) A statement that the insured may choose to have replacement parts that
17 are made by or for the manufacturer of the insured’s motor vehicle used in the repair
18 of the insured’s motor vehicle.

19 (c) A statement that the insurer’s obligation to cover repairs to the insured’s
20 motor vehicle will not be affected by the insured’s choice under par. (b).

21 (d) A statement that nonoriginal manufacture replacement parts are not
22 covered by the warranty of the manufacturer of the insured’s motor vehicle.

23 (e) Two signature lines for the insured’s signature, with one line designated as
24 authorizing the use, in the repair, of nonoriginal manufacturer replacement parts
25 and the other line designated as requiring the use, in the repair, of only replacement

1 parts made by or for the manufacturer of the insured's motor vehicle. In addition,
2 the form shall allow the insured to authorize the use of a nonoriginal manufacturer
3 replacement part or to require the use of a replacement part made by or for the
4 manufacturer of the insured's motor vehicle with respect to each replacement part
5 to be used in the repair.

6 **SECTION 3755k.** 632.38 (3) (title) of the statutes is amended to read:

7 632.38 (3) (title) DELIVERY OF NOTICE OR NOTICE AND AUTHORIZATION FORM.

8 **SECTION 3755m.** 632.38 (3) (a) of the statutes is renumbered 632.38 (3) (a) 1.
9 and amended to read:

10 632.38 (3) (a) 1. The notice ~~described in~~ required under sub. (2) shall appear
11 on or be attached to the estimate of the cost of repairing the insured's motor vehicle
12 if the estimate is based on the use of one or more nonoriginal manufacturer
13 replacement parts and is prepared by the insurer or the insurer's representative.

14 3. The insurer or the insurer's representative shall deliver the estimate and
15 notice or notice and authorization form to the insured before the motor vehicle is
16 repaired.

17 **SECTION 3755n.** 632.38 (3) (a) 2. of the statutes is created to read:

18 632.38 (3) (a) 2. The notice and authorization form required under sub. (2m)
19 shall be attached to the estimate of the cost of repairing the insured's motor vehicle
20 if the estimate is based on the use of one or more nonoriginal manufacturer
21 replacement parts and is prepared by the insurer or the insurer's representative.

22 **SECTION 3755p.** 632.38 (3) (b) of the statutes is amended to read:

23 632.38 (3) (b) If the insurer or the insurer's representative directs the insured
24 to obtain one or more estimates of the cost of repairing the insured's motor vehicle
25 and the estimate approved by the insurer or the insurer's representative clearly

1 identifies one or more nonoriginal manufacturer replacement parts to be used in the
2 repair, the insurer or the insurer’s representative shall assure delivery of the notice
3 ~~described in~~ required under sub. (2), or deliver the estimate approved by the insurer
4 or the insurer’s representative with the notice and authorization form required
5 under sub. (2m) attached, to the insured before the motor vehicle is repaired.

6 **SECTION 3755q.** 632.38 (3) (c) of the statutes is amended to read:

7 632.38 (3) (c) The insurer or the insurer’s representative may not require the
8 person repairing the motor vehicle to ~~give~~ provide to the insured the notice ~~described~~
9 ~~in~~ required under sub. (2) or the notice and authorization form required under sub.
10 (2m).

11 **SECTION 3755s.** 632.38 (3) (d) of the statutes is repealed.

12 **SECTION 3755u.** 632.38 (4) of the statutes is repealed.”.

13 **1281.** Page 1181, line 3: after that line insert:

14 “**SECTION 15759g.** 632.745 (6) (a) 2p. of the statutes is created to read:

15 632.745 (6) (a) 2p. The Milwaukee County child welfare district under s.
16 48.562.”.

17 **1282.** Page 1181, line 3: after that line insert:

18 “**SECTION 3759m.** 632.835 (1) (c) of the statutes is amended to read:

19 632.835 (1) (c) “Health benefit plan” has the meaning given in s. 632.745 (11),
20 except that “health benefit plan” includes the types of coverage specified in s. 632.745
21 (11) (b) 1., 2., 3., 5., and 10.”.

22 **1283.** Page 1181, line 12: after that line insert:

23 “**SECTION 3766r.** 635.19 (6) of the statutes is repealed.”.

24 **1284.** Page 1181, line 12: after that line insert:

1 **“SECTION 3766m.** 635.02 (4m) of the statutes is repealed.

2 **SECTION 3766p.** 635.05 (1) of the statutes is amended to read:

3 635.05 **(1)** Establishing restrictions on premium rates that a small employer
4 insurer may charge a small employer such that the premium rates charged to small
5 employers with similar case characteristics for the same or similar benefit design
6 characteristics ~~do not vary from the midpoint rate for those small employers by more~~
7 ~~than 35% of that midpoint rate~~ are the same.”.

8 **1285.** Page 1181, line 12: after that line insert:

9 **“SECTION 3763c.** 632.895 (15) of the statutes is created to read:

10 632.895 **(15)** CONTRACEPTIVE ARTICLES AND SERVICES. (a) In this subsection:

11 1. “Contraceptive article” means any of the following:

12 a. A drug, medicine, mixture, preparation, instrument, article, or device of any
13 nature that is approved by the federal food and drug administration for use to
14 prevent a pregnancy, that is prescribed by a licensed health care provider for use to
15 prevent a pregnancy, and that may not be obtained without a prescription from a
16 licensed health care provider. “Contraceptive article” does not include any drug,
17 medicine, mixture, preparation, instrument, article, or device of any nature
18 prescribed for use in terminating the pregnancy of a woman who is known by the
19 prescribing licensed health care provider to be pregnant.

20 b. A hormonal compound that is taken orally and that is approved by the federal
21 food and drug administration for use to prevent a pregnancy.

22 2. “Religious employer” means an entity that satisfies all of the following
23 criteria:

24 a. The inculcation of religious values is the purpose of the entity.

1 b. The entity employs primarily persons who share the religious tenets of the
2 entity.

3 c. The entity serves primarily persons who share the religious tenets of the
4 entity.

5 d. The entity is exempt from filing a federal annual information return under
6 section 6033 (a) (2) (A) (i) and (iii) and (C) (i) of the Internal Revenue Code.

7 (b) Every disability insurance policy, and every self-insured health plan of a
8 county, city, village, or school district, that provides coverage of outpatient health
9 care services, preventive treatments and services, or prescription drugs and devices
10 shall provide coverage for all of the following:

11 1. Contraceptive articles.

12 2. Medical services, including counseling and physical examinations, for the
13 prescription or use of a contraceptive article or of a procedure to prevent a pregnancy.

14 3. Medical procedures performed to prevent a pregnancy.

15 (c) Coverage under this subsection may be subject to exclusions or limitations,
16 including copayments and deductibles, that apply generally to the benefits that are
17 provided under the policy or self-insured health plan.

18 (d) This subsection does not apply to any of the following:

19 1. A disability insurance policy that covers only certain specified diseases.

20 2. A health care plan offered by a limited service health organization, as defined
21 in s. 609.01 (3), or by a preferred provider plan, as defined in s. 609.01 (4), that is not
22 a managed care plan, as defined in s. 609.01 (3c).

23 3. A medicare replacement policy, a medicare supplement policy, or a long-term
24 care insurance policy.

1 4. A disability insurance policy that is issued to a religious employer, if the
2 religious employer requests that the insurer issuing the policy not provide the
3 coverage specified in par. (b) 1. to 3. on the basis that the articles and services covered
4 are contrary to the religious employer’s religious tenets. A religious employer that
5 makes a request under this subdivision shall provide written notice to a prospective
6 insured under the policy, prior to that person’s coverage under the policy, that
7 specifies the articles and services under par. (b) 1. to 3. that will not be covered on
8 the basis of the employer’s request.”.

9 **1286.** Page 1182, line 3: delete lines 3 to 6.

10 **1287.** Page 1182, line 6: after that line insert:

11 “**SECTION 3773m.** 753.015 of the statutes is created to read:

12 **753.015 Election of circuit judges. (1)** Except as provided in sub. (2), circuit
13 judges shall be elected by the qualified electors of the circuit on a countywide basis.
14 Except as provided in sub. (2), a circuit judge shall reside in the circuit in which he
15 or she is elected.

16 **(2)** The circuit judges for branches 1 to 24 in the 1st judicial administrative
17 district shall be elected from a judicial subdistrict, composed of whole supervisory
18 districts, designated as judicial subdistrict “A”. The circuit judges for branches 25
19 to 47 in the 1st judicial administrative district shall be elected from a judicial
20 subdistrict, composed of whole supervisory districts, designated as judicial
21 subdistrict “B”. A circuit judge in the 1st judicial administrative district shall reside
22 in the judicial subdistrict from which he or she is elected. Within 30 days after
23 Milwaukee County adopts a final plan adjusting its supervisory districts under s.
24 59.10 (2) (a), the Milwaukee County board of supervisors shall, to the extent possible,

1 adjust the designation of the supervisory districts that the judicial subdistricts are
2 composed of so that substantially the same territory exists in judicial subdistricts “A”
3 and “B” as existed before the supervisory districts were adjusted. The adjusted
4 subdistricts shall apply to the election of a circuit judge at the spring election
5 following the adjustment.”.

6 **1288.** Page 1182, line 6: after that line insert:

7 “SECTION 3769m. 704.90 (9) of the statutes is amended to read:

8 704.90 (9) RULES. The department of ~~agriculture, trade and consumer~~
9 ~~protection~~ justice may promulgate rules necessary to carry out the purposes of this
10 section.

11 SECTION 3770d. 704.90 (11) (title) of the statutes is amended to read:

12 704.90 (11) (title) DUTIES OF THE DEPARTMENT OF AGRICULTURE, ~~TRADE AND~~
13 ~~CONSUMER PROTECTION~~ JUSTICE.

14 SECTION 3770f. 704.90 (11) (a) of the statutes is amended to read:

15 704.90 (11) (a) Except as provided in par. (c), the department of ~~agriculture,~~
16 ~~trade and consumer protection~~ justice shall investigate alleged violations of this
17 section and rules promulgated under sub. (9). To facilitate its investigations, the
18 department may subpoena persons and records and may enforce compliance with the
19 subpoenas as provided in s. 885.12.

20 SECTION 3770h. 707.49 (4) of the statutes is amended to read:

21 707.49 (4) SURETY BOND AND OTHER OPTIONS. Instead of placing deposits in an
22 escrow account, a developer may obtain a surety bond issued by a company
23 authorized to do business in this state, an irrevocable letter of credit or a similar
24 arrangement, in an amount which at all times is not less than the amount of the

1 deposits otherwise subject to the escrow requirements of this section. The bond,
2 letter of credit or similar arrangement shall be filed with the department of
3 agriculture, ~~trade and consumer protection~~ justice and made payable to the
4 department of agriculture, ~~trade and consumer protection~~ justice for the benefit of
5 aggrieved parties.

6 **SECTION 3770k.** 707.57 (2) of the statutes is amended to read:

7 707.57 (2) DEPARTMENT OF AGRICULTURE, ~~TRADE AND CONSUMER PROTECTION~~
8 JUSTICE AUTHORITY. (a) The department of agriculture, ~~trade and consumer~~
9 ~~protection~~ justice, or any district attorney upon informing the department of
10 agriculture, ~~trade and consumer protection~~ justice, may commence an action in
11 circuit court in the name of the state to restrain by temporary or permanent
12 injunction any violation of this chapter. Before entry of final judgment, the court may
13 make such orders or judgments as may be necessary to restore to any person any
14 pecuniary loss suffered because of the acts or practices involved in the action if proof
15 of these acts or practices is submitted to the satisfaction of the court.

16 (b) The department of agriculture, ~~trade and consumer protection~~ justice may
17 conduct hearings, administer oaths, issue subpoenas and take testimony to aid in its
18 investigation of violations of this chapter.

19 **SECTION 3770m.** 707.57 (3) of the statutes is amended to read:

20 707.57 (3) PENALTY. Any person who violates this chapter shall be required to
21 forfeit not more than \$5,000 for each offense. Forfeitures under this subsection shall
22 be enforced by action on behalf of the state by the department of agriculture, ~~trade~~
23 ~~and consumer protection~~ justice or by the district attorney of the county where the
24 violation occurs.”.

1 **1289.** Page 1184, line 3: after that line insert:

2 “**SECTION 3780c.** 757.54 of the statutes is renumbered 757.54 (1) and amended
3 to read:

4 757.54 (1) The Except as provided in sub. (2), the retention and disposal of all
5 court records and exhibits in any civil or criminal action or proceeding or probate
6 proceeding of any nature in a court of record shall be determined by the supreme
7 court by rule.

8 **SECTION 3780d.** 757.54 (2) of the statutes is created to read:

9 757.54 (2) (a) In this subsection:

10 1. “Custody” has the meaning given in s. 968.205 (1) (a).

11 2. “Discharge date” has the meaning given in s. 968.205 (1) (b).

12 (b) Except as provided in par. (c), if an exhibit in a criminal action or a
13 delinquency proceeding under ch. 938 includes any biological material that was
14 collected in connection with the action or proceeding, the court presiding over the
15 action or proceeding shall ensure that the exhibit is preserved until every person in
16 custody as a result of the action or proceeding, or as a result of commitment under
17 s. 980.06 that is based on a judgment of guilty or not guilty by reason of mental
18 disease or defect in the action or proceeding, has reached his or her discharge date.

19 (c) Subject to par. (e), the court may destroy biological material before the
20 expiration of the time period specified in par. (b) if all of the following apply:

21 1. The court sends a notice of its intent to destroy the biological material to all
22 persons who remain in custody as a result of the criminal action, delinquency
23 proceeding, or commitment under s. 980.06 and to either the attorney of record for
24 each person in custody or the state public defender.

1 2. No person who is notified under subd. 1. does either of the following within
2 90 days after the date on which the person received the notice:

3 a. Files a motion for testing of the biological material under s. 974.07 (2).

4 b. Submits a written request to preserve the biological material to the court.

5 3. No other provision of federal or state law requires the court to preserve the
6 biological material.

7 (d) A notice provided under par. (c) 1. shall clearly inform the recipient that the
8 biological material will be destroyed unless, within 90 days after the date on which
9 the person receives the notice, either a motion for testing of the material is filed
10 under s. 974.07 (2) or a written request to preserve the material is submitted to the
11 court.

12 (e) If, after providing notice under par. (c) 1. of its intent to destroy biological
13 material, a court receives a written request to preserve the material, the court shall
14 preserve the material until the discharge date of the person who made the request
15 or on whose behalf the request was made, subject to a court order issued under s.
16 974.07 (7), (9) (a), or (10) (a) 5., unless the court authorizes destruction of the
17 biological material under s. 974.07 (9) (b) or (10) (a) 5.”.

18 **1290.** Page 1184, line 19: delete lines 19 to 25.

19 **1291.** Page 1185, line 1: delete lines 1 to 6.

20 **1292.** Page 1185, line 6: after that line insert:

21 “**SECTION 3781d.** 758.19 (8) of the statutes is created to read:

22 758.19 (8) (a) From the appropriation under s. 20.625 (1) (c), the director of
23 state courts shall reimburse counties up to 4 times each year for the actual expenses
24 paid for interpreters required by circuit courts to assist persons with limited English

1 proficiency under s. 885.38 (8) (a) 1. The amount of the reimbursement for mileage
2 shall be 20 cents per mile going and returning from his or her residence if within the
3 state; or, if without the state, from the point where he or she crosses the state
4 boundary to the place of attendance, and returning by the usually traveled route
5 between such points. The amount of the maximum hourly reimbursement for court
6 interpreters shall be as follows:

7 1. Forty dollars for the first hour and \$20 for each additional 0.5 hour for
8 qualified interpreters certified under the requirements and procedures approved by
9 the supreme court.

10 2. Thirty dollars for the first hour and \$15 for each additional 0.5 hour for
11 qualified interpreters, as defined in s. 885.38 (1) (c).

12 (b) To receive reimbursement under par. (a), a county must submit, on forms
13 provided by the director of state courts, an accounting of the amount paid for
14 expenses related to court interpreters that are eligible for reimbursement under par.

15 (a). The forms must include expenses for the preceding 3-month period and must
16 be submitted within 90 days after that 3-month period has ended. The director of
17 state courts may not reimburse a county for any expenses related to court
18 interpreters that are submitted after the 90-day period has ended. Reimbursement
19 under par. (a) first applies to court interpreter expenses incurred on the effective date
20 of this paragraph [revisor inserts date].”.

21 **1293.** Page 1190, line 16: after that line insert:

22 “**SECTION 3788m.** 767.27 (2) of the statutes is amended to read:

23 767.27 (2) ~~Except as provided in sub. (2m), disclosure~~ Disclosure forms
24 required under this section shall be filed within 90 days after the service of summons

1 or the filing of a joint petition or at such other time as ordered by the court or family
2 court commissioner. Information contained on such forms shall be updated on the
3 record to the date of hearing.

4 **SECTION 3788p.** 767.27 (2m) of the statutes is amended to read:

5 767.27 (2m) In every action in which the court has ordered a party to pay child
6 support under s. 767.25, 767.51 or 767.62 (4) or family support under s. 767.261 and
7 the circumstances specified in s. 767.075 (1) apply this chapter, including an action
8 to revise a judgment or order under s. 767.32, the court shall require the party who
9 is ordered to pay the support to annually furnish the disclosure form required under
10 this section and may require that party to annually furnish a copy of his or her most
11 recently filed state and federal income tax returns to the county child support agency
12 under s. 59.53 (5) for the county in which the order was entered. In any action in
13 which the court has ordered a party to pay child support under s. 767.25, 767.51 or
14 767.62 (4) or family support under s. 767.261, the court may require the party who
15 is ordered to pay the support to annually furnish the disclosure form required under
16 this section and a copy of his or her most recently filed state and federal income tax
17 returns to the party for whom the support has been awarded parties annually to
18 exchange financial information. A party who fails to furnish the information as
19 required by the court under this subsection may be proceeded against for contempt
20 of court under ch. 785. If the court finds that a party has failed to furnish the
21 information required under this subsection, the court may award to the party
22 bringing the action costs and, notwithstanding s. 814.04 (1), reasonable attorney
23 fees.”.

24 **1294.** Page 1195, line 22: delete lines 22 to 24 and substitute:

1 “(5) (a) Nothing in this section affects a party’s right to file at any time a motion,
2 petition, or order to show cause under s. 767.32 for revision of a judgment or order
3 with respect to an amount of child or family support.

4 (b) Nothing in this section affects a party’s right to move the court for a finding
5 of contempt of court or for remedial sanctions under ch. 785 if the other party
6 unreasonably fails to provide or disclose information required under this section or
7 unreasonably fails or refuses to sign a stipulation for an annual adjustment.”.

8 **1295.** Page 1195, line 24: after that line insert:

9 “**SECTION 3793m.** 767.51 (3m) of the statutes is created to read:

10 767.51 (**3m**) (a) Upon the request of both parents, the court shall include in the
11 judgment or order determining paternity an order changing the name of the child to
12 a name agreed upon by the parents.

13 (b) Except as provided in par. (a), the court may include in the judgment or order
14 determining paternity an order changing the surname of the child to a surname that
15 consists of the surnames of both parents separated by a hyphen or, if one or both
16 parents have more than one surname, of one of the surnames of each parent
17 separated by a hyphen, if all of the following apply:

18 1. Only one parent requests that the child’s name be changed, or both parents
19 request that the child’s name be changed but each parent requests a different name
20 change.

21 2. The court finds that such a name change is in the child’s best interest.

22 (c) Section 786.36 does not apply to a name change under this subsection.”.

23 **1296.** Page 1200, line 8: after that line insert:

24 “**SECTION 3816g.** 779.41 (1m) of the statutes is amended to read:

1 779.41 **(1m)** Annually, on January 1, the department of agriculture, trade and
2 ~~consumer protection justice~~ shall adjust the dollar amounts identified under sub. (1)
3 (intro.), (a), (b) and (c) 1. to 4. by the annual change in the consumer price index, as
4 determined under s. 16.004 (8) (e) 1., and publish the adjusted figures.

5 **SECTION 3816j.** 779.93 (title) of the statutes is amended to read:

6 **779.93 (title) Duties of the department of agriculture, trade and**
7 **~~consumer protection justice.~~**

8 **SECTION 3816m.** 779.93 (1) of the statutes is amended to read:

9 779.93 **(1)** The department of agriculture, trade and consumer protection
10 ~~justice~~ shall investigate violations of this subchapter and attempts to circumvent
11 this subchapter. The department of agriculture, trade and consumer protection
12 ~~justice~~ may subpoena persons and records to facilitate its investigations, and may
13 enforce compliance with such subpoenas as provided in s. 885.12.

14 **SECTION 3816p.** 779.93 (2) (intro.) of the statutes is amended to read:

15 779.93 **(2)** (intro.) The department of agriculture, trade and consumer
16 ~~protection justice~~ may ~~in on~~ behalf of the state or ~~in on~~ behalf of any person who holds
17 a prepaid maintenance lien.”.

18 **1297.** Page 1203, line 23: after that line insert:

19 **“SECTION 3823k.** 800.09 (1) (b) of the statutes is amended to read:

20 800.09 **(1)** (b) If the defendant agrees to perform community service work in
21 lieu of making restitution or paying the forfeiture, assessments, and costs, or both,
22 the court may order that the defendant perform community service work for a public
23 agency or a nonprofit charitable organization that is designated by the court.
24 Community service work may be in lieu of restitution only if also agreed to by the

1 public agency or nonprofit charitable organization and by the person to whom
2 restitution is owed. The court may utilize any available resources, including any
3 community service work program, in ordering the defendant to perform community
4 service work. The number of hours of community service work required may not
5 exceed the number determined by dividing the amount owed on the forfeiture by the
6 minimum wage established under ~~ch. 104 for adults in nonagriculture, nontipped~~
7 ~~employment s. 104.035 (2)~~. The court shall ensure that the defendant is provided a
8 written statement of the terms of the community service order and that the
9 community service order is monitored.”.

10 **1298.** Page 1204, line 16: after that line insert:

11 “**SECTION 3824q.** 800.095 (4) (b) 3. of the statutes is amended to read:

12 800.095 **(4)** (b) 3. That the defendant perform community service work for a
13 public agency or a nonprofit charitable organization designated by the court, except
14 that the court may not order the defendant to perform community service work
15 unless the defendant agrees to perform community service work and, if the
16 community service work is in lieu of restitution, unless the person to whom the
17 restitution is owed agrees. The court may utilize any available resources, including
18 any community service work program, in ordering the defendant to perform
19 community service work. The number of hours of community service work required
20 may not exceed the number determined by dividing the amount owed on the
21 forfeiture, or restitution, or both, by the minimum wage established under ~~ch. 104~~
22 ~~for adults in nonagriculture, nontipped employment s. 104.035 (2)~~. The court shall
23 ensure that the defendant is provided a written statement of the terms of the
24 community service order and that the community service order is monitored.”.

1 **1299.** Page 1205, line 14: delete lines 14 to 21.

2 **1300.** Page 1205, line 21: after that line insert:

3 “**SECTION 3828c.** 801.02 (7) (a) 2. c. of the statutes is amended to read:

4 801.02 (7) (a) 2. c. A person bringing an action seeking relief from a judgment
5 of conviction or a sentence of a court, including an action for an extraordinary writ
6 or a supervisory writ seeking relief from a judgment of conviction or a sentence of a
7 court or an action under s. 809.30, 809.40, 973.19 ~~or~~, 974.06 or 974.07.

8 **SECTION 3828f.** 805.15 (3) (intro.) of the statutes is amended to read:

9 805.15 (3) (intro.) ~~A~~ Except as provided in ss. 974.07 (10) (b) and 980.101 (2)
10 (b), a new trial shall be ordered on the grounds of newly-discovered evidence if the
11 court finds that:

12 **SECTION 3828h.** 805.16 (4) of the statutes is amended to read:

13 805.16 (4) Notwithstanding sub. (1), and except as provided in s. 974.02 (1m),
14 a motion for a new trial based on newly discovered evidence may be made at any time
15 within one year after verdict. Unless an order granting or denying the motion is
16 entered within 90 days after the motion is made, it shall be deemed denied.

17 **SECTION 3828j.** 805.16 (5) of the statutes is created to read:

18 805.16 (5) The time limits in this section for filing motions do not apply to
19 motions made under s. 974.07 (2) or 980.101.”.

20 **1301.** Page 1206, line 2: delete lines 2 to 4.

21 **1302.** Page 1206, line 4: after that line insert:

22 “**SECTION 3829d.** 808.075 (4) (h) of the statutes is amended to read:

1 808.075 (4) (h) Commitment, supervised release, recommitment and,
2 discharge, and postcommitment relief under ss. 980.06, 980.08, 980.09 and, 980.10,
3 and 980.101 of a person found to be a sexually violent person under ch. 980.

4 **SECTION 3829n.** 809.30 (1) (a) of the statutes is amended to read:

5 809.30 (1) (a) “Postconviction relief” means, in a felony or misdemeanor case,
6 an appeal or a motion for postconviction relief other than a motion under s. 805.15
7 (1) based on newly discovered evidence, or under s. 973.19 or, 974.06, or 974.07 (2).

8 In a ch. 48, 51, 55 or 938 case, other than a termination of parental rights case under
9 s. 48.43, it means an appeal or a motion for reconsideration by the trial court of its
10 final judgment or order; in such cases a notice of intent to pursue such relief or a
11 motion for such relief need not be styled as seeking “postconviction” relief.

12 **SECTION 3829p.** 809.30 (2) (L) of the statutes is amended to read:

13 809.30 (2) (L) An appeal under s. 974.06 or 974.07 is governed by the
14 procedures for civil appeals.”.

15 **1303.** Page 1206, line 5: delete lines 5 to 12.

16 **1304.** Page 1207, line 19: substitute “~~100.30 (5m),~~” for “100.30 (5m),”.

17 **1305.** Page 1207, line 22: after that line insert:

18 “**SECTION 3830p.** 814.245 (2) (d) of the statutes is amended to read:

19 814.245 (2) (d) “State agency” does not include the public intervenor or citizens
20 utility board.”.

21 **1306.** Page 1208, line 13: after that line insert:

22 “**SECTION 3835g.** 814.66 (1) (a) 2. of the statutes is amended to read:

23 814.66 (1) (a) 2. For filing a petition whereby any proceeding in estates of
24 deceased persons is commenced, if the value of the property subject to

1 administration, less encumbrances, liens or charges, is \$10,000 or less, a fee of \$10
2 \$20 and, if more than \$10,000, a fee of ~~0.1%~~ 0.2% of the value of the property subject
3 to administration, less encumbrances, liens or charges. The register in probate may
4 not base a fee under this subdivision upon the value of property that is not subject
5 to administration.

6 **SECTION 3835h.** 814.66 (1) (b) 2. of the statutes is amended to read:

7 814.66 (1) (b) 2. For filing a petition for guardianship of the estate under ch.
8 880 or an application for conservatorship under ch. 880, if the value of the property,
9 less encumbrances, liens or charges, is \$10,000 or less, a fee of \$10 \$20 and, if more
10 than \$10,000, a fee of ~~0.1%~~ 0.2% of the value of the property, less encumbrances, liens
11 or charges.

12 **SECTION 3835i.** 814.66 (3) of the statutes is amended to read:

13 814.66 (3) The register in probate shall, on the first Monday of each month, pay
14 into the office of the county treasurer all fees collected by him or her and in his or her
15 hands and still unclaimed as of that day. Each county treasurer shall make a report
16 under oath to the state treasurer on or before the 5th day of January, April, July and
17 October of all fees received by him or her under sub. (1) (a) to (f) up to the first day
18 of each of those months and shall at the same time pay ~~50%~~ 66.67% of the fees to the
19 state treasurer for deposit in the general fund. Each county treasurer shall retain
20 the balance of fees received by him or her under this section for the use of the county.”.

21 **1307.** Page 1208, line 14: delete lines 14 and 15 and substitute:

22 “**SECTION 3836dd.** 814.67 (1) (am) of the statutes is created to read:

23 814.67 (1) (am) For witnesses attending before a circuit court, \$16 per day.

24 **SECTION 3836f.** 814.67 (1) (b) (intro.) of the statutes is amended to read:

1 814.67 (1) (b) (intro.) For attending before ~~any other court~~ the court of appeals
2 or the supreme court:

3 **SECTION 3836g.** 814.67 (1) (b) 2. of the statutes is amended to read:

4 814.67 (1) (b) 2. For interpreters, \$35 ~~per one-half day~~ a fee determined by the
5 supreme court.”.

6 **1308.** Page 1209, line 3: after that line insert:

7 “**SECTION 3842d.** 865.08 (1) (intro.) of the statutes is renumbered 865.08 (1) (ac)
8 and amended to read:

9 865.08 (1) (ac) Upon receipt of an application and making the determinations
10 required by s. 865.07, the probate registrar may enter a statement of informal
11 administration, admit a will to informal probate, and may appoint the personal
12 representative nominated by the will or requested by the interested parties, subject
13 to qualification and acceptance.

14 **SECTION 3842f.** 865.08 (1) (a) (intro.) of the statutes is renumbered 865.08 (1)
15 (am) (intro.) and amended to read:

16 865.08 (1) (am) (intro.) ~~Where~~ If no personal representative is named or ~~where~~
17 if the named personal representative fails to qualify, the personal representative
18 shall be ~~either a~~ any of the following:

19 1. A bank or trust company that is entitled to exercise fiduciary powers in this
20 state ~~which~~ and that has the consent of all interested persons, other than creditors
21 of the deceased, ~~or a~~,

22 2. A natural person who has the consent of all interested parties, other than
23 creditors of the deceased, and ~~is:~~ who is not disqualified under s. 856.23.

24 **SECTION 3842h.** 865.08 (1) (a) 1., 2. and 3. of the statutes are repealed.”.

1 **1309.** Page 1211, line 9: delete the material beginning with that line and
2 ending with page 1214, line 15, and substitute:

3 “**SECTION 3852d.** 885.37 (title) of the statutes is amended to read:

4 **885.37** (title) ~~Interpreters for persons with language difficulties or~~
5 ~~hearing or speaking impairments~~ **in municipal courts and administrative**
6 **agency contested cases.**

7 **SECTION 3852g.** 885.37 (1) (a) of the statutes is repealed.

8 **SECTION 3852m.** 885.37 (1) (b) of the statutes is amended to read:

9 885.37 (1) (b) If a municipal court has notice that a person who fits ~~any of the~~
10 ~~criteria under par. (a)~~ is a juvenile or parent subject to ch. 938, or who is a witness
11 in a proceeding under ch. 938, has a language difficulty because of the inability to
12 speak or understand English, has a hearing impairment, is unable to speak or has
13 a speech defect, the court shall make a factual determination of whether the
14 language difficulty or the hearing or speaking impairment is sufficient to prevent the
15 individual from communicating with his or her attorney, reasonably understanding
16 the English testimony or reasonably being understood in English. If the court
17 determines that an interpreter is necessary, the court shall advise the person that
18 he or she has a right to a qualified interpreter and that, if the person cannot afford
19 one, an interpreter will be provided for him or her at the public's expense. Any waiver
20 of the right to an interpreter is effective only if made voluntarily in person, in open
21 court and on the record.

22 **SECTION 3852r.** 885.37 (2) of the statutes is amended to read:

23 885.37 (2) A municipal court may authorize the use of an interpreter in actions
24 or proceedings in addition to those specified in sub. (1) (b).

1 **SECTION 3853g.** 885.37 (4) (a) of the statutes is repealed and recreated to read:

2 885.37 (4) (a) The necessary expense of furnishing an interpreter for an
3 indigent person in a municipal court shall be paid by the municipality.

4 **SECTION 3853m.** 885.37 (5) (a) of the statutes is amended to read:

5 885.37 (5) (a) If a municipal court under sub. (1) (b) or (2) or an agency under
6 sub. (3) decides to appoint an interpreter, the court or agency shall follow the
7 applicable procedure under par. (b) or (c).

8 **SECTION 3860m.** 885.38 of the statutes is created to read:

9 **885.38 Interpreters in circuit and appellate courts. (1)** In this section:

10 (a) “Court proceeding” means any proceeding before a court of record.

11 (b) “Limited English proficiency” means any of the following:

12 1. The inability, because of the use of a language other than English, to
13 adequately understand or communicate effectively in English in a court proceeding.

14 2. The inability, due to a speech impairment, hearing loss, deafness,
15 deaf–blindness, or other disability, to adequately hear, understand, or communicate
16 effectively in English in a court proceeding.

17 (c) “Qualified interpreter” means a person who is able to do all of the following:

18 1. Readily communicate with a person who has limited English proficiency.

19 2. Orally transfer the meaning of statements to and from English and the
20 language spoken by a person who has limited English proficiency in the context of
21 a court proceeding.

22 3. Readily and accurately interpret for a person who has limited English
23 proficiency, without omissions or additions, in a manner that conserves the meaning,
24 tone, and style of the original statement, including dialect, slang, and specialized
25 vocabulary.

1 **(2)** The supreme court shall establish the procedures and policies for the
2 recruitment, training, and certification of persons to act as qualified interpreters in
3 a court proceeding and for the coordination, discipline, retention, and training of
4 those interpreters.

5 **(3)** (a) In criminal proceedings and in proceedings under ch. 48, 51, 55, or 938,
6 if the court determines that the person has limited English proficiency, and an
7 interpreter is necessary, the court shall advise the person that he or she has the right
8 to a qualified interpreter and that, if the person cannot afford one, an interpreter will
9 be provided at the public's expense if the person is one of the following:

10 1. A party in interest.

11 2. A witness, while testifying in a court proceeding.

12 3. An alleged victim, as defined in s. 950.02 (4).

13 4. A parent or legal guardian of a minor party in interest or the legal guardian
14 of a party in interest.

15 5. Another person affected by the proceedings, if the court determines that the
16 appointment is necessary and appropriate.

17 (b) The court may appoint more than one qualified interpreter in a court
18 proceeding when necessary.

19 (c) If a person with limited English proficiency, as defined in sub. (1) (b) 2., is
20 part of a jury panel in a court proceeding, the court shall appoint a qualified
21 interpreter for that person.

22 (d) If a person with limited English proficiency requests the assistance of the
23 clerk of circuit courts regarding a legal proceeding, the clerk may provide the
24 assistance of a qualified interpreter to respond to the person's inquiry.

1 (e) A qualified interpreter appointed under this subsection may, with the
2 approval of the court, provide interpreter services outside the court room that are
3 related to the court proceedings, including during court-ordered psychiatric or
4 medical exams or mediation.

5 (4) (a) The court may accept the waiver of the right to a qualified interpreter
6 by a person with limited English proficiency at any point in the court proceeding if
7 the court advises the person of the nature and effect of the waiver and determines
8 on the record that the waiver has been made knowingly, intelligently, and
9 voluntarily.

10 (b) At any point in the court proceeding, for good cause, the person with limited
11 English proficiency may retract his or her waiver and request that a qualified
12 interpreter be appointed.

13 (5) Every qualified interpreter, before commencing his or her duties in a court
14 proceeding, shall take a sworn oath that he or she will make a true and impartial
15 interpretation. The supreme court may approve a uniform oath for qualified
16 interpreters.

17 (6) Any party to a court proceeding may object to the use of any qualified
18 interpreter for good cause. The court may remove a qualified interpreter for good
19 cause.

20 (7) The delay resulting from the need to locate and appoint a qualified
21 interpreter may constitute good cause for the court to toll the time limitations in the
22 court proceeding.

23 (8) (a) Except as provided in par. (b), the necessary expenses of providing
24 qualified interpreters to indigent persons with limited English proficiency under
25 this section shall be paid as follows:

1 1. The county in which the circuit court is located shall pay the expenses in all
2 proceedings before a circuit court and when the clerk of circuit court uses a qualified
3 interpreter under sub. (3) (d). The county shall be reimbursed as provided in s.
4 758.19 (8) for expenses paid under this subdivision.

5 2. The court of appeals shall pay the expenses in all proceedings before the court
6 of appeals.

7 3. The supreme court shall pay the expenses in all proceedings before the
8 supreme court.

9 (b) The state public defender shall pay the expenses for interpreters assisting
10 the state public defender in representing an indigent person in preparing for court
11 proceedings.”.

12 **1310.** Page 1216, line 11: delete the material beginning with that line and
13 ending with page 1217, line 25.

14 **1311.** Page 1218, line 8: after that line insert:

15 “**SECTION 3862y.** 895.035 (2m) (c) of the statutes is amended to read:

16 895.035 (**2m**) (c) The court assigned to exercise jurisdiction under chs. 48 and
17 938 may order that the juvenile perform community service work for a public agency
18 or nonprofit charitable organization that is designated by the court in lieu of making
19 restitution or paying the forfeiture or surcharge. If the parent agrees to perform
20 community service work in lieu of making restitution or paying the forfeiture or
21 surcharge, the court may order that the parent perform community service work for
22 a public agency or a nonprofit charitable organization that is designated by the court.
23 Community service work may be in lieu of restitution only if also agreed to by the
24 public agency or nonprofit charitable organization and by the person to whom

1 restitution is owed. The court may utilize any available resources, including any
2 community service work program, in ordering the juvenile or parent to perform
3 community service work. The number of hours of community service work required
4 may not exceed the number determined by dividing the amount owed on the
5 restitution, forfeiture, or surcharge by the minimum wage established under ~~ch. 104~~
6 ~~for adults in nonagriculture, nontipped employment~~ s. 104.035 (2). The court shall
7 ensure that the juvenile or parent is provided with a written statement of the terms
8 of the community service order and that the community service order is monitored.”.

9 **1312.** Page 1219, line 4: after that line insert:

10 “SECTION 3871c. 895.59 of the statutes is created to read:

11 **895.59 Liability exemption; outdoor lighting.** Outdoor lighting may not
12 be found to be a nuisance or trespass if all of the following apply:

13 (1) The outdoor lighting complies with the guidelines promulgated under s.
14 101.815 (1).

15 (2) The outdoor lighting meets the requirements for self-certification under s.
16 101.815 (2).

17 (3) The outdoor lighting does not present a substantial threat to public health
18 or safety.”.

19 **1313.** Page 1219, line 9: substitute “885.38 (1) (b),” for “885.37 (1g).”.

20 **1314.** Page 1219, line 15: after that line insert:

21 “SECTION 3872v. 908.03 (6m) (b) (intro.) of the statutes is amended to read:

22 908.03 (6m) (b) *Authentication witness unnecessary.* (intro.) ~~A- The testimony~~
23 of a custodian or other qualified witness required by sub. (6) is unnecessary if the

1 party who intends to offer health care provider records into evidence at a trial or
2 hearing does one of the following at least 40 20 days before the trial or hearing:”.

3 **1315.** Page 1219, line 15: after that line insert:

4 “**SECTION 3872x.** 908.03 (6m) (d) of the statutes is amended to read:

5 908.03 **(6m)** (d) *Fees.* The Before July 1, 2002, the department of health and
6 family services shall, by rule, prescribe uniform fees that are based on an
7 approximation of the actual costs. The fees, plus applicable state tax, are the
8 maximum amount that a health care provider may charge ~~under par. (c) 3.~~ for
9 certified duplicate patient health care records. The rule shall also allow the health
10 care provider to charge for actual postage or other actual delivery costs. The
11 commencement of an action is not a prerequisite for the application of this
12 paragraph.

13 **SECTION 3872y.** 908.03 (6m) (d) of the statutes, as affected by 2001 Wisconsin
14 Act (this act), is amended to read:

15 908.03 **(6m)** (d) *Fees.* ~~Before July 1~~ After June 30, 2002 the department of
16 health and family services shall, by rule, prescribe uniform fees that are based on an
17 approximation of actual costs. The fees, plus applicable state tax, are the maximum
18 amount that a health care provider may charge for certified duplicate patient health
19 care records. The rule shall also allow the health care provider to charge for actual
20 postage or other actual delivery costs. ~~The commencement of an action is not a~~
21 ~~prerequisite for the application of this paragraph~~ For duplicate patient health care
22 records and duplicate X-ray reports or the referral of X-rays to another health care
23 provider that are requested before commencement of an action, s. 146.83 (1) (b) and
24 (c) and (3m) applies.”.

1 **1316.** Page 1219, line 16: delete lines 16 to 21.

2 **1317.** Page 1219, line 21: after that line insert:

3 “**SECTION 3878e.** 938.17 (2) (h) 1. of the statutes is amended to read:

4 938.17 (2) (h) 1. If a juvenile who has violated a municipal ordinance, other
5 than an ordinance enacted under s. 118.163 (1m) or (2), violates a condition of his or
6 her dispositional order, the municipal court may impose on the juvenile any of the
7 sanctions specified in s. 938.355 (6) (d) 2. to 4. 5. that are authorized under par. (cm)
8 except for monitoring by an electronic monitoring system or may petition the court
9 assigned to exercise jurisdiction under this chapter and ch. 48 to impose on the
10 juvenile the sanction specified in s. 938.355 (6) (d) 1. or home detention with
11 monitoring by an electronic monitoring system as specified in s. 938.355 (6) (d) 3., if
12 authorized under par. (cm), if at the time of judgment the court explained the
13 conditions to the juvenile and informed the juvenile of the possible sanctions under
14 s. 938.355 (6) (d) that are authorized under par. (cm) for a violation or if before the
15 violation the juvenile has acknowledged in writing that he or she has read, or has had
16 read to him or her, those conditions and possible sanctions and that he or she
17 understands those conditions and possible sanctions.”.

18 **1318.** Page 1219, line 22: delete lines 22 to 25.

19 **1319.** Page 1220, line 1: delete lines 1 to 7 and substitute:

20 “**SECTION 3879d.** 938.183 (3) of the statutes is amended to read:

21 938.183 (3) When a juvenile who is subject to a criminal penalty under sub.
22 (1m) or (2) attains the age of 17 years, the department may place the juvenile in a
23 state prison named in s. 302.01, except that the department may not place any person
24 under the age of 18 years in the correctional institution authorized in s. 301.16 (1n).

1 If a juvenile who is subject to a criminal penalty under sub. (1m) or (2) is 15 years
2 of age or over, the department may transfer the juvenile to the Racine youthful
3 offender correctional facility named in s. 302.01 as provided in s. 938.357 (4) (d). A
4 juvenile who is subject to a criminal penalty under sub. (1m) or (2) for an act
5 committed before December 31, 1999, is eligible for parole under s. 304.06.”.

6 **1320.** Page 1220, line 8: delete lines 8 to 25.

7 **1321.** Page 1221, line 1: delete lines 1 to 25.

8 **1322.** Page 1222, line 1: delete lines 1 to 25.

9 **1323.** Page 1223, line 1: delete lines 1 to 4.

10 **1324.** Page 1223, line 4: after that line insert:

11 “SECTION 3889e. 938.245 (2) (a) 9m. of the statutes is created to read:

12 938.245 (2) (a) 9m. That the juvenile report to a youth report center after
13 school, in the evening, on weekends, on other nonschool days, or at any other time
14 that the juvenile is not under immediate adult supervision, for participation in the
15 social, behavioral, academic, community service, and other programming of the
16 center. Section 938.34 (5g) applies to any community service work performed by a
17 juvenile under this subdivision.

18 SECTION 3889g. 938.245 (5) of the statutes is amended to read:

19 938.245 (5) A deferred prosecution agreement ~~under sub. (2) (a) 1. to 8., (2g)~~
20 ~~or (2v).~~ may be terminated upon the request of the juvenile, parent, guardian, or legal
21 custodian.”.

22 **1325.** Page 1223, line 4: after that line insert:

23 “SECTION 3889p. 938.293 (2) of the statutes is amended to read:

1 938.293 **(2)** All records relating to a juvenile which are relevant to the subject
2 matter of a proceeding under this chapter shall be open to inspection by a guardian
3 ad litem or counsel for any party, upon demand and upon presentation of releases
4 where necessary, at least 48 hours before the proceeding. Persons entitled to inspect
5 the records may obtain copies of the records with the permission of the custodian of
6 the records or with the permission of the court. The court may instruct counsel not
7 to disclose specified items in the materials to the juvenile or the parent if the court
8 reasonably believes that the disclosure would be harmful to the interests of the
9 juvenile. ~~Sections~~ Section 971.23 and ~~972.11 (5)~~ shall be applicable in all delinquency
10 proceedings under this chapter, except that the court shall establish the timetable
11 for the disclosures required under ss. s. 971.23 (1), (2m) and, (8), and ~~972.11 (5) (9)~~.

12 **SECTION 3889r.** 938.299 (4) (a) of the statutes is amended to read:

13 938.299 **(4)** (a) Chapters 901 to 911 govern the presentation of evidence at the
14 fact-finding hearing under s. 938.31. ~~Section 972.11 (5) applies at fact-finding~~
15 ~~proceedings in all delinquency proceedings under this chapter.”.~~

16 **1326.** Page 1223, line 7: after that line insert:

17 **“SECTION 3890e.** 938.32 (1) (a) of the statutes is amended to read:

18 938.32 **(1)** (a) At any time after the filing of a petition for a proceeding relating
19 to s. 938.12 or 938.13 and before the entry of judgment, the judge or juvenile court
20 commissioner may suspend the proceedings and place the juvenile under
21 supervision in the juvenile’s own home or present placement. The court may
22 establish terms and conditions applicable to the parent, guardian, or legal custodian,
23 and to the juvenile, including any of the conditions specified in subs. (1d), (1g), (1m),
24 (1p), (1t), (1v), and (1x). The order under this section shall be known as a consent

1 decree and must be agreed to by the juvenile; the parent, guardian, or legal
2 custodian; and the person filing the petition under s. 938.25. If the consent decree
3 includes any conditions specified in sub. (1g), the consent decree shall include
4 provisions for payment of the services as specified in s. 938.361. The consent decree
5 shall be reduced to writing and given to the parties.

6 **SECTION 3890g.** 938.32 (1p) of the statutes is created to read:

7 938.32 (1p) The judge or juvenile court commissioner may establish as a
8 condition under sub. (1) that the juvenile report to a youth report center after school,
9 in the evening, on weekends, on other nonschool days, or at any other time that the
10 juvenile is not under immediate adult supervision, for participation in the social,
11 behavioral, academic, community service, and other programming of the center.
12 Section 938.34 (5g) applies to any community service work performed by a juvenile
13 under this subsection.

14 **SECTION 3893t.** 938.34 (7j) of the statutes is created to read:

15 938.34 (7j) YOUTH REPORT CENTER. Order the juvenile to report to a youth report
16 center after school, in the evening, on weekends, on other nonschool days, or at any
17 other time that the juvenile is not under immediate adult supervision, for
18 participation in the social, behavioral, academic, community service, and other
19 programming of the center. Subsection (5g) applies to any community service work
20 performed by a juvenile under this subsection.

21 **SECTION 3894s.** 938.342 (1d) (c) of the statutes is created to read:

22 938.342 (1d) (c) Order the person to report to a youth report center after school,
23 in the evening, on weekends, on other nonschool days, or at any other time that the
24 person is not under immediate adult supervision, for participation in the social,
25 behavioral, academic, community service, and other programming of the center.

1 Section 938.34 (5g) applies to any community service work performed by a person
2 under this paragraph.

3 **SECTION 3894t.** 938.342 (1g) (k) of the statutes is created to read:

4 938.342 (1g) (k) Order the person to report to a youth report center after school,
5 in the evening, on weekends, on other nonschool days, or at any other time that the
6 juvenile is not under immediate adult supervision, for participation in the social,
7 behavioral, academic, community service, and other programming of the center.

8 Section 938.34 (5g) applies to any community service work performed by a person
9 under this paragraph.

10 **SECTION 3895f.** 938.343 (3m) of the statutes is created to read:

11 938.343 (3m) Order the juvenile to report to a youth report center after school,
12 in the evening, on weekends, on other nonschool days, or at any other time that the
13 juvenile is not under immediate adult supervision, for participation in the social,
14 behavioral, academic, community service, and other programming of the center.

15 Section 938.34 (5g) applies to any community service work performed by a juvenile
16 under this subsection.

17 **SECTION 3895j.** 938.344 (2g) (a) 5. of the statutes is created to read:

18 938.344 (2g) (a) 5. Report to a youth report center after school, in the evening,
19 on weekends, on other nonschool days, or at any other time that the juvenile is not
20 under immediate adult supervision, for participation in the social, behavioral,
21 academic, community service, and other programming of the center. Section 938.34
22 (5g) applies to any community service work performed by a juvenile under this
23 subdivision.

24 **SECTION 3897v.** 938.355 (6) (d) 5. of the statutes is created to read:

1 938.355 (6) (d) 5. Participation after school, in the evening, on weekends, on
2 other nonschool days, or at any other time that the juvenile is not under immediate
3 adult supervision, in the social, behavioral, academic, community service, and other
4 programming of a youth report center. Subdivision 4. and s. 938.34 (5g) apply to any
5 community service work performed by a juvenile under this subdivision.”.

6 **1327.** Page 1223, line 8: delete lines 8 to 20.

7 **1328.** Page 1223, line 20: after that line insert:

8 “**SECTION 3900k.** 938.355 (6m) (a) (intro.) of the statutes is amended to read:

9 938.355 (6m) (a) (intro.) If the court finds by a preponderance of the evidence
10 that a juvenile who has been found to have violated a municipal ordinance enacted
11 under s. 118.163 (2) or who has been found to be in need of protection or services
12 under s. 938.13 (6) has violated a condition specified under sub. (2) (b) 7., the court
13 may order as a sanction any combination of the sanctions specified in subds. 1g. to
14 ~~3.~~ 4. and the dispositions specified in s. 938.342 (1g) (d) to (j) and (1m), regardless of
15 whether the disposition was imposed in the order violated by the juvenile, if at the
16 dispositional hearing under s. 938.335 the court explained those conditions to the
17 juvenile and informed the juvenile of the possible sanctions under this paragraph for
18 a violation or if before the violation the juvenile has acknowledged in writing that
19 he or she has read, or has had read to him or her, those conditions and possible
20 sanctions and that he or she understands those conditions and possible sanctions.
21 The court may order as a sanction under this paragraph any of the following:

22 **SECTION 3900n.** 938.355 (6m) (a) 4. of the statutes is created to read:

23 938.355 (6m) (a) 4. Participation after school, in the evening, on weekends, on
24 other nonschool days, or at any other time that the juvenile is not under immediate

1 adult supervision, in the social, behavioral, academic, community service, and other
2 programming of a youth report center. Subdivision 2. and s. 938.34 (5g) apply to any
3 community service work performed by a juvenile under this subdivision.

4 **SECTION 3900p.** 938.355 (6m) (ag) of the statutes is amended to read:

5 938.355 **(6m)** (ag) If the court finds by a preponderance of the evidence that a
6 juvenile who has been found to have violated a municipal ordinance enacted under
7 s. 118.163 (1m) has violated a condition specified under sub. (2) (b) 7., the court may
8 order as a sanction any combination of the operating privilege suspension specified
9 in par. (a) and the dispositions specified in s. 938.342 (1g) (b) to (j) (k) and (1m),
10 regardless of whether the disposition was imposed in the order violated by the
11 juvenile, if at the dispositional hearing under s. 938.335 the court explained those
12 conditions to the juvenile and informed the juvenile of the possible sanctions under
13 this paragraph for a violation or if before the violation the juvenile has acknowledged
14 in writing that he or she has read, or has had read to him or her, those conditions and
15 possible sanctions and that he or she understands those conditions and possible
16 sanctions.”.

17 **1329.** Page 1224, line 13: after that line insert:

18 “**SECTION 3908r.** 938.46 of the statutes is renumbered 938.46 (1) and amended
19 to read:

20 938.46 **(1)** ~~A juvenile~~ Except as provided in sub. (2), a juvenile whose status
21 is adjudicated by the court under this chapter, or the juvenile’s parent, guardian, or
22 legal custodian, may at any time within one year after the entering of the court’s
23 order petition the court for a rehearing on the ground that new evidence has been

1 discovered affecting the advisability of the court’s original adjudication. Upon a
2 showing that such evidence does exist, the court shall order a new hearing.

3 **SECTION 3908s.** 938.46 (2) of the statutes is created to read:

4 938.46 (2) If a juvenile is adjudged delinquent under s. 938.12, the juvenile or
5 the juvenile’s parent, guardian, or legal custodian, may at any time after the entering
6 of the court’s order petition the court for a rehearing on the ground that new evidence
7 has been discovered affecting the advisability of the court’s original adjudication.
8 Upon a showing that such evidence does exist, the court shall order a new hearing.

9 **SECTION 3908t.** 938.46 (3) of the statutes is created to read:

10 938.46 (3) This section does not apply to motions made under s. 974.07 (2).”.

11 **1330.** Page 1224, line 13: delete that line.

12 **1331.** Page 1225, line 21: delete lines 21 to 25.

13 **1332.** Page 1226, line 1: delete lines 1 to 25.

14 **1333.** Page 1227, line 1: delete lines 1 to 25.

15 **1334.** Page 1228, line 1: delete lines 1 to 24.

16 **1335.** Page 1229, line 1: delete lines 1 to 25.

17 **1336.** Page 1230, line 1: delete lines 1 to 25.

18 **1337.** Page 1231, line 1: delete lines 1 to 6.

19 **1338.** Page 1231, line 6: after that line insert:

20 “**SECTION 3928r.** 938.78 (2) (e) of the statutes is amended to read:

21 938.78 (2) (e) Paragraph (a) does not prohibit the department from disclosing
22 information about an individual adjudged delinquent under s. 938.183 or 938.34 for
23 a sexually violent offense, as defined in s. 980.01 (6), to the department of justice, or

1 a district attorney or a judge acting under ch. 980 or to an attorney who represents
2 a person subject to a petition under ch. 980. The court in which the petition under
3 s. 980.02 is filed or, if an action filed under s. 980.02 is transferred to another court
4 under s. 980.02 (6), the court to which the action is transferred, may issue any
5 protective orders that it determines are appropriate concerning information
6 disclosed under this paragraph.”.

7 **1339.** Page 1231, line 7: delete lines 7 to 11.

8 **1340.** Page 1231, line 12: delete the material beginning with that line and
9 ending with page 1232, line 7.

10 **1341.** Page 1232, line 19: delete the material beginning with that line and
11 ending with page 1233, line 13, and substitute:

12 “**SECTION 3936c.** 939.74 (2d) of the statutes is created to read:

13 939.74 (2d) (a) In this subsection, “deoxyribonucleic acid profile” means an
14 individual’s patterned chemical structure of genetic information identified by
15 analyzing biological material that contains the individual’s deoxyribonucleic acid.

16 (b) If before the time limitation under sub. (1) expired, the state collected
17 biological material that is evidence of the identity of the person who committed a
18 violation of s. 940.225 (1) or (2), the state identified a deoxyribonucleic acid profile
19 from the biological material, and comparisons of that deoxyribonucleic acid profile
20 to deoxyribonucleic acid profiles of known persons did not result in a probable
21 identification of the person who is the source of the biological material, the state may
22 commence prosecution of the person who is the source of the biological material for
23 violation of s. 940.225 (1) or (2) within 12 months after comparison of the
24 deoxyribonucleic acid profile relating to the violation results in a probable

1 identification of the person, if there is probable cause to believe that the biological
2 material was left by the person at the time the violation was committed.

3 (c) If before the time limitation under sub. (2) (c) expired, the state collected
4 biological material that is evidence of the identity of the person who committed a
5 violation of s. 948.02 (1) or (2) or 948.025, the state identified a deoxyribonucleic acid
6 profile from the biological material, and comparisons of that deoxyribonucleic acid
7 profile to deoxyribonucleic acid profiles of known persons did not result in a probable
8 identification of the person who is the source of the biological material, the state may
9 commence prosecution of the person who is the source of the biological material for
10 violation of s. 948.02 (1) or (2) or 948.025 within 12 months after comparison of the
11 deoxyribonucleic acid profile relating to the violation results in a probable
12 identification of the person, if there is probable cause to believe that the biological
13 material was left by the person at the time the violation was committed.”.

14 **1342.** Page 1241, line 19: delete the material beginning with that line and
15 ending with page 1243, line 18, and substitute:

16 “**SECTION 3956f.** 944.205 (2) (a) of the statutes is amended to read:

17 944.205 (2) (a) Takes a photograph or makes a motion picture, videotape, or
18 other visual representation ~~or reproduction~~ that depicts nudity without the
19 knowledge and consent of the person who is depicted nude while that person is nude
20 in a place and circumstance in which he or she has a reasonable expectation of
21 privacy, if the person taking the photograph or making the motion picture, videotape,
22 or other visual representation knows or has reason to know that the person who is
23 depicted nude does not know of and consent to the taking ~~or making~~ of the

1 photograph or the making of the motion picture, videotape, or other visual
2 representation ~~or reproduction~~.

3 **SECTION 3956h.** 944.205 (2) (am) of the statutes is created to read:

4 944.205 (2) (am) Makes a reproduction of a photograph, motion picture,
5 videotape, or other visual representation that the person knows or has reason to
6 know was made in violation of par. (a) and that depicts the nudity depicted in the
7 representation made in violation of par. (a), if the person depicted nude in the
8 reproduction did not consent to the making of the reproduction.

9 **SECTION 3957f.** 944.205 (2) (b) of the statutes is amended to read:

10 944.205 (2) (b) Possesses or distributes a photograph, motion picture,
11 videotape, or other visual representation or reproduction that depicts nudity and
12 that was taken or made ~~without the knowledge and consent of the person who is~~
13 ~~depicted nude~~ in violation of par. (a) or (am), if the person possessing or distributing
14 the representation or reproduction knows or has reason to know that the photograph,
15 motion picture, videotape, or other visual representation or reproduction was taken
16 or made ~~without the knowledge and consent of the person who is depicted nude~~ in
17 violation of par. (a) or (am) and if the person who is depicted nude in the
18 representation or reproduction did not consent to the possession or distribution.

19 **SECTION 3958f.** 944.205 (3) of the statutes is amended to read:

20 944.205 (3) Notwithstanding sub. (2) (a), ~~(am)~~, and (b), if the person in a
21 photograph, motion picture, videotape, or other visual representation or
22 reproduction is a child and the taking of the photograph or the making, possession,
23 or distribution of the photograph, motion picture, videotape, or other visual
24 representation or reproduction does not violate s. 948.05 or 948.12, a parent,
25 guardian, or legal custodian of the child may do any of the following:

1 (a) ~~Make Take and possess the photograph or make and possess the~~
2 ~~photograph,~~ motion picture, videotape, or other visual representation reproduction
3 of the child.

4 (b) Distribute a photograph, ~~taken or possessed, or a~~ motion picture, videotape
5 or other visual representation or reproduction made or possessed, under par. (a) if
6 the distribution is not for commercial purposes.”.

7 **1343.** Page 1250, line 5: after that line insert:

8 “**SECTION 3984j.** 950.04 (1v) (s) of the statutes is amended to read:

9 950.04 (1v) (s) To have any stolen or other personal property expeditiously
10 returned by law enforcement agencies when no longer needed as evidence, subject
11 to s. 968.205. If feasible, all such property, except weapons, currency, contraband,
12 property subject to evidentiary analysis, property subject to preservation under s.
13 968.205, and property the ownership of which is disputed, shall be returned to the
14 person within 10 days of being taken.”.

15 **1344.** Page 1250, line 14: after that line insert:

16 “**SECTION 3984r.** 950.04 (1v) (ve) of the statutes is created to read:

17 950.04 (1v) (ve) If a hearing is scheduled in response to a petition filed by the
18 department of corrections under s. 973.032 (4m) (b) for permission to release a person
19 from a placement in the intensive supervision program under s. 301.048 (3) (a) 1., to
20 have the appropriate clerk of court send the victim a copy of a petition and
21 notification of the hearing on that petition under s. 973.032 (4m) (c).”.

22 **1345.** Page 1250, line 14: after that line insert:

23 “**SECTION 3984p.** 950.04 (1v) (yd) of the statutes is created to read:

1 950.04 (1v) (yd) To have the appropriate clerk of court make a reasonable
2 attempt to send the victim a copy of a motion made under s. 974.07 (2) for
3 postconviction deoxyribonucleic acid testing of certain evidence and notification of
4 any hearing on that motion, as provided under s. 974.07 (4).”.

5 **1346.** Page 1255, line 22: delete the material beginning with that line and
6 ending with page 1256, line 4.

7 **1347.** Page 1256, line 4: after that line insert:

8 “**SECTION 3998c.** 968.20 (1) (intro.) of the statutes is amended to read:

9 968.20 (1) (intro.) Any person claiming the right to possession of property
10 seized pursuant to a search warrant or seized without a search warrant may apply
11 for its return to the circuit court for the county in which the property was seized or
12 where the search warrant was returned. The court shall order such notice as it
13 deems adequate to be given the district attorney and all persons who have or may
14 have an interest in the property and shall hold a hearing to hear all claims to its true
15 ownership. If the right to possession is proved to the court’s satisfaction, it shall
16 order the property, other than contraband or property covered under sub. (1m) or (1r)
17 or s. 173.12 ~~or~~ 173.21 (4), or 968.205, returned if:

18 **SECTION 3998e.** 968.20 (2) of the statutes is amended to read:

19 968.20 (2) Property not required for evidence or use in further investigation,
20 unless contraband or property covered under sub. (1m) or (1r) or s. 173.12 or 968.205,
21 may be returned by the officer to the person from whom it was seized without the
22 requirement of a hearing.

23 **SECTION 3998g.** 968.20 (4) of the statutes is amended to read:

1 968.20 (4) Any property seized, other than property covered under s. 968.205,
2 which that poses a danger to life or other property in storage, transportation or use
3 and which that is not required for evidence or further investigation shall be safely
4 disposed of upon command of the person in whose custody they are committed. The
5 city, village, town or county shall by ordinance or resolution establish disposal
6 procedures. Procedures may include provisions authorizing an attempt to return to
7 the rightful owner substances which have a commercial value in normal business
8 usage and do not pose an immediate threat to life or property. If enacted, any such
9 provision shall include a presumption that if the substance appears to be or is
10 reported stolen an attempt will be made to return the substance to the rightful owner.

11 **SECTION 3998i.** 968.205 of the statutes is created to read:

12 **968.205 Preservation of certain evidence. (1)** In this section:

13 (a) “Custody” means actual custody of a person under a sentence of
14 imprisonment, custody of a probationer, parolee, or person on extended supervision
15 by the department of corrections, actual or constructive custody of a person pursuant
16 to a dispositional order under ch. 938, supervision of a person, whether in
17 institutional care or on conditional release, pursuant to a commitment order under
18 s. 971.17 and supervision of a person under ch. 980, whether in detention before trial
19 or while in institutional care or on supervised release pursuant to a commitment
20 order.

21 (b) “Discharge date” means the date on which a person is released or discharged
22 from custody that resulted from a criminal action, a delinquency proceeding under
23 ch. 938, or a commitment proceeding under s. 971.17 or ch. 980 or, if the person is
24 serving consecutive sentences of imprisonment, the date on which the person is
25 released or discharged from custody under all of the sentences.

1 **(2)** Except as provided in sub. (3), if physical evidence that is in the possession
2 of a law enforcement agency includes any biological material that was collected in
3 connection with a criminal investigation that resulted in a criminal conviction,
4 delinquency adjudication, or commitment under s. 971.17 or 980.06, the law
5 enforcement agency shall preserve the physical evidence until every person in
6 custody as a result of the conviction, adjudication, or commitment has reached his
7 or her discharge date.

8 **(3)** Subject to sub. (5), a law enforcement agency may destroy biological
9 material before the expiration of the time period specified in sub. (2) if all of the
10 following apply:

11 (a) The law enforcement agency sends a notice of its intent to destroy the
12 biological material to all persons who remain in custody as a result of the criminal
13 conviction, delinquency adjudication, or commitment, and to either the attorney of
14 record for each person in custody or the state public defender.

15 (b) No person who is notified under par. (a) does either of the following within
16 90 days after the date on which the person received the notice:

17 1. Files a motion for testing of the biological material under s. 974.07 (2).

18 2. Submits a written request to preserve the biological material to the law
19 enforcement agency or district attorney.

20 (c) No other provision of federal or state law requires the law enforcement
21 agency to preserve the biological material.

22 **(4)** A notice provided under sub. (3) (a) shall clearly inform the recipient that
23 the biological material will be destroyed unless, within 90 days after the date on
24 which the person receives the notice, either a motion for testing of the material is

1 filed under s. 974.07 (2) or a written request to preserve the material is submitted
2 to the law enforcement agency.

3 (5) If, after providing notice under sub. (3) (a) of its intent to destroy biological
4 material, a law enforcement agency receives a written request to preserve the
5 material, the law enforcement agency shall preserve the material until the discharge
6 date of the person who made the request or on whose behalf the request was made,
7 subject to a court order issued under s. 974.07 (7), (9) (a), or (10) (a) 5., unless the court
8 authorizes destruction of the biological material under s. 974.07 (9) (b) or (10) (a) 5.

9 **SECTION 3998n.** 971.04 (3) of the statutes is amended to read:

10 971.04 (3) If the defendant is present at the beginning of the trial and
11 thereafter, during the progress of the trial or before the verdict of the jury has been
12 returned into court, voluntarily absents himself or herself from the presence of the
13 court without leave of the court, the trial or return of verdict of the jury in the case
14 shall not thereby be postponed or delayed, but the trial or submission of said case to
15 the jury for verdict and the return of verdict thereon, if required, shall proceed in all
16 respects as though the defendant were present in court at all times. A defendant
17 need not be present at the pronouncement or entry of an order granting or denying
18 relief under s. 974.02 ~~or~~, 974.06, or 974.07. If the defendant is not present, the time
19 for appeal from any order under ~~ss.~~ 974.02 and, 974.06, and 974.07 shall commence
20 after a copy has been served upon the attorney representing the defendant, or upon
21 the defendant if he or she appeared without counsel. Service of such an order shall
22 be complete upon mailing. A defendant appearing without counsel shall supply the
23 court with his or her current mailing address. If the defendant fails to supply the
24 court with a current and accurate mailing address, failure to receive a copy of the

1 order granting or denying relief shall not be a ground for tolling the time in which
2 an appeal must be taken.”.

3 **1348.** Page 1256, line 14: delete the material beginning with that line and
4 ending with page 1258, line 7.

5 **1349.** Page 1258, line 7: after that line insert:

6 “**SECTION 4002r.** 971.23 (1) (e) of the statutes is amended to read:

7 971.23 (1) (e) Any relevant written or recorded statements of a witness named
8 on a list under par. (d), including any videotaped oral statement of a child under s.
9 908.08, any reports or statements of experts made in connection with the case or, if
10 an expert does not prepare a report or statement, a written summary of the expert’s
11 findings or the subject matter of his or her testimony, and the results of any physical
12 or mental examination, scientific test, experiment or comparison that the district
13 attorney intends to offer in evidence at trial. ~~This paragraph does not apply to~~
14 ~~reports subject to disclosure under s. 972.11 (5).~~

15 **SECTION 4002t.** 971.23 (2m) (am) of the statutes is amended to read:

16 971.23 (2m) (am) Any relevant written or recorded statements of a witness
17 named on a list under par. (a), including any reports or statements of experts made
18 in connection with the case or, if an expert does not prepare a report or statement,
19 a written summary of the expert’s findings or the subject matter of his or her
20 testimony, and including the results of any physical or mental examination, scientific
21 test, experiment or comparison that the defendant intends to offer in evidence at
22 trial. ~~This paragraph does not apply to reports subject to disclosure under s. 972.11~~
23 ~~(5).~~

24 **SECTION 4002v.** 971.23 (9) of the statutes is created to read:

1 971.23 (9) DEOXYRIBONUCLEIC ACID EVIDENCE. (a) In this subsection
2 “deoxyribonucleic acid profile” has the meaning given in s. 939.74 (2d) (a).

3 (b) Notwithstanding sub. (1) (e) or (2m) (am), if either party intends to submit
4 deoxyribonucleic acid profile evidence at a trial to prove or disprove the identity of
5 a person, the party seeking to introduce the evidence shall notify the other party of
6 the intent to introduce the evidence in writing by mail at least 45 days before the date
7 set for trial; and shall provide the other party, within 15 days of request, the material
8 identified under sub. (1) (e), or par. (2m) (am), whichever is appropriate, that relates
9 to the evidence.

10 (c) The court shall exclude deoxyribonucleic acid profile evidence at trial, if the
11 notice and production deadlines under par. (b) are not met, except the court may
12 waive the 45 day notice requirement or may extend the 15 day production
13 requirement upon stipulation of the parties, or for good cause, if the court finds that
14 no party will be prejudiced by the waiver or extension. The court may in appropriate
15 cases grant the opposing party a recess or continuance.”.

16 **1350.** Page 1258, line 15: after that line insert:

17 “**SECTION 4003r.** 972.11 (1) of the statutes is amended to read:

18 972.11 (1) Except as provided in subs. (2) to ~~(5)~~ (4), the rules of evidence and
19 practice in civil actions shall be applicable in all criminal proceedings unless the
20 context of a section or rule manifestly requires a different construction. No guardian
21 ad litem need be appointed for a defendant in a criminal action. Chapters 885 to 895,
22 except ss. 804.02 to 804.07 and 887.23 to 887.26, shall apply in all criminal
23 proceedings.

24 **SECTION 4003t.** 972.11 (5) of the statutes is repealed.”.

1 **1351.** Page 1258, line 16: delete the material beginning with that line and
2 ending with page 1260, line 6.

3 **1352.** Page 1260, line 6: after that line insert:

4 “**SECTION 4012b.** 973.01 (4) of the statutes is amended to read:

5 973.01 **(4)** NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A
6 person sentenced to a bifurcated sentence under sub. (1) shall serve the term of
7 confinement in prison portion of the sentence without reduction for good behavior.
8 The term of confinement in prison portion is subject to extension under s. 302.113 (3)
9 and, if applicable, to reduction under s. 302.045 (3m) or 301.048 (6) (c).”.

10 **1353.** Page 1260, line 7: delete lines 7 to 9.

11 **1354.** Page 1260, line 10: delete lines 10 to 24.

12 **1355.** Page 1261, line 1: delete lines 1 and 2 and substitute:

13 “**SECTION 4014d.** 973.013 (3m) of the statutes is amended to read:

14 973.013 **(3m)** If a person who has not attained the age of 16 years is sentenced
15 to the Wisconsin state prisons, the department of corrections shall place the person
16 at a secured juvenile correctional facility or a secured child caring institution, unless
17 the department of corrections determines that placement in an institution under s.
18 302.01 is appropriate based on the person’s prior record of adjustment in a
19 correctional setting, if any; the person’s present and potential vocational and
20 educational needs, interests and abilities; the adequacy and suitability of available
21 facilities; the services and procedures available for treatment of the person within
22 the various institutions; the protection of the public; and any other considerations
23 promulgated by the department of corrections by rule. The department may not
24 place any person under the age of 18 years in the correctional institution authorized

1 in s. 301.16 (1n). This subsection does not preclude the department of corrections
2 from designating an adult correctional institution, other than the correctional
3 institution authorized in s. 301.16 (1n), as a reception center for the person and
4 subsequently transferring the person to a secured juvenile correctional facility or a
5 secured child caring institution. Section 302.11 and ch. 304 apply to all persons
6 placed in a secured juvenile correctional facility or a secured child caring institution
7 under this subsection.”.

8 **1356.** Page 1261, line 2: after that line insert:

9 “SECTION 4014p. 973.032 (title) of the statutes is amended to read:

10 **973.032** (title) **Sentence to Required participation in intensive**
11 **sanctions program.**

12 **SECTION 4014pb.** 973.032 (1) of the statutes is amended to read:

13 973.032 (1) ~~SENTENCE~~ AUTHORITY TO ORDER. ~~Beginning July 1, 1992, Except as~~
14 ~~provided in sub. (2),~~ a court may ~~sentence~~ order a person who is convicted of a felony
15 occurring ~~on or after August 15, 1991, but before December 31, 1999,~~ to participate
16 in the intensive sanctions program under s. 301.048. ~~If a person is convicted of a~~
17 ~~felony occurring on or after December 31, 1999, a court may not sentence the person~~
18 ~~to participate in the intensive sanctions program under s. 301.048~~ during the entire
19 term of confinement in prison portion of the bifurcated sentence.

20 **SECTION 4014q.** 973.032 (2) (a) of the statutes is amended to read:

21 973.032 (2) (a) A court may ~~sentence~~ order a person to participate in the
22 intensive sanctions program under sub. (1) if the department provides a presentence
23 investigation report recommending that the person be ~~sentenced to~~ ordered to
24 participate in the program. If the department does not make the recommendation,

1 a court may order the department to assess and evaluate the person. After that
2 assessment and evaluation, the court may sentence order the person to participate
3 in the program unless the department objects on the ground that it recommends that
4 the person be placed on probation.

5 **SECTION 4014r.** 973.032 (2) (b) of the statutes is amended to read:

6 973.032 (2) (b) Notwithstanding par. (a), the court may not sentence order a
7 person to participate in the intensive sanctions program under sub. (1) if he or she
8 is convicted of a felony punishable by life imprisonment or has at any time been
9 convicted, adjudicated delinquent, or found not guilty or not responsible by reason
10 of insanity or mental disease, defect, or illness for committing a violent offense, as
11 defined in s. 301.048 (2) (bm).

12 **SECTION 4014s.** 973.032 (3) (intro.) of the statutes is repealed.

13 **SECTION 4014t.** 973.032 (3) (a) of the statutes is repealed.

14 **SECTION 4014u.** 973.032 (3) (b) of the statutes is renumbered 973.032 (3) (b)
15 (intro.) and amended to read:

16 973.032 (3) (b) (intro.) ~~The~~ If the court orders a person to participate in the
17 intensive sanctions program under sub. (1), the court shall provide a maximum
18 period for placements do all of the following:

19 1. Order that the person be placed under s. 301.048 (3) (a) 1., ~~which may not~~
20 ~~exceed~~ for at least one year unless the defendant waives this requirement.

21 **SECTION 4014um.** 973.032 (3) (b) 2. of the statutes is created to read:

22 973.032 (3) (b) 2. Subject to the limitation imposed under s. 301.048 (3) (bm)
23 2., specify the date on which the person is eligible for release from that placement
24 under sub. (4m).

25 **SECTION 4014v.** 973.032 (3) (c) 2. of the statutes is amended to read:

1 973.032 (3) (c) 2. The court may prescribe reasonable and necessary conditions
2 ~~of the sentence in accordance with s. 301.048 (3) in an order issued under sub. (1),~~
3 except the court may not specify a particular Type 1 prison, jail, camp, or facility
4 where the offender is to be placed under s. 301.048 (3) (a) and the court may not
5 restrict the department's authority under s. 301.048 (3) (b) or (c).

6 **SECTION 4014w.** 973.032 (4) of the statutes is repealed.

7 **SECTION 4014wh.** 973.032 (4m) of the statutes is created to read:

8 973.032 (4m) RELEASE TO COMMUNITY. (a) In this subsection, "victim" has the
9 meaning given in s. 950.02 (4).

10 (b) No earlier than 30 days before the date specified by the court under sub. (3)
11 (b) 2., the department may petition the court for permission to release a person
12 subject to an order under sub. (1) from a placement described under s. 301.048 (3) (a)
13 1.

14 (c) Upon the filing of a petition under par. (b), the court, with or without a
15 hearing, may authorize the department to release the person from his or her
16 placement any time after the date specified under sub. (3) (b) 2. If the court schedules
17 a hearing on the petition, the clerk of the circuit court in which the petition is filed
18 shall send a copy of the petition and a notice of hearing to the victim of the crime
19 committed by the inmate, if the victim has submitted a card under par. (e) requesting
20 notification, at least 10 days before the date of the hearing.

21 (d) The notice under par. (c) shall inform the victim that he or she may appear
22 at the hearing and shall inform the victim of the manner in which he or she may
23 provide written statements concerning the inmate's petition for release to extended
24 supervision.

1 (e) The director of state courts shall design and prepare cards for a victim to
2 send to the clerk of the circuit court in which the inmate is convicted and sentenced.
3 The cards shall have space for a victim to provide his or her name and address, the
4 name of the applicable inmate and any other information the director of state courts
5 determines is necessary. The director of state courts shall provide the cards, without
6 charge, to clerks of circuit court. Clerks of circuit court shall provide the cards,
7 without charge, to victims. Victims may send completed cards to the clerk of the
8 circuit court in which the inmate was convicted and sentenced. All court records or
9 portions of records that relate to mailing addresses of victims are not subject to
10 inspection or copying under s. 19.35 (1).

11 (f) If the court schedules a hearing on a petition filed under par. (b), the clerk
12 of the court shall provide a copy of the petition and a notice of the hearing to the
13 district attorney at least 10 days before the hearing.

14 **SECTION 4014x.** 973.032 (5) of the statutes is repealed.

15 **SECTION 4014y.** 973.032 (6) of the statutes is amended to read:

16 973.032 (6) CREDIT. Any sentence credit under s. 973.155 (1) applies toward
17 service of the period under sub. (3) (a) the term of confinement in prison portion of
18 the bifurcated sentence of a person who is subject to this section but does not apply
19 toward service of the period under sub. (3) (b).

20 **SECTION 4014z.** 973.032 (7) of the statutes is created to read:

21 973.032 (7) PARTICIPANTS ON EXTENDED SUPERVISION. The court or the
22 department may require a person ordered to participate in the intensive sanctions
23 program under sub. (1) to remain in the intensive sanctions program as a condition
24 of extended supervision, but subs. (2) to (6) do not apply to such persons once they
25 are on extended supervision.”.

1 **1357.** Page 1265, line 12: delete the material beginning with that line and
2 ending with page 1267, line 7.

3 **1358.** Page 1268, line 17: delete the material beginning with that line and
4 ending with page 1271, line 6.

5 **1359.** Page 1271, line 6: after that line insert:

6 “**SECTION 4028n.** 973.20 (10) of the statutes is amended to read:

7 973.20 **(10)** The court may require that restitution be paid immediately, within
8 a specified period or in specified ~~instalments~~ installments. If the defendant is placed
9 on probation or sentenced to imprisonment, the end of a specified period shall not be
10 later than the end of any period of probation, extended supervision, or parole. If the
11 defendant is sentenced to the intensive sanctions program, the end of a specified
12 period shall not be later than the end of the sentence under s. 973.032 (3) (a).”.

13 **1360.** Page 1271, line 6: after that line insert:

14 “**SECTION 4028c.** 974.02 (1) of the statutes is amended to read:

15 974.02 **(1)** A motion for postconviction relief other than a motion under s.
16 805.15 (1) based on newly discovered evidence or a motion under s. 974.06 or 974.07
17 (2) by the defendant in a criminal case shall be made in the time and manner
18 provided in ss. 809.30 and 809.40. An appeal by the defendant in a criminal case from
19 a judgment of conviction or from an order denying a postconviction motion or from
20 both shall be taken in the time and manner provided in ss. 808.04 (3), 809.30 and
21 809.40. An appeal of an order or judgment on habeas corpus remanding to custody
22 a prisoner committed for trial under s. 970.03 shall be taken under ss. 808.03 (2) and
23 809.50, with notice to the attorney general and the district attorney and opportunity
24 for them to be heard.

1 **SECTION 4028e.** 974.02 (1m) of the statutes is created to read:

2 974.02 **(1m)** In criminal cases, a motion under s. 805.15 (1) for a new trial based
3 on newly discovered evidence may be made at any time.

4 **SECTION 4028g.** 974.05 (1) (b) of the statutes is amended to read:

5 974.05 **(1)** (b) Order granting postconviction relief under s. 974.02 ~~or~~, 974.06,
6 or 974.07.

7 **SECTION 4028j.** 974.07 of the statutes is created to read:

8 **974.07 Motion for postconviction deoxyribonucleic acid testing of**
9 **certain evidence. (1)** In this section:

10 (a) “Movant” means a person who makes a motion under sub. (2).

11 (b) “Government agency” means any department, agency, or court of the federal
12 government, of this state, or of a city, village, town, or county in this state.

13 **(2)** At any time after being convicted of a crime, adjudicated delinquent, or
14 found not guilty by reason of mental disease or defect, a person may make a motion
15 in the court in which he or she was convicted, adjudicated delinquent, or found not
16 guilty by reason of mental disease or defect for an order requiring forensic
17 deoxyribonucleic acid testing of evidence to which all of the following apply:

18 (a) The evidence is relevant to the investigation or prosecution that resulted
19 in the conviction, adjudication, or finding of not guilty by reason of mental disease
20 or defect.

21 (b) The evidence is in the actual or constructive possession of a government
22 agency.

23 (c) The evidence has not previously been subjected to forensic deoxyribonucleic
24 acid testing or, if the evidence has previously been tested, it may now be subjected
25 to another test using a scientific technique that was not available or was not utilized

1 at the time of the previous testing and that provides a reasonable likelihood of more
2 accurate and probative results.

3 **(3)** A movant or, if applicable, his or her attorney shall serve a copy of the
4 motion made under sub. (2) on the district attorney's office that prosecuted the case
5 that resulted in the conviction, adjudication, or finding of not guilty by reason of
6 mental disease or defect. The court in which the motion is made shall also notify the
7 appropriate district attorney's office that a motion has been made under sub. (2) and
8 shall give the district attorney an opportunity to respond to the motion. Failure by
9 a movant to serve a copy of the motion on the appropriate district attorney's office
10 does not deprive the court of jurisdiction and is not grounds for dismissal of the
11 motion.

12 **(4)** (a) The clerk of the circuit court in which a motion under sub. (2) is made
13 shall send a copy of the motion and, if a hearing on the motion is scheduled, a notice
14 of the hearing to the victim of the crime or delinquent act committed by the movant,
15 if the clerk is able to determine an address for the victim. The clerk of the circuit court
16 shall make a reasonable attempt to send the copy of the motion to the address of the
17 victim within 7 days of the date on which the motion is filed and shall make a
18 reasonable attempt to send a notice of hearing, if a hearing is scheduled, to the
19 address of the victim, postmarked at least 10 days before the date of the hearing.

20 (b) Notwithstanding the limitation on the disclosure of mailing addresses from
21 completed information cards submitted by victims under ss. 51.37 (10) (dx), 301.046
22 (4) (d), 301.048 (4m) (d), 301.38 (4), 302.105 (4), 304.06 (1) (f), 304.063 (4), 938.51 (2),
23 971.17 (6m) (d), and 980.11 (4), the department of corrections, the parole commission,
24 and the department of health and family services shall, upon request, assist clerks

1 of court in obtaining information regarding the mailing address of victims for the
2 purpose of sending copies of motions and notices of hearings under par. (a).

3 **(5)** Upon receiving under sub. (3) a copy of a motion made under sub. (2) or
4 notice from a court that a motion has been made, whichever occurs first, the district
5 attorney shall take all actions necessary to ensure that all biological material that
6 was collected in connection with the investigation or prosecution of the case and that
7 remains in the actual or constructive custody of a government agency is preserved
8 pending completion of the proceedings under this section.

9 **(6)** (a) Upon demand the district attorney shall disclose to the movant or his
10 or her attorney whether biological material has been tested and shall make available
11 to the movant or his or her attorney the following material:

12 1. Findings based on testing of biological materials.

13 2. Physical evidence that is in the actual or constructive possession of a
14 government agency and that contains biological material or on which there is
15 biological material.

16 (b) Upon demand the movant or his or her attorney shall disclose to the district
17 attorney whether biological material has been tested and shall make available to the
18 district attorney the following material:

19 1. Findings based on testing of biological materials.

20 2. The movant's biological specimen.

21 (c) Upon motion of the district attorney or the movant, the court may impose
22 reasonable conditions on availability of material requested under pars. (a) 2. and (b)
23 2. in order to protect the integrity of the evidence.

1 (d) This subsection does not apply unless the information being disclosed or the
2 material being made available is relevant to the movant's claim of innocence at issue
3 in the motion made under sub. (2).

4 (7) (a) A court in which a motion under sub. (2) is filed shall order forensic
5 deoxyribonucleic acid testing if all of the following apply:

6 1. It is reasonably probable that the movant would not have been prosecuted,
7 convicted, found not guilty by reason of mental disease or defect, or adjudicated
8 delinquent for the offense at issue in the motion under sub. (2), if exculpatory
9 deoxyribonucleic acid testing results had been available before the prosecution,
10 conviction, finding of not guilty, or adjudication for the offense.

11 2. The evidence is in the actual or constructive possession of a government
12 agency.

13 3. The chain of custody of the evidence to be tested establishes that the evidence
14 has not been tampered with, replaced, or altered in any material respect or, if the
15 chain of custody does not establish the integrity of the evidence, the testing itself can
16 establish the integrity of the evidence.

17 4. The evidence has not previously been subjected to forensic deoxyribonucleic
18 acid testing or, if the evidence has previously been tested, it may now be subjected
19 to another test using a scientific technique that was not available or was not utilized
20 at the time of the previous testing and that provides a reasonable likelihood of more
21 accurate and probative results.

22 (b) A court in which a motion under sub. (2) is filed may order forensic
23 deoxyribonucleic acid testing if all of the following apply or if the court determines
24 that testing is in the interest of justice:

1 1. The conviction or sentence in a criminal proceeding, the finding of not guilty
2 by reason of mental disease or defect, the commitment under s. 971.17, or the
3 adjudication or disposition in a proceeding under ch. 938, would have been more
4 favorable to the movant if the results of deoxyribonucleic acid testing had been
5 available before he or she was prosecuted, convicted, found not guilty by reason of
6 mental disease or defect, or adjudicated delinquent for the offense.

7 2. The evidence is in the actual or constructive possession of a government
8 agency.

9 3. The chain of custody of the evidence to be tested establishes that the evidence
10 has not been tampered with, replaced, or altered in any material respect or, if the
11 chain of custody does not establish the integrity of the evidence, the testing itself can
12 establish the integrity of the evidence.

13 4. The evidence has not previously been subjected to forensic deoxyribonucleic
14 acid testing or, if the evidence has previously been tested, it may now be subjected
15 to another test using a scientific technique that was not available or was not utilized
16 at the time of the previous testing and that provides a reasonable likelihood of more
17 accurate and probative results.

18 **(8)** The court may impose reasonable conditions on any testing ordered under
19 this section in order to protect the integrity of the evidence and the testing process.
20 If appropriate and if stipulated to by the movant and the district attorney, the court
21 may order the state crime laboratories to perform the testing as provided under s.
22 165.77 (2m).

23 **(9)** If a court in which a motion under sub. (2) is filed does not order forensic
24 deoxyribonucleic acid testing, or if the results of forensic deoxyribonucleic acid
25 testing ordered under this section are not supportive of the movant's innocence

1 claim, the court shall determine the disposition of the evidence specified in the
2 motion subject to the following:

3 (a) If a person other than the movant is in custody, as defined in s. 968.205 (1)
4 (a), the evidence is relevant to the criminal, delinquency, or commitment proceeding
5 that resulted in the person being in custody, the person has not been denied
6 deoxyribonucleic acid testing or postconviction relief under this section, and the
7 person has not waived his or her right to preserve the evidence under s. 165.81 (3),
8 757.54 (2), 968.205, or 978.08, the court shall order the evidence preserved until all
9 persons entitled to have the evidence preserved are released from custody, and the
10 court shall designate who shall preserve the evidence.

11 (b) If the conditions in par. (a) are not present, the court shall determine the
12 disposition of the evidence, and, if the evidence is to be preserved, by whom and for
13 how long. The court shall issue appropriate orders concerning the disposition of the
14 evidence based on its determinations.

15 **(10)** (a) If the results of forensic deoxyribonucleic acid testing ordered under
16 this section support the movant's claim of innocence, the court shall schedule a
17 hearing to determine the appropriate relief to be granted to the movant. After the
18 hearing, and based on the results of the testing and any evidence or other matter
19 presented at the hearing, the court shall enter any order that serves the interests of
20 justice, including any of the following:

21 1. An order setting aside or vacating the movant's judgment of conviction,
22 judgment of not guilty by reason of mental disease or defect, or adjudication of
23 delinquency.

24 2. An order granting the movant a new trial or fact-finding hearing.

1 3. An order granting the movant a new sentencing hearing, commitment
2 hearing, or dispositional hearing.

3 4. An order discharging the movant from custody, as defined in s. 968.205 (1)
4 (a), if the movant is in custody.

5 5. An order specifying the disposition of any evidence that remains after the
6 completion of the testing, subject to sub. (9) (a) and (b).

7 (b) A court may order a new trial under par. (a) without making the findings
8 specified in s. 805.15 (3) (a) and (b).

9 **(11)** A court considering a motion made under sub. (2) by a movant who is not
10 represented by counsel shall, if the movant claims or appears to be indigent, refer the
11 movant to the state public defender for determination of indigency and appointment
12 of counsel under s. 977.05 (4) (j).

13 **(12)** (a) The court may order a movant to pay the costs of any testing ordered
14 by the court under this section if the court determines that the movant is not
15 indigent. If the court determines that the movant is indigent, the court shall order
16 the costs of the testing to be paid for from the appropriation account under s. 20.410
17 (1) (be).

18 (b) A movant is indigent for purposes of par. (a) if any of the following apply:

19 1. The movant was referred to the state public defender under sub. (11) for a
20 determination of indigency and was found to be indigent.

21 2. The movant was referred to the state public defender under sub. (11) for a
22 determination of indigency but was found not to be indigent, and the court
23 determines that the movant does not possess the financial resources to pay the costs
24 of testing.

1 3. The movant was not referred to the state public defender under sub. (11) for
2 a determination of indigency and the court determines that the movant does not
3 possess the financial resources to pay the costs of testing.

4 **(13)** An appeal may be taken from an order entered under this section as from
5 a final judgment.”.

6 **1361.** Page 1271, line 7: delete lines 7 to 11.

7 **1362.** Page 1271, line 13: after that line insert:

8 “**SECTION 4031c.** 977.07 (1) (b) of the statutes is amended to read:

9 977.07 **(1)** (b) For referrals not made under ss. 809.30 ~~and~~, 974.06, and 974.07,
10 a representative of the state public defender is responsible for making indigency
11 determinations unless the county became responsible under s. 977.07 (1) (b) 2. or 3.,
12 1983 stats., for these determinations. Subject to the provisions of par. (bn), those
13 counties may continue to be responsible for making indigency determinations. Any
14 such county may change the agencies or persons who are designated to make
15 indigency determinations only upon the approval of the state public defender.

16 **SECTION 4031e.** 977.07 (1) (c) of the statutes is amended to read:

17 977.07 **(1)** (c) For all referrals made under ss. 809.30 ~~and~~, 974.06 (3) (b) and
18 974.07 (11), except a referral of a child who is entitled to be represented by counsel
19 under s. 48.23 or 938.23, a representative of the state public defender shall
20 determine indigency, ~~and~~. For referrals made under ss. 809.30 and 974.06 (3) (b),
21 except a referral of a child who is entitled to be represented by counsel under s. 48.23
22 or 938.23, the representative of the state public defender may, unless a request for
23 redetermination has been filed under s. 809.30 (2) (d) or the defendant’s request for
24 representation states that his or her financial circumstances have materially

1 improved, rely upon a determination of indigency made for purposes of trial
2 representation under this section.

3 **SECTION 4031s.** 978.08 of the statutes is created to read:

4 **978.08 Preservation of certain evidence. (1)** In this section:

5 (a) “Custody” has the meaning given in s. 968.205 (1) (a).

6 (b) “Discharge date” has the meaning given in s. 968.205 (1) (b).

7 **(2)** Except as provided in sub. (3), if physical evidence that is in the possession
8 of a district attorney includes any biological material that was collected in connection
9 with a criminal investigation that resulted in a criminal conviction, delinquency
10 adjudication, or commitment under s. 971.17 or 980.06, the district attorney shall
11 preserve the physical evidence until every person in custody as a result of the
12 conviction, adjudication, or commitment has reached his or her discharge date.

13 **(3)** Subject to sub. (5), a district attorney may destroy biological material before
14 the expiration of the time period specified in sub. (2) if all of the following apply:

15 (a) The district attorney sends a notice of its intent to destroy the biological
16 material to all persons who remain in custody as a result of the criminal conviction,
17 delinquency adjudication, or commitment and to either the attorney of record for
18 each person in custody or the state public defender.

19 (b) No person who is notified under par. (a) does either of the following within
20 90 days after the date on which the person received the notice:

21 1. Files a motion for testing of the biological material under s. 974.07 (2).

22 2. Submits a written request to preserve the biological material to the district
23 attorney.

24 (c) No other provision of federal or state law requires the district attorney to
25 preserve the biological material.

1 **(4)** A notice provided under sub. (3) (a) shall clearly inform the recipient that
2 the biological material will be destroyed unless, within 90 days after the date on
3 which the person receives the notice, either a motion for testing of the material is
4 filed under s. 974.07 (2) or a written request to preserve the material is submitted
5 to the district attorney.

6 **(5)** If, after providing notice under sub. (3) (a) of its intent to destroy biological
7 material, a district attorney receives a written request to preserve the material, the
8 district attorney shall preserve the material until the discharge date of the person
9 who made the request or on whose behalf the request was made, subject to a court
10 order issued under s. 974.07 (7), (9) (a), or (10) (a) 5., unless the court authorizes
11 destruction of the biological material under s. 974.07 (9) (b) or (10) (a) 5.”.

12 **1363.** Page 1280, line 9: after that line insert:

13 “**SECTION 4034ycc.** 980.01 (1) of the statutes is renumbered 980.01 (1r).

14 **SECTION 4034ycd.** 980.01 (1g) of the statutes is created to read:

15 980.01 **(1g)** “County department” means a county department of community
16 programs created in accordance with s. 51.42 (3) (a).

17 **SECTION 4034yce.** 980.01 (1m) of the statutes is created to read:

18 980.01 **(1m)** “County of residence” means the county in which a person is
19 considered to reside for purposes of this chapter as determined under s. 980.015 by
20 the agency with jurisdiction.

21 **SECTION 4034ycf.** 980.015 (1) of the statutes is renumbered 980.01 (1d) and
22 amended to read:

23 980.01 **(1d)** ~~In this section, “agency~~ “Agency with jurisdiction” means the
24 agency with the authority or duty to release or discharge ~~the a~~ a person.

1 **SECTION 4034ycg.** 980.015 (2) (intro.) of the statutes is amended to read:

2 980.015 (2) (intro.) If an agency with jurisdiction has control or custody over
3 a person who may meet the criteria for commitment as a sexually violent person,
4 after determining the person's county of residence as provided under sub. (5), the
5 agency with jurisdiction shall inform each appropriate district attorney and the
6 department of justice regarding the person as soon as possible beginning 3 months
7 prior to the applicable date of the following:

8 **SECTION 4034ych.** 980.02 (1) (a) of the statutes is amended to read:

9 980.02 (1) (a) The department of justice at the request of the agency with
10 jurisdiction, ~~as defined in s. 980.015 (1),~~ over the person. If the department of justice
11 decides to file a petition under this paragraph, it shall file the petition before the date
12 of the release or discharge of the person.

13 **SECTION 4034yci.** 980.02 (1) (am) of the statutes is created to read:

14 980.02 (1) (am) If the department of justice does not file a petition under par.
15 (a), the district attorney for the person's county of residence.

16 **SECTION 4034ycj.** 980.02 (1) (b) (intro.) of the statutes is amended to read:

17 980.02 (1) (b) (intro.) If the department of justice does not file a petition under
18 par. (a), and the district attorney for the person's county of residence does not file a
19 petition under par. (am), the district attorney for one of the following:

20 **SECTION 4034yck.** 980.02 (4) (c) of the statutes is created to read:

21 980.02 (4) (c) The circuit court in the person's county of residence.

22 **SECTION 4034ycL.** 980.02 (6) of the statutes is created to read:

23 980.02 (6) Upon request from the district attorney for the person's county of
24 residence, an action commenced by filing a petition under this section in a circuit

1 court for a county other than the person's county of residence shall be transferred to
2 the circuit court for the person's county of residence.

3 **SECTION 4034ycm.** 980.03 (1) of the statutes is amended to read:

4 980.03 (1) The circuit court in which a petition under s. 980.02 is filed or, if an
5 action is transferred under s. 980.02 (6), the court to which the action was
6 transferred, shall conduct all hearings under this chapter. The court shall give the
7 person who is the subject of the petition reasonable notice of the time and place of
8 each such hearing. The court may designate additional persons to receive these
9 notices.

10 **SECTION 4034ycn.** 980.05 (5) of the statutes is amended to read:

11 980.05 (5) If the court or jury determines that the person who is the subject of
12 a petition under s. 980.02 is a sexually violent person, the court shall enter a
13 judgment on that finding, shall notify the county department for the person's county
14 of residence of that finding, and shall commit the person as provided under s. 980.06.
15 If the court or jury is not satisfied beyond a reasonable doubt that the person is a
16 sexually violent person, the court shall dismiss the petition and direct that the
17 person be released unless he or she is under some other lawful restriction.

18 **SECTION 4034yco.** 980.07 (2) of the statutes is amended to read:

19 980.07 (2) Any examiner conducting an examination under this section shall
20 prepare a written report of the examination no later than 30 days after the date of
21 the examination. The examiner shall place a copy of the report in the person's
22 medical records and shall provide a copy of the report to the court that committed the
23 person under s. 980.06 and to the county department for the person's county of
24 residence.

25 **SECTION 4034ycp.** 980.08 (2) of the statutes is amended to read:

1 980.08 (2) If the person files a timely petition without counsel, the court shall
2 serve a copy of the petition on the district attorney or department of justice,
3 whichever is applicable, and on the county department for the person's county of
4 residence and, subject to s. 980.03 (2) (a), refer the matter to the authority for
5 indigency determinations under s. 977.07 (1) and appointment of counsel under s.
6 977.05 (4) (j). If the person petitions through counsel, his or her attorney shall serve
7 the district attorney or department of justice, whichever is applicable, and the county
8 department for the person's county of residence.

9 **SECTION 4034ycq.** 980.08 (3) of the statutes is amended to read:

10 980.08 (3) Within 20 days after receipt of the petition, the court shall appoint
11 one or more examiners having the specialized knowledge determined by the court to
12 be appropriate, who shall examine the person and furnish a written report of the
13 examination to the court within 30 days after appointment. The examiners shall
14 have reasonable access to the person for purposes of examination and to the person's
15 past and present treatment records, as defined in s. 51.30 (1) (b), and patient health
16 care records, as provided under s. 146.82 (2) (c). If any ~~such~~ examiner appointed
17 under this subsection believes that the person is appropriate for supervised release
18 under the criterion specified in sub. (4), the examiner shall report on the type of
19 treatment and services that the person may need while in the community on
20 supervised release and shall furnish a copy of the written report of the examination
21 to the county department for the person's county of residence at the time that the
22 examiner furnishes the report to the court. The county shall pay the costs of an
23 examiner appointed under this subsection as provided under s. 51.20 (18) (a).

24 **SECTION 4034ycr.** 980.08 (3m) of the statutes is created to read:

1 **980.08 (3m)** A county department that receives a copy of an examiner’s report
2 under sub. (3) shall identify a residence in which the person may live if the court
3 grants the person’s petition under this section for supervised release. The
4 identification of a residence by the county department is subject to approval by the
5 department. The county department shall provide the court a written description
6 of the residence before the hearing under sub. (4).

7 **SECTION 4034ycs.** 980.08 (5) of the statutes is amended to read:

8 **980.08 (5)** If the court finds that the person is appropriate for supervised
9 release, the court shall notify the department and the county department for the
10 person’s county of residence. The department and the county department ~~under s.~~
11 ~~51.42 in the~~ for the person’s county of residence ~~of the person, as determined under~~
12 ~~s. 980.105,~~ shall prepare a plan that identifies the treatment and services, if any, that
13 the person will receive in the community. The plan shall address the person’s need,
14 if any, for supervision, counseling, medication, community support services,
15 residential services, vocational services, and alcohol or other drug abuse treatment.
16 If the person is a serious child sex offender, the plan shall address the person’s need
17 for pharmacological treatment using an antiandrogen or the chemical equivalent of
18 an antiandrogen. The department may contract with a county department, ~~under s.~~
19 ~~51.42 (3) (aw) 1. d.,~~ with another public agency, or with a private agency to provide
20 the treatment and services identified in the plan. The plan shall specify who will be
21 responsible for providing the treatment and services identified in the plan. The plan
22 shall be presented to the court for its approval within 60 days after the court finding
23 that the person is appropriate for supervised release, unless the department, county
24 department and person to be released request additional time to develop the plan.
25 ~~If the~~ The county department ~~of~~ for the person’s county of residence ~~declines to~~

1 ~~prepare a plan, the department may arrange for another county to prepare the plan~~
2 ~~if that the other county agrees to prepare the plan and if the person will be living in~~
3 ~~that county. If the department is unable to arrange for another county to prepare a~~
4 ~~plan, the court shall designate a county department to prepare the plan, order the~~
5 ~~county department to prepare the plan and place the person on supervised release~~
6 ~~in that county, except that the court may not so designate the county department in~~
7 ~~any county where there is a facility in which persons committed to institutional care~~
8 ~~under this chapter are placed unless that county is also the person's county of~~
9 ~~residence.”.~~

10 **1364.** Page 1280, line 22: after that line insert:

11 “**SECTION 4034yn.** 980.105 (intro.) of the statutes is renumbered 980.015 (5)
12 and amended to read:

13 980.015 (5) **Determination of county of residence.** The court agency with
14 jurisdiction shall determine a person's county of residence for the purposes of this
15 chapter by doing all of the following: in accordance with the criteria set forth in this
16 subsection. A person's county of residence is the county in which a person's
17 habitation was voluntarily fixed and in which the person voluntarily intended to
18 remain on the date that the person committed the sexually violent offense that
19 resulted in the sentence, placement, or commitment that is in effect when the
20 determination under this subsection is made. A person's physical presence at a place
21 shall be considered prima facie evidence of the person's intent to remain at that place.

22 **SECTION 4034yo.** 980.105 (1) of the statutes is repealed.

23 **SECTION 4034yp.** 980.105 (2) of the statutes is repealed.”.

24 **1365.** Page 1280, line 22: after that line insert:

1 **“SECTION 16034yr.** 985.01 (1g) of the statutes is amended to read:

2 985.01 **(1g)** “Governing body” has the meaning given in s. 345.05 (1) (b) and
3 includes a family care district board under s. 46.2895 and the Milwaukee County
4 child welfare district board under s. 48.562.

5 **SECTION 4034yt.** 985.01 (3) of the statutes is amended to read:

6 985.01 **(3)** “Municipality” has the meaning in s. 345.05 (1) (c) and includes a
7 family care district under s. 46.2895 and the Milwaukee County child welfare district
8 under s. 48.562.”.

9 **1366.** Page 1280, line 22: after that line insert:

10 **“SECTION 4034yp.** 985.01 (3m) of the statutes is created to read:

11 985.01 **(3m)** “Newspaper” means a publication appearing at regular intervals
12 and at least once a week, containing reports of happenings of recent occurrence of a
13 varied character, such as political, social, moral, and religious subjects, designed to
14 inform the general reader. The definition includes a daily newspaper published in
15 a county having a population of 500,000 or more, devoted principally to business
16 news and publishing of records, which has been designated by the courts of record
17 of the county for publication of legal notices for a period of 6 months or more.

18 **SECTION 4034yr.** 985.03 (1) (a) (intro.) of the statutes is amended to read:

19 985.03 **(1)** (a) (intro.) No Except as provided in par. (am), no publisher of any
20 newspaper in this state shall be awarded or be entitled to any compensation or fee
21 for the publishing of any legal notice unless, for at least 2 of the 5 years immediately
22 before the date of the notice publication, the newspaper has been published regularly
23 and continuously in the city, village, or town where published, and has had a bona
24 fide paid circulation:

1 **SECTION 4034ys.** 985.03 (1) (am) of the statutes is created to read:

2 985.03 (1) (am) A publisher of a newspaper in this state may be awarded
3 compensation or a fee for the publishing of any legal notice for a county or any unit
4 of government in a county if the newspaper meets all of the following criteria:

5 1. The newspaper is a free publication with a circulation, pick-up rate of 50,000
6 or more in the newspaper's county or multicounty service area, and the circulation,
7 pick-up rate is independently audited by an auditing firm using generally accepted
8 auditing standards.

9 2. The newspaper has been published continuously for the 10 years
10 immediately before the date of the notice publication.

11 3. The newspaper has at least 2,500 copies of the newspaper picked up by
12 readers from distribution points within that county.

13 4. The newspaper is headquartered or published in a county having a
14 population of 500,000 or more.

15 **SECTION 4034yt.** 985.03 (1) (c) of the statutes is repealed.”.

16 **1367.** Page 1280, line 22: after that line insert:

17 “**SECTION 4034ys.** 980.101 of the statutes is created to read:

18 **980.101 Reversal, vacation or setting aside of judgment relating to a**
19 **sexually violent offense; effect. (1)** In this section, “judgment relating to a
20 sexually violent offense” means a judgment of conviction for a sexually violent
21 offense, an adjudication of delinquency on the basis of a sexually violent offense, or
22 a judgment of not guilty of a sexually violent offense by reason of mental disease or
23 defect.

1 **(2)** If, at any time after a person is committed under s. 980.06, a judgment
2 relating to a sexually violent offense committed by the person is reversed, set aside,
3 or vacated and that sexually violent offense was a basis for the allegation made in
4 the petition under s. 980.02 (2) (a), the person may bring a motion for
5 postcommitment relief in the court that committed the person. The court shall
6 proceed as follows on the motion for postcommitment relief:

7 (a) If the sexually violent offense was the sole basis for the allegation under s.
8 980.02 (2) (a) and there are no other judgments relating to a sexually violent offense
9 committed by the person, the court shall reverse, set aside, or vacate the judgment
10 under s. 980.05 (5) that the person is a sexually violent person, vacate the
11 commitment order, and discharge the person from the custody or supervision of the
12 department.

13 (b) If the sexually violent offense was the sole basis for the allegation under s.
14 980.02 (2) (a) but there are other judgments relating to a sexually violent offense
15 committed by the person that have not been reversed, set aside, or vacated, or if the
16 sexually violent offense was not the sole basis for the allegation under s. 980.02 (2)
17 (a), the court shall determine whether to grant the person a new trial under s. 980.05
18 because the reversal, setting aside, or vacating of the judgement for the sexually
19 violent offense would probably change the result of the trial.

20 **(3)** An appeal may be taken from an an order entered under sub. (2) as from
21 a final judgment.”.

22 **1368.** Page 1281, line 6: after that line insert:

23 “**SECTION 4034r.** Laws of 1975, chapter 105, section 1 (1) and (2) are amended
24 to read:

1 [Laws of 1975, chapter 105] Section 1 (1) The legislature finds that the existing
2 system of allocating aggregate property tax revenues among tax levying
3 municipalities has resulted in significant inequities and disincentives. The cost of
4 public works or improvements within a city ~~or~~, village, or town that is located in a
5 county that does not contain any cities or villages has been borne entirely by the city
6 ~~or~~, village, or town that is located in a county that does not contain any cities or
7 villages, while the expansion of tax base which is stimulated, directly or indirectly,
8 by such improvements, benefits not only the city ~~or~~, village, or town that is located
9 in a county that does not contain any cities or villages but also all municipalities
10 which share such tax base. This situation is inequitable. Moreover, when the cost
11 to a city ~~or~~, village, or town that is located in a county that does not contain any cities
12 or villages of a public improvement project exceeds the future benefit to the city ~~or~~,
13 village, or town that is located in a county that does not contain any cities or villages
14 resulting therefrom, the city ~~or~~, village, or town that is located in a county that does
15 not contain any cities or villages may decide not to undertake such project. This
16 situation has resulted in the postponement or cancellation of socially desirable
17 projects.

18 (2) The legislature further finds that accomplishment of the vital and beneficial
19 public purposes of sections 66.405 to 66.425, 66.43, 66.431, 66.435 and 66.52 of the
20 statutes, is being frustrated because of a lack of incentives and financial resources.
21 The purpose of this act is to create a viable procedure by which a city ~~or~~, village, or
22 town that is located in a county that does not contain any cities or villages, through
23 its own initiative and efforts, may finance projects which will tend to accomplish
24 these laudable objectives.”.

- 1 **1369.** Page 1283, line 13: after that line insert:
2 “**SECTION 4046s.** 1999 Wisconsin Act 9, section 9158 (8w) (e) is repealed.”.
- 3 **1370.** Page 1287, line 18: delete lines 18 to 25.
- 4 **1371.** Page 1288, line 1: delete lines 1 to 11.
- 5 **1372.** Page 1288, line 16: delete “20.530 (1)”.
- 6 **1373.** Page 1288, line 20: delete “20.530 (1)”.
- 7 **1374.** Page 1288, line 22: delete lines 22 to 25.
- 8 **1375.** Page 1289, line 1: delete lines 1 and 2.
- 9 **1376.** Page 1291, line 17: delete lines 17 to 25.
- 10 **1377.** Page 1292, line 18: delete lines 18 to 23.
- 11 **1378.** Page 1293, line 10: delete lines 10 to 14.
- 12 **1379.** Page 1295, line 7: delete “\$1,864,700” and substitute “\$1,484,700”.
- 13 **1380.** Page 1295, line 23: delete lines 23 and 24.
- 14 **1381.** Page 1296, line 1: delete lines 1 to 25.
- 15 **1382.** Page 1297, line 1: delete lines 1 to 25.
- 16 **1383.** Page 1298, line 1: delete lines 1 to 4 and substitute:
17 “(15q) AUTHORIZED POSITIONS.
18 (a) The authorized FTE positions for the department of administration, funded
19 from the appropriation under section 20.505 (1) (ja) of the statutes, are increased by
20 19.0 PR positions to reflect the deletion of the department of electronic government.

1 (b) The authorized FTE positions for the department of administration, funded
2 from the appropriation under section 20.505 (1) (ke) of the statutes, are increased by
3 29.0 PR positions to reflect the deletion of the department of electronic government.

4 (c) The authorized FTE positions for the department of administration, funded
5 from the appropriation under section 20.505 (1) (kL) of the statutes, are increased
6 by 168.30 PR positions to reflect the deletion of the department of electronic
7 government.

8 (d) The authorized FTE positions for the department of administration, funded
9 from the appropriation under section 20.505 (1) (kq) of the statutes, are increased by
10 3.0 PR positions to reflect the deletion of the department of electronic government.

11 (e) The authorized FTE positions for the department of administration, funded
12 from the appropriation under section 20.505 (4) (is) of the statutes are increased by
13 1.0 PR position to reflect the deletion of the department of electronic government.”.

14 **1384.** Page 1298, line 17: delete lines 17 to 24.

15 **1385.** Page 1298, line 24: after that line insert:

16 “(21g) STUDY ON THE STATE PAYMENT OF TUITION. The department of
17 administration shall study the development and implementation of a tuition grant
18 program that would pay the cost of 2 years of postsecondary education. The
19 department shall ensure that representatives of all of the following agencies are
20 included on the study team: the higher educational aids board, the department of
21 public instruction, the board of regents of the University of Wisconsin System, the
22 state technical college system board, and the department of workforce development.
23 By July 1, 2002, the department of administration shall submit the results of the

1 study to the governor and to the legislature in the manner provided under section
2 13.172 (2) of the statutes.”.

3 **1386.** Page 1298, line 24: after that line insert:

4 “(21c) TRANSFER OF SENTENCING COMMISSION RECORDS. The department of
5 administration shall transfer all records of the sentencing commission to the director
6 of state courts as soon as possible after the effective date of this subsection.”.

7 **1387.** Page 1298, line 24: after that line insert:

8 “(21j) COMMUNITY JUSTICE CENTER GRANTS. (a) From the appropriation accounts
9 under section 20.505 (6) (kp) of the statutes and section 20.505 (6) (p) of the statutes,
10 as affected by this act, the office of justice assistance shall allocate \$150,000 in fiscal
11 year 2001–02 and \$150,000 in fiscal year 2002–03 in grants to consortiums
12 consisting of local government agencies and community–based organizations for
13 planning community justice center programs. The office of justice assistance shall
14 establish eligibility criteria for grants under this subsection, including specification
15 of the types of agencies and organizations that may receive grants. The maximum
16 amount that the office may award any single consortium under this subsection is a
17 one–time grant of \$50,000. The office of justice assistance shall establish guidelines
18 for administering the grant program under this subsection, including guidelines for
19 evaluating and selecting grant recipients. The office shall give priority for receipt
20 of funds under this subsection to consortiums that serve localities in which the
21 incidence of crime is high relative to other localities in the state and to localities for
22 which the ratio of persons placed at the county jail to the capacity of the jail is high
23 relative to other localities in the state.

1 (b) From the appropriation accounts under section 20.505 (6) (kp) of the
2 statutes and section 20.505 (6) (p) of the statutes, as affected by this act, the office
3 of justice assistance shall allocate \$50,000 of the amount available for grants for
4 planning community justice center programs under paragraph (a) to the community
5 justice center in Milwaukee in fiscal year 2001–02.”.

6 **1388.** Page 1300, line 1: delete lines 1 to 7.

7 **1389.** Page 1300, line 8: delete lines 8 to 12.

8 **1390.** Page 1300, line 12: after that line insert:

9 “(4q) TELEPHONE SOLICITATION REGULATION. The authorized FTE positions for
10 the department of agriculture, trade and consumer protection are increased by 5.5
11 PR positions, to be funded from the appropriation under section 20.115 (8) (jm) of the
12 statutes, as created by this act, for the purpose of regulating telephone solicitations
13 under section 100.52 of the statutes, as created by this act.”.

14 **1391.** Page 1300, line 12: after that line insert:

15 “(4f) SOIL AND WATER MANAGEMENT POSITIONS. The authorized FTE positions for
16 the department of agriculture, trade and consumer protection are increased by 11.0
17 SEG positions, funded by the appropriation under section 20.115 (7) (qd) of the
18 statutes, to reflect the transfer of funding for nonpoint source water pollution control
19 to the environmental fund.”.

20 **1392.** Page 1300, line 12: after that line insert:

21 “(4xv) TRANSFER OF CONSUMER PROTECTION FUNCTIONS

22 (a) *Assets and liabilities.* All assets and liabilities of the department of
23 agriculture, trade and consumer protection that are primarily related to programs
24 or functions transferred to the department of justice under this act shall become the

1 assets and liabilities of the department of justice. The departments of justice and
2 agriculture, trade and consumer protection shall jointly determine these assets and
3 liabilities and shall jointly develop and implement a plan for their orderly transfer.
4 In the event of any disagreement between the departments, the secretary of
5 administration shall decide the question. If either department is dissatisfied with
6 the secretary's decision, the department may bring the matter to the cochairpersons
7 of the joint committee on finance for consideration by the committee, and the
8 committee shall affirm or modify the decision.

9 (b) *Employee transfers.* In the department of agriculture, trade and consumer
10 protection 15.5 FTE positions that are primarily related to programs or functions
11 that are transferred to the department of justice under this act, and the incumbents
12 holding these positions are transferred to the department of justice. The secretary
13 of administration shall determine which incumbents will be transferred. If either
14 department is dissatisfied with the secretary's decision, the department may bring
15 the matter to the cochairpersons of the joint committee on finance for consideration
16 by the committee, and the committee shall affirm or modify the decision.

17 (c) *Employee status.* Employees transferred under paragraph (b) have all the
18 rights and same status under subchapter V of chapter 111 and chapter 230 of the
19 statutes in the department of justice that they enjoyed in the department of
20 agriculture, trade and consumer protection immediately before the transfer.
21 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
22 has attained permanent status in class is required to serve a probationary period.

23 (d) *Supplies and equipment.* All tangible personal property, including records,
24 of the department of agriculture, trade and consumer protection that are primarily
25 related to programs or functions that are transferred to the department of justice

1 under this act are transferred to the department of justice. The departments of
2 justice and agriculture, trade and consumer protection shall jointly identify the
3 tangible personal property, including records, and shall jointly develop and
4 implement a plan for their orderly transfer. In the event of any disagreement
5 between the departments, the secretary of administration shall decide the question.
6 If either department is dissatisfied with the secretary's decision, the department
7 may bring the matter to the cochairpersons of the joint committee on finance for
8 consideration by the committee, and the committee shall affirm or modify the
9 decision.

10 (e) *Pending matters.* Any matter pending with the department of agriculture,
11 trade and consumer protection that is primarily related to a program or function that
12 is transferred to the department of justice under this act is transferred to the
13 department of justice. All materials submitted or actions taken by the department
14 of agriculture, trade and consumer protection with respect to the pending matter are
15 considered as having been submitted to or taken by the department of justice.

16 (f) *Contracts.* All contracts entered into by the department of agriculture, trade
17 and consumer protection or the department of justice that are primarily related to
18 programs or functions transferred to the department of justice under this act, and
19 that are in effect on the effective date of this paragraph, remain in effect and those
20 contracts entered into by the department of agriculture, trade and consumer
21 protection are transferred to the department of justice. The departments of justice
22 and agriculture, trade and consumer protection shall jointly identify these contracts
23 and shall jointly develop and implement a plan for their orderly transfer. In the event
24 of any disagreement between the departments, the secretary of administration shall
25 decide the question. If either department is dissatisfied with the secretary's decision,

1 the department may bring the matter to the cochairpersons of the joint committee
2 on finance for consideration by the committee, and the committee shall affirm or
3 modify the decision. The department of justice shall carry out the obligations under
4 these contracts until the obligations are modified or rescinded by the department of
5 justice to the extent allowed under the contract.

6 (g) *Rules and orders.* All rules promulgated by the department of agriculture,
7 trade and consumer protection that are in effect on the effective date of this
8 paragraph and that are primarily related to programs or functions that are
9 transferred to the department of justice under this act remain in effect until their
10 specified expiration date or until amended or repealed by the department of justice.
11 All orders issued by the department of agriculture, trade and consumer protection
12 that are in effect on the effective date of this paragraph and that are primarily related
13 to programs or functions transferred to the department of justice under this act
14 remain in effect until their specified expiration date or until modified or rescinded
15 by the department of justice.

16 (h) *Decrease in positions.* The authorized FTE positions for the department of
17 agriculture, trade and consumer protection, funded from the appropriation under
18 section 20.115 (1) (c) of the statutes, as affected by this act, are decreased by 4.0 GPR
19 positions.”.

20 **1393.** Page 1302, line 15: after that line insert (and adjust the appropriate
21 totals accordingly):

22 “(e) STATE HISTORICAL SOCIETY

23 1. *Projects financed by program revenue supported*

24 *borrowing and gifts, grants and other receipts:*

1 (Total project all funding sources \$3,820,000)

2 3. *Agency totals:*

3	General fund supported borrowing	550,000
4	Gifts, grants, and other receipts	<u>3,270,000</u>
5	Total — all sources of funds	\$ 3,820,000”.

6 **1401.** Page 1315, line 6: after that line insert (and adjust the appropriate
7 totals accordingly):

8 “(p) OTHER PROJECTS

9 1. *Projects financed by general fund supported borrowing:*

10	Kenosha Civil War museum	\$ 1,000,000
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11 (Total project all funding sources \$2,000,000)

12	Discovery Place museum — Racine	1,000,000
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13 (Total project all funding sources \$3,000,000)

14 2. *Project financed by segregated funds:*

15	Kenosha Civil War museum	1,000,000
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16 (Total project all funding sources \$2,000,000)

17	Discovery Place museum — Racine	2,000,000
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18 (Total project all funding sources \$3,000,000)

19 3. *Totals:*

20	General fund supported borrowing	2,000,000
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21	Segregated funds	<u>3,000,000</u>
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22	Total — all sources of funds	\$ 5,000,000”.
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1 “(4d) PABST UNIVERSITY RESEARCH PARK. Notwithstanding section 18.04 (1) and
2 (2) of the statutes, the building commission may not authorize public debt to be
3 contracted for the purpose of financing the acquisition, construction, development,
4 enlargement, or improvement of land on which was sited the former Pabst Brewing
5 Company, Inc., headquarters in the city of Milwaukee and any structures on that
6 land until the commission has determined that the department of administration
7 has not received a loan from the board of commissioners in an amount equal to
8 \$25,000,000.”.

9 **1409.** Page 1321, line 15: after that line insert:

10 “(6q) HR ACADEMY, INC., YOUTH AND FAMILY CENTER. Notwithstanding section
11 13.48 (35) of the statutes, as created by this act, the building commission shall not
12 make a grant to HR Academy, Inc., for the youth and family center project
13 enumerated in subsection (1) (ob) under section 13.48 (35) of the statutes, as created
14 by this act, unless the department of administration has reviewed and approved the
15 plans for the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the
16 statutes, the department of administration shall not supervise any services or work
17 or let any contract for the project. Section 16.87 of the statutes does not apply to the
18 project.”.

19 **1410.** Page 1321, line 15: after that line insert:

20 “(6k) MILWAUKEE PUBLIC SCHOOLS FOUNDATION, INC., ALUMNI CENTER.
21 Notwithstanding section 13.48 (36) of the statutes, as created by this act, the
22 building commission shall not make a grant to Milwaukee Public Schools
23 Foundation, Inc., for the alumni center project enumerated in subsection (1) (od)
24 under section 13.48 (36) of the statutes, as created by this act, unless the department

1 of administration has reviewed and approved the plans for the project.
2 Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of
3 administration shall not supervise any services or work or let any contract for the
4 project. Section 16.87 of the statutes does not apply to the project.”.

5 **1411.** Page 1321, line 15: after that line insert:

6 “(7x) WISCONSIN HISTORY CENTER. Notwithstanding section 18.04 (1) and (2) of
7 the statutes, the building commission shall not authorize public debt to be contracted
8 for the purpose of funding construction of the Wisconsin history center, as
9 enumerated under subsection (1) (e), until the building commission determines that
10 the historical society has secured funding commitments of at least \$75,000,000 from
11 gifts, grants, or other receipts to finance construction of the center.”.

12 **1412.** Page 1322, line 12: after that line insert:

13 “(13x) MILWAUKEE CHILDREN’S VILLAGE. Notwithstanding section 13.48 (35) of
14 the statutes, as created by this act, the building commission shall not make a grant
15 to SOS Children’s Villages of Wisconsin — Milwaukee Chapter for the children’s
16 village project enumerated in subsection (1) (p) under section 13.48 (35) of the
17 statutes, as created by this act, unless the department of administration has
18 reviewed and approved the plans for the project. Notwithstanding sections 16.85 (1)
19 of the statutes, as affected by this act, and section 16.855 (1) of the statutes, the
20 department of administration shall not supervise any services or work or let any
21 contract for the project. Section 16.87 of the statutes, as created by this act, does not
22 apply to the project.”.

23 **1413.** Page 1322, line 12: after that line insert:

24 “(13q) KENOSHA CIVIL WAR MUSEUM.

1 (a) Notwithstanding section 13.48 (32m) of the statutes, as created by this act,
2 the building commission shall not make any grant to the city of Kenosha for the Civil
3 War museum project enumerated in subsection (1) (p) under section 13.48 (32m) of
4 the statutes, as created by this act, unless the department of administration has
5 reviewed and approved the plans for the project. Notwithstanding sections 16.85 (1)
6 and 16.855 (1) of the statutes, the department of administration shall not supervise
7 any services or work or let any contract for the project. Section 16.87 of the statutes
8 does not apply to the project.

9 (13r) DISCOVERY PLACE MUSEUM.

10 (a) Notwithstanding section 13.48 (32r) of the statutes, as created by this act,
11 the building commission shall not make any grant to the city of Racine for the
12 Discovery Place museum project enumerated in subsection (1) (p) under section
13 13.48 (32r) of the statutes, as created by this act, unless the department of
14 administration has reviewed and approved the plans for the project.
15 Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of
16 administration shall not supervise any services or work or let any contract for the
17 project. Section 16.87 of the statutes does not apply to the project.”.

18 **1414.** Page 1322, line 15: after that line insert:

19 “(1w) ELECTION OF CIRCUIT COURT JUDGES.

20 (a) The initial boundary of judicial subdistrict “A” created under section
21 753.015 (2) of the statutes, as created by this act, is the boundary that encloses
22 Milwaukee County supervisory districts 1 to 7, 9, 10, 13, 15, 18, and 25 as of January
23 1, 2001. The initial boundary of judicial subdistrict “B” created under section
24 753.015 (2) is the boundary that encloses Milwaukee County supervisory districts 8,

1 11, 12, 14, 16, 17, 19, and 20 to 24 as of January 1, 2001. These boundaries apply until
2 Milwaukee County initially adjusts the judicial subdistrict boundaries under section
3 753.015 (2) of the statutes, as created by this act.

4 (b) Notwithstanding paragraph (a), and section 753.015 (2) of the statutes, as
5 created by this act, if Milwaukee County adopts a final plan adjusting its supervisory
6 districts under section 59.10 (2) (a) of the statutes based on the results of the 2000
7 federal decennial census of population before the effective date of this paragraph, the
8 Milwaukee County board of supervisors shall, by November 1, 2001, designate the
9 supervisory districts that the judicial subdistricts are composed of so that, to the
10 extent possible, substantially the same territory exists in judicial subdistricts “A”
11 and “B” as existed in judicial subdistricts “A” and “B” described in paragraph (a).”.

12 **1415.** Page 1322, line 23: after that line insert:

13 “(2k) GRANTS TO CHIPPEWA VALLEY TECHNICAL COLLEGE. From the appropriation
14 under section 20.143 (1) (kj) of the statutes, as affected by this act, the department
15 of commerce may make grants of up to \$250,000 in fiscal year 2001–02 and up to
16 \$250,000 in fiscal year 2002–03 to the Chippewa Valley Technical College for a health
17 care education center. If the department of commerce makes a grant under this
18 subsection, the department of commerce shall enter into an agreement with the
19 Chippewa Valley Technical College that specifies the uses for the grant proceeds and
20 reporting and auditing requirements.”.

21 **1416.** Page 1325, line 12: after that line insert:

22 “2m. The plan provides for spending the grant proceeds for costs incurred in
23 Racine County.”.

24 **1417.** Page 1326, line 5: after that line insert:

1 “(9c) GRANT FOR DEMOLITION AND CLEANUP OF BROWNFIELDS SITE.

2 (a) In this subsection:

3 1. “Department” means the department of commerce.

4 2. “Secretary” means the secretary of commerce.

5 (b) Subject to paragraph (c), from the appropriation under section 20.143 (1)
6 (qm) of the statutes, as affected by this act, the department shall make a grant of
7 \$1,000,000 to the city of Kenosha for the demolition and rehabilitation of the former
8 American Brass factory site in the city of Kenosha if all of the following apply:

9 1. The city of Kenosha submits a plan to the department detailing the proposed
10 use of the grant and the secretary approves the plan.

11 2. The city of Kenosha complies with the requirements under section 560.13 (2)
12 (a) 1m. of the statutes, as created by this act, and with the requirements under
13 section 560.13 (2) (a) 1. and 3. of the statutes.

14 3. The city of Kenosha enters into a written agreement with the department
15 that specifies the conditions for the use of the grant proceeds, including reporting and
16 auditing requirements.

17 4. The city of Kenosha agrees in writing to submit to the department, within
18 6 months after spending the entire amount of the grant, a report detailing how the
19 grant proceeds were used.

20 (c) The department may not pay grant proceeds under this subsection after
21 June 30, 2003.”.

22 **1418.** Page 1326, line 5: after that line insert:

23 “(10p) GRANT FOR GREAT LAKES FORESTRY MUSEUM. From the appropriation
24 under section 20.143 (1) (kj) of the statutes, as affected by this act, the department

1 of commerce shall make a grant of \$450,000 in fiscal biennium 2001–03 to the Great
2 Lakes Forestry Museum in Rice Lake to develop a facility for educating the public
3 about the history of forestry and logging in the state. The department of commerce
4 shall enter into an agreement with the Great Lakes Forestry Museum that specifies
5 the uses for the grant proceeds and reporting and auditing requirements.”.

6 **1419.** Page 1326, line 5: after that line insert:

7 “(10e) BUSINESS PLANNING GRANT. From the appropriation under section 20.143
8 (1) (c) of the statutes, as affected by this act, the department of commerce shall make
9 a grant of \$25,000 to Clearwater Lake Distilling Company, LLC., for business
10 planning expenses related to a project that utilizes potatoes and potato waste for
11 vodka distillation. The department of commerce shall enter into an agreement with
12 Clearwater Lake Distilling Company, LLC., that specifies the uses for the grant
13 proceeds and reporting and auditing requirements. The department of commerce
14 may not pay grant proceeds under this subsection after June 30, 2003.”.

15 **1420.** Page 1326, line 5: after that line insert:

16 “(10d) COMMUNITY DEVELOPMENT BLOCK GRANT FOR FIRE PROTECTION NEEDS.

17 (a) In this subsection, “department” means the department of commerce.

18 (b) Subject to paragraph (c), the department shall make a grant of \$260,000
19 from the appropriation under section 20.143 (1) (n) of the statutes to the Westby fire
20 department for costs related to purchasing a new fire engine and constructing a new
21 fire station in the city of Westby. If the department makes the grant under this
22 paragraph, it shall pay the grant proceeds no later than June 30, 2003, and shall
23 enter into an agreement with the Westby fire department that specifies the uses for
24 the grant proceeds and reporting and auditing requirements.

1 (c) The department shall make the grant under paragraph (b) only if the federal
2 emergency management administration does not make a fire grant to the city of
3 Westby or the Westby fire department for the purposes specified in paragraph (b).”.

4 **1421.** Page 1326, line 5: after that line insert:

5 “(9q) FEDERAL APPROVAL OF CRANE OPERATOR PROGRAM. No later than the first day
6 of the 3rd month beginning after the effective date of this subsection, the department
7 of commerce shall submit to the federal secretary of labor the plans required under
8 section 101.22 (4) of the statutes, as created by this act, if required to do so under 29
9 USC 667 (b).

10 (9qq) SUBMISSION OF PROPOSED CRANE OPERATOR RULES. No later than the first
11 day of the 9th month beginning after the effective date of this subsection, the
12 department of commerce shall submit in proposed form the rules governing certified
13 crane operator programs under section 101.22 (3) of the statutes, as created by this
14 act, and the fees permitted under section 101.19 (1) (ig) of the statutes, as created by
15 this act, to the legislative council staff under section 227.15 (1) of the statutes.

16 (9qr) SHORT-TERM CRANE OPERATOR CERTIFICATES PENDING PRACTICAL
17 EXAMINATION. Notwithstanding section 101.22 (3) (b) 5. of the statutes and except as
18 otherwise provided in this subsection, the department of commerce may authorize
19 a crane operator certification program only if a crane operator certificate issued by
20 the program before the first day of the 12th month beginning after the effective date
21 of this subsection has a term that expires on the first day of the 12th month beginning
22 after the effective date of this subsection. This subsection does not apply to a crane
23 operator certificate issued to an individual who satisfactorily completes a practical

1 examination regarding safe crane operation that is approved by the department of
2 commerce.

3 (9qs) FEDERAL APPROVAL OF IRONWORKER PROGRAM. No later than the first day
4 of the 3rd month beginning after the effective date of this subsection, the department
5 of commerce shall submit to the federal secretary of labor the plans required under
6 sections 101.25 (4) and 101.255 (3) of the statutes, as created by this act, if required
7 to do so under 29 USC 667 (b).

8 (9qt) SUBMISSION OF PROPOSED IRONWORKER RULES. No later than the first day
9 of the 9th month beginning after the effective date of this subsection, the department
10 of commerce shall submit in proposed form the rules governing master ironworkers,
11 journeymen ironworkers, ironworker apprentices, and individuals training as
12 ironworkers under sections 101.25 (3) and 101.255 (2) of the statutes, as created by
13 this act, and the fees permitted under section 101.19 (1) (ir) of the statutes, as created
14 by this act, to the legislative council staff under section 227.15 (1) of the statutes.

15 (9qu) GRANDFATHER PROVISION; CERTIFICATION OF CERTAIN MASTER IRONWORKERS.
16 Except as provided in section 101.02 (20) (b) and (21) (b) of the statutes and
17 notwithstanding section 101.25 (3) (a) of the statutes, as created by this act, if
18 approval of the department of commerce's plan to certify ironworkers under section
19 101.25 (4) of the statutes, as created by this act, is not required under 29 USC 667
20 (b) or if an approval that is consistent with all of the provisions of section 101.25 of
21 the statutes, as created by this act, is granted and in effect, the department shall
22 certify as a master ironworker any individual who applies for a master ironworker
23 certification within one year after the effective date of this subsection and who
24 provides the department with sufficient evidence that the individual safely

1 completed at least 15,000 hours of work in the ironworking trade during the 15–year
2 period before the date of the application for certification.

3 (9r) GRANDFATHER PROVISION; CERTIFICATION OF CERTAIN JOURNEYMEN
4 IRONWORKERS. Except as provided in section 101.02 (20) (b) and (21) (b) of the statutes
5 and notwithstanding section 101.25 (3) (b) of the statutes, as created by this act, if
6 approval of the department of commerce’s plan to certify ironworkers under section
7 101.25 (4) of the statutes, as created by this act, is not required under 29 USC 667
8 (b) or if an approval that is consistent with all of the provisions of section 101.25 of
9 the statutes, as created by this act, is granted and in effect, the department shall
10 certify as a journeyman ironworker any individual who applies for a journeyman
11 ironworker certification within one year after the effective date of this subsection
12 and who provides the department with sufficient evidence of any of the following:

13 (b) That the individual, before the date of the application for certification,
14 successfully completed an apprenticeship program for ironworking that is approved
15 by the department of workforce development.

16 (c) That the individual safely completed at least 8,000 hours of work in the
17 ironworking trade during the 8–year period before the date of the application for
18 certification.”.

19 **1422.** Page 1326, line 15: after that line insert:

20 “(9d) GRANT FOR ACQUISITION AND CLEANUP OF ABANDONED RAIL CORRIDOR.

21 (a) In this subsection:

22 1. “Department” means the department of commerce.

23 2. “Secretary” means the secretary of commerce.

1 (b) Subject to paragraph (c), from the appropriation under section 20.143 (1)
2 (qm) of the statutes, as affected by this act, the department shall make a grant of
3 \$100,000 to the city of Beloit for the acquisition, cleanup, and redevelopment of a
4 brownfields site in the Fourth and Fifth Street rail corridor and adjacent industrial
5 property in the city of Beloit if all of the following apply:

6 1. The city of Beloit submits a plan to the department detailing the proposed
7 use of the grant and the secretary approves the plan.

8 2. The city of Beloit complies with the requirements under section 560.13 (2)
9 (a) 1m. of the statutes, as created by this act, and with the requirements under
10 section 560.13 (2) (a) 1. and 3. of the statutes.

11 3. The city of Beloit enters into a written agreement with the department that
12 specifies the conditions for the use of the grant proceeds, including reporting and
13 auditing requirements.

14 4. The city of Beloit agrees in writing to submit to the department, within 6
15 months after spending the entire amount of the grant, a report detailing how the
16 grant proceeds were used.

17 (c) The department may not pay grant proceeds under this subsection after
18 June 30, 2003.”.

19 **1423.** Page 1332, line 3: after that line insert:

20 “(6e) REPORT REGARDING GENDER-SPECIFIC TREATMENT PROGRAM. The department
21 of corrections and the department of health and family services shall jointly prepare
22 a report that includes a program plan regarding the gender-specific treatment
23 program required under section 301.03 (25) of the statutes, as created by this act, and

1 shall submit the report to the legislature under section 13.172 (2) of the statutes by
2 July 1, 2002.”.

3 **1424.** Page 1332, line 3: after that line insert:

4 “(8c) REPORT ON OUT-OF-STATE INMATE TRANSFERS. The department of corrections
5 shall submit a report to the joint committee on finance by July 1, 2002, regarding
6 Wisconsin inmates transferred to and confined in other states under section 301.21
7 (1m) and (2m) of the statutes. The report shall address all of the following:

8 (a) The overall impact that transfers have on prison populations in Wisconsin
9 and projections regarding future out-of-state transfers.

10 (b) The total cost of out-of-state transfers to the department, including the cost
11 of incarceration and transportation.

12 (c) The types of inmates being transferred based on the crimes for which the
13 inmates have been sentenced.

14 (d) Department policies regarding how inmates are selected for out-of-state
15 transfers.

16 (e) The average length of an inmate’s stay in an out-of-state prison.

17 (f) The specific services, programs, and treatment provided to inmates in
18 out-of-state prisons compared to inmates confined in Wisconsin prisons.

19 (g) Complaint procedures for inmates in out-of-state prisons, the number of
20 complaints that have been received, the types of complaints that have been
21 submitted, and the ways in which the out-of-state prisons have addressed the
22 complaints.

1 (h) The rate of recidivism for inmates who have been confined in out-of-state
2 prisons compared to those remaining in Wisconsin for the entire sentence, classified
3 by the crimes for which the inmates have been sentenced.

4 (i) The impact of transfers on inmates' families in Wisconsin, the information
5 that inmates' families receive on the treatment of inmates, and the ways in which
6 the department has attempted to respond to concerns of the families.

7 (j) The steps taken by the department to implement alternatives to prison
8 transfers, the number of persons involved in enhanced community supervision
9 programs, the success of those programs, and the feasibility of reducing prison
10 transfers through increasing the use of some combination of community supervision
11 programs.

12 (k) The effects that the elimination of parole and probation would have on the
13 number of prisoners who will be sentenced to a term of imprisonment in the
14 Wisconsin state prisons and on recidivism rates for all prisoners.

15 (L) An evaluation of the health of inmates in out-of-state prisons and the
16 health care provided to them.”.

17 **1425.** Page 1332, line 3: after that line insert:

18 “(7d) REPORT REGARDING SERVICES FOR ALCOHOL AND OTHER DRUG ABUSE BASED ON
19 GENDER. The department of corrections shall submit a report to the joint committee
20 on finance no later than 6 months after the effective date of this subsection
21 comparing the evaluation and treatment services for alcohol and other drug abuse
22 that it provides to women to those that it provides to men.”.

23 **1426.** Page 1332, line 3: after that line insert:

1 “(9q) CARRYING COSTS FOR THE CORRECTIONAL FACILITY AT STANLEY. Of the amount
2 appropriated under section 20.410 (1) (a) of the statutes, the department of
3 corrections shall pay the owners of the correctional facility at Stanley \$650,000 per
4 month for carrying costs for the period beginning on July 1, 2001, and ending on the
5 earlier of October 31, 2001, or the date on which the building commission purchases
6 the correctional facility. If the building commission purchases the correctional
7 facility before October 31, 2001, the carrying costs for the month in which the
8 purchase takes place shall be prorated.”.

9 **1427.** Page 1332, line 3: after that line insert:

10 “(7w) DELAY OPENING OF CERTAIN FACILITIES. The department of corrections may
11 not open a new segregation unit at the Oshkosh Correctional Institution or a new
12 workhouse at the Winnebago Correctional Center until after December 31, 2003.”.

13 **1428.** Page 1332, line 3: after that line insert:

14 “(6d) PLACEMENT OF PERSONS UNDER 18 YEARS OF AGE IN MAXIMUM SECURITY PRISON
15 LOCATED NEAR BOSCOBEL. If on the effective date of this subsection any person under
16 18 years of age is incarcerated in the correctional institution authorized under
17 section 301.16 (1n) of the statutes, the department of corrections shall transfer that
18 person out of that correctional institution within 30 days after the effective date of
19 this subsection.”.

20 **1429.** Page 1332, line 3: after that line insert:

21 “(6g) SUPERMAX CORRECTIONAL FACILITY STUDY AND REPORT. The department of
22 corrections, in cooperation with the department of health and family services and
23 nonprofit community-based and faith-based organizations, shall study the impact
24 on inmates of being incarcerated in the facility created under section 301.16 (1n) of

1 the statutes. The department shall report its findings and recommendations by July
2 1, 2002 to the legislature in the manner provided in section 13.172 (2) of the
3 statutes.”.

4 **1430.** Page 1332, line 3: after that line insert:

5 “(7z) REPORT ON TREATMENT PROGRAMS FOR PRISONERS. By March 15, 2002, the
6 department of corrections shall study and report on the availability and effectiveness
7 of programs that provide prisoners with treatment for drug and alcohol abuse,
8 instruction in basic skills such as reading and math, and training in job skills. The
9 report shall include an analysis of the racial composition of the enrollment in such
10 programs compared to the racial composition of the prison population as a whole.
11 The report shall also include recommendations for establishing new programs that
12 would better prepare prisoners to enter the workforce and suggestions about how
13 current programs could be improved. The report shall be submitted to the
14 appropriate standing committees of the legislature in the manner provided under
15 section 13.172 (3) of the statutes, to the joint committee on finance, and to the
16 governor.”.

17 **1431.** Page 1332, line 5: after that line insert:

18 “(1k) DISTRICT ATTORNEY POSITION REALLOCATIONS. Notwithstanding sections
19 978.03 and 978.04 of the statutes, effective January 1, 2002, the department of
20 administration shall reduce Juneau County’s and Rock County’s allocation of FTE
21 PR assistant district attorney positions funded from the appropriation account
22 under section 20.475 (1) (g) of the statutes, as created by this act, by 0.25 position
23 each and shall increase Ashland County’s allocation of FTE PR assistant district

1 attorney positions funded from the appropriation account under section 20.475 (1)
2 (g) of the statutes, as created by this act, by 0.5 position.

3 (2k) DISTRICT ATTORNEY POSITION INCREASE FOR PEPIN COUNTY. The authorized
4 FTE positions for the department of administration are increased by 0.2 PR position
5 on January 1, 2002, to be funded from the appropriation account under section
6 20.475 (1) (g) of the statutes, as created by this act, for a 0.2 FTE district attorney
7 position in Pepin County.”.

8 **1432.** Page 1334, line 7: after that line insert:

9 “(4g) FOOD PANTRY GRANT RULES. Not later than the first day of the 6th month
10 beginning after the effective date of this subsection, the department of health and
11 family services shall promulgate any rules necessary to implement the grant
12 program under section 46.766 of the statutes, as created by this act. Prior to
13 promulgating the rules, the department of health and family services shall convene
14 a committee to advise the department regarding the department’s proposed rules.
15 The committee shall be composed of all of the following:

16 (d) One representative of an emergency food provider.

17 (e) One representative of a food bank.

18 (f) One representative of a community action agency.

19 (g) One representative of a faith-based social services organization.

20 (h) One representative of the University of Wisconsin–Extension with
21 experience in hunger prevention policies.

22 (i) Two persons, other than those specified in paragraphs (d) to (h) with
23 experience in hunger prevention and emergency food distribution.”.

24 **1433.** Page 1335, line 11: delete lines 11 to 17 and substitute:

1 “(8kk) STUDY OF VITAL RECORDS ON-LINE ELECTRONIC FILING SYSTEM.

2 (a) By January 1, 2002, the secretary of health and family services shall appoint
3 a committee to develop recommended guidelines for an on-line electronic filing
4 system for vital records in Wisconsin that incorporates privacy, flexibility, and
5 productivity; to study methods employed by other states to protect against identity
6 theft in on-line electronic filing systems; to recommend increases, if necessary, in
7 vital records fees for implementation of an on-line electronic filing system; and to
8 recommend allocation of revenues resulting from the fee increases. The members of
9 the committee shall include all of the following:

10 1. The state registrar of vital statistics.

11 2. Three local registrars, including one from a county with a population that
12 does not exceed 22,000; one from a county with a population that exceeds 22,000 but
13 does not exceed 300,000; and one from a county with a population that exceeds
14 300,000.

15 3. Three representatives of the department of health and family services.

16 4. One genealogist.

17 (b) By July 1, 2002, the committee appointed under paragraph (a) shall develop
18 an outline of its proposals.

19 (c) By January 1, 2003, the committee appointed under paragraph (a) shall
20 report its findings and recommendations, including a proposed schedule of fees
21 chargeable for vital records that supports implementation of an on-line electronic
22 filing system and security measures to protect against identity theft, to the
23 legislature in the manner provided under section 13.172 (2) of the statutes and to the
24 governor.”.

1 **1434.** Page 1336, line 23: after that line insert:

2 “(8zo) USE OF FEDERAL REIMBURSEMENT OF TARGETED CASE MANAGEMENT COSTS FOR
3 IMPLEMENTATION OF STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. If after
4 the lapse under SECTION 9223 (5zo) of this act there remains in the appropriation
5 account under section 20.435 (8) (mb) of the statutes, as affected by this act, any
6 moneys received under 42 USC 1396 to 1396v in reimbursement of the cost of
7 providing case management services to children whose care is not eligible for
8 reimbursement under 42 USC 670 to 679a, the department of health and family
9 services shall allocate, from that appropriation account, \$1,622,100 in fiscal year
10 2001–02 and \$1,839,000 in fiscal year 2002–03 to support the counties’ share of
11 implementing the statewide automated child welfare information system
12 established by the department of health and family services under section 46.03 (7)
13 (g) of the statutes. If after the counties’ full share of implementing that system is met
14 any of those moneys received under 42 USC 1396 to 1396v remain in that
15 appropriation account, the department of health and family services shall distribute
16 those remaining moneys to counties having a population of less than 500,000 for
17 services and projects to assist children and families, and the counties receiving those
18 remaining moneys shall use not less than 50% of those moneys for services for
19 children who are at risk of abuse or neglect to prevent the need for child abuse and
20 neglect intervention services.”.

21 **1435.** Page 1336, line 23: after that line insert:

22 “(9bk) INCOME AUGMENTATION ACTIVITIES. The authorized FTE positions for the
23 department of health and family services are increased by 1.0 FED position on
24 October 1, 2001, to be funded from the appropriation under section 20.435 (8) (mb)

1 of the statutes, for the purpose of performing income augmentation activities under
2 section 46.46 of the statutes.”.

3 **1436.** Page 1338, line 20: after that line insert:

4 “(14e) MILWAUKEE HEALTH CLINICS GRANTS. In fiscal year 2001–02, from the
5 appropriation account under section 20.435 (5) (fh) of the statutes, as affected by this
6 act, the department of health and family services shall provide all of the following:

7 (a) One grant in the amount of \$410,000 to the Milwaukee Immediate Care
8 Center to allow continued operation of the facility.

9 (b) One grant in the amount of \$340,000 to the Martin Luther King Heritage
10 Health Center to expand primary care examination rooms and to create an
11 emergency care clinic at the Isaac Coggs Community Health Center.”.

12 **1437.** Page 1338, line 20: after that line insert:

13 “(13i) WISCONSIN IMMUNIZATION REGISTRY. The department of health and family
14 services shall allocate all of the following amounts to develop and maintain an
15 automated registry of child immunizations:

16 (a) From the appropriation under section 20.435 (4) (bm) of the statutes, as
17 affected by this act, \$299,000 in fiscal year 2001–02 and \$527,400 in fiscal year
18 2002–03.

19 (b) From the appropriation under section 20.435 (4) (o) of the statutes, \$793,500
20 in fiscal year 2001–02 and \$140,200 in fiscal year 2002–03.”.

21 **1438.** Page 1338, line 20: after that line insert:

22 “(13c) MEDICAL ASSISTANCE HOSPITAL REIMBURSEMENT RATE FUNDING. No moneys
23 appropriated in the 2001–03 fiscal biennium under section 20.435 (4) (o) and (w) of
24 the statutes, as affected by this act, for increasing the maximum reimbursement

1 rates paid to hospitals for outpatient services may be used to adjust the rates paid
2 to health maintenance organizations for reimbursement of health services provided
3 under the medical assistance program under subchapter IV of chapter 49 of the
4 statutes.”.

5 **1439.** Page 1338, line 20: after that line insert:

6 “(14d) ACCOUNTING METHOD USED FOR THE HEATH INSURANCE RISK-SHARING PLAN.
7 During the 2001–03 biennium, the department of health and family services shall
8 continue to use a cash–basis accounting method for purposes of establishing, under
9 section 149.143 of the statutes, as affected by this act, the premiums, assessments,
10 and rate adjustments for paying the costs of the health insurance risk–sharing plan,
11 unless the joint committee on finance, at a regularly scheduled meeting of the
12 committee under section 13.10 of the statutes, approves using an accrual accounting
13 method for those purposes.”.

14 **1440.** Page 1338, line 20: after that line insert:

15 “(14g) FEES FOR PATIENT HEALTH CARE RECORDS; RULES. The department of health
16 and family services shall submit in proposed form the rules required under section
17 146.83 (3m) of the statutes, as created by this act, to the legislative council staff
18 under section 227.15 (1) of the statutes no later than the first day of the 5th month
19 beginning after the effective date of this subsection.”.

20 **1441.** Page 1338, line 20: after that line insert:

21 “(15j) ASSISTIVE TECHNOLOGY AND ADAPTIVE EQUIPMENT.

22 (a) From the appropriation account under section 20.435 (6) (a) of the statutes,
23 the subunit in the department of health and family services that deals with physical
24 disabilities shall expend \$30,000 in each of state fiscal year 2001–02 and 2002–03

1 to administer funding for assistive technology and adaptive equipment for persons
2 with physical disabilities; develop statewide reporting mechanisms, contract
3 performance evaluation, and training; and work with vendors to obtain updated
4 assistive technology and adaptive equipment.

5 (b) From the appropriation account under section 20.435 (7) (bc) of the statutes,
6 the department of health and family services shall distribute \$60,000 in each of state
7 fiscal years 2001–02 and 2002–03 to the protection and advocacy agency designated
8 under section 51.62 (2) of the statutes to provide statewide systemic advocacy on
9 assistive technology issues, including assessing barriers to the provision of assistive
10 technology in school systems, human services programs, businesses, and public and
11 private insurance programs.

12 (c) From the appropriation account under section 20.435 (7) (bc) of the statutes,
13 the department of health and family services shall distribute \$30,000 in each of state
14 fiscal years 2001–02 and 2002–03 to the Easter Seals Society of Wisconsin, Inc., to
15 provide persons with disabilities in the agricultural industry with specialized
16 assistance regarding adaptations or modifications of agricultural equipment.

17 (d) From the appropriation account under section 20.435 (7) (bc) of the statutes,
18 the department of health and family services shall expend \$40,000 in each of state
19 fiscal years 2001–02 and 2002–03 to provide recycled medical equipment, including
20 wheelchairs, and equipment parts, maintenance, and distribution costs to persons
21 with disabilities.

22 (e) From the appropriation account under section 20.435 (7) (c) of the statutes,
23 the department of health and family services shall award grants of \$30,000 in each
24 of state fiscal years 2001–02 and 2002–03 to each of the eight independent living
25 centers for the severely disabled, to provide information, resources, and assessments

1 for the needs for assistive technology and adaptive equipment of persons with
2 disabilities who are residents of the independent living centers.”.

3 **1442.** Page 1338, line 20: after that line insert:

4 “(13e) HEALTH INSURANCE SUPPLEMENT FOR COMMUNITY DISABILITY SERVICE
5 PROVIDERS. From the appropriation under section 20.435 (4) (bu) of the statutes, as
6 created by this act, the department of health and family services shall in state fiscal
7 year 2001–02 distribute moneys to applying providers of services under home and
8 community–based waiver programs under 42 USC 1396n (c), including the
9 long–term support community options program under section 46.27 of the statutes
10 and the community integration programs under sections 46.275, 46.277, and 46.278
11 of the statutes, to offset costs of providing health insurance to employees of the
12 providers. Moneys distributed under this subsection to an applying provider are
13 limited to the amount the provider expends for employee health care insurance costs
14 or \$50,000, whichever is less.”.

15 **1443.** Page 1338, line 20: after that line insert:

16 “(13xx) TOPICAL FLUORIDE VARNISH. In state fiscal year 2002–03, from the
17 appropriation under section 20.435 (4) (b) of the statutes, as affected by this act, the
18 department of health and family services shall provide medical assistance coverage
19 under the early and periodic screening, diagnosis, and treatment program under 42
20 CFR 441 for topical fluoride varnish, for the purpose of preventing early childhood
21 caries in eligible children 0 to 60 months of age, when rendered by health care
22 professionals providing services under the program and acting within their scope of
23 practice and licensure. The department shall promulgate rules relating to coverage

1 of fluoride varnish treatments under the early and periodic screening, diagnosis and
2 treatment program that contain the following provisions:

3 (a) The department shall provide payment for up to 3 applications per year of
4 topical fluoride varnish per eligible child.

5 (b) Application of topical fluoride varnish may be, but is not required to be,
6 provided in conjunction with an early and periodic screening, diagnosis, and
7 treatment examination that includes a limited oral screening.

8 (c) Health care professionals providing services under this program shall refer
9 or facilitate referral of children receiving applications of topical fluoride varnish for
10 comprehensive dental care rendered by a dental professional.

11 (13xy) ORAL HEALTH DATA COLLECTION SYSTEM; PLAN. The department of health
12 and family services shall prepare a plan for development of a comprehensive oral
13 health data collection system. The plan shall identify data to be collected, sources
14 from which the data can be collected, costs of implementing the system, and any
15 statutory changes that are needed. The department shall submit its plan to the
16 legislature, in the manner provided under section 13.172 (2) of the statutes, and to
17 the governor by September 1, 2002.

18 (13xz) PRIOR AUTHORIZATION FOR DENTAL SERVICES; REPORT. The department of
19 health and family services shall prepare a report on its efforts to reduce the
20 requirement for prior authorization for dental services under medical assistance and
21 to simplify the prior authorization process for dental services. The department shall
22 submit its report to the legislature, in the manner provided under section 13.172 (2)
23 of the statutes, and to the governor by the first day of the 6th month beginning after
24 the effective date of this subsection.

1 (13xzz) ACCESS TO DENTAL SERVICES AND DENTAL HYGIENE SERVICES; REPORT. The
2 department of health and family services and the department of regulation and
3 licensing shall jointly prepare reports on whether the provisions of this act that
4 modify sections 447.06 and 447.065 of the statutes have improved access to dental
5 services and dental hygiene services. The departments shall submit the reports to
6 the legislature, in the manner provided under section 13.172 (2) of the statutes, and
7 to the governor by the first day of the 24th month and the first day of the 48th month
8 beginning after the effective date of this subsection.”.

9 **1444.** Page 1338, line 20: after that line insert:

10 “(16h) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY; ADMINISTRATION. Before July
11 1, 2002, the department of health and family services may develop and submit to the
12 department of administration a proposal for expenditure of the funds appropriated
13 under section 20.865 (4) (a) of the statutes for administration of the prescription drug
14 assistance for elderly program under section 49.688 of the statutes, as created by this
15 act. The department of administration may approve, disapprove, or modify and
16 approve any proposal it receives under this subsection. If the department of
17 administration approves the proposal, the department shall submit the proposal,
18 together with any modifications, to the cochairpersons of the joint committee on
19 finance. If the cochairpersons of the committee do not notify the secretaries of
20 administration and health and family services within 14 working days after
21 receiving the proposal that the cochairpersons have scheduled a meeting for the
22 purpose of reviewing the proposal, the secretary of administration may transfer from
23 the appropriation account under section 20.865 (4) (a) of the statutes to the
24 appropriation account under section 20.435 (4) (a) of the statutes the amount

1 specified in the proposal or any proposed modifications of the proposal for
2 expenditure as specified in the proposal or any proposed modifications of the
3 proposal and may approve any position authority specified in the proposal or any
4 proposed modifications of the proposal. If, within 14 working days after receiving the
5 proposal, the cochairpersons notify the secretaries of administration and health and
6 family services that the cochairpersons have scheduled a meeting for the purpose of
7 reviewing the proposal, the secretary of administration may not transfer any amount
8 specified in the proposal or any proposed modifications of the proposal from the
9 appropriation account under section 20.865 (4) (a) of the statutes and may not
10 approve any position authority specified in the proposal or any proposed
11 modifications of the proposal, except as approved by the committee.

12 (16j) NOTIFICATION OF ELIGIBILITY FOR THE HEALTH INSURANCE RISK-SHARING PLAN.
13 Before January 1, 2002, the department of health and family services shall provide,
14 to the extent permitted under federal law, to every resident of this state who is
15 covered by medicare because he or she is disabled under 42 USC 423 and who is not
16 covered under the health insurance risk-sharing plan under chapter 149 of the
17 statutes, notice by mail of all of the following:

18 (a) That he or she may be eligible for coverage under the health insurance
19 risk-sharing plan.

20 (b) How to apply for coverage under the health insurance risk-sharing plan.”.

21 **1445.** Page 1338, line 20: after that line insert:

22 “(13k) EXPANSION OF PROGRAM OF ALL-INCLUSIVE CARE OF THE ELDERLY. From the
23 appropriation under section 20.435 (7) (bc), the department of health and family
24 services shall provide \$60,000 for start-up costs to expand to Racine County the

1 program of all-inclusive care for persons aged 65 or older authorized under 42 USC
2 1395 to 1395gg.”.

3 **1446.** Page 1338, line 22: after that line insert:

4 “(1z) REPORT ON STUDENT LOAN FORGIVENESS TO ATTRACT WORKERS. By January
5 1, 2002, the higher educational aids board shall study and report to the legislature
6 and to the appropriate standing committees of the legislature, in the manner
7 provided under section 13.172 (2) and (3) of the statutes, and to the governor on the
8 cost, desirability, and effectiveness of creating a general program of student loan
9 forgiveness for attracting workers to and retaining workers in this state. The report
10 shall include legislative recommendations.”.

11 **1447.** Page 1338, line 22: after that line insert:

12 “(1x) REPORT ON LOAN FORGIVENESS PROGRAM. The higher educational aids board
13 shall develop a program to forgive loans of students who graduate from the
14 University of Wisconsin System or from the technical college system and farm for a
15 period of 5 consecutive years. The board shall submit a report summarizing the
16 program to the governor, and to the legislature in the manner provided under section
17 13.172 (2) of the statutes, by March 1, 2002.”.

18 **1448.** Page 1338, line 24: delete “(1)mk)” and substitute “(1mk)”.

19 **1449.** Page 1339, line 3: after that line insert:

20 “(2x) CITY COMMEMORATIVE PROJECT. By June 30, 2002, the historical society
21 shall award a grant in the amount of \$30,000 from the appropriation under section
22 20.245 (1) (d) of the statutes, as created by this act, to the Greater Green Bay Area
23 Foundation for the city stadium commemorative project in Green Bay.”.

24 **1450.** Page 1343, line 11: after that line insert:

1 “(4q) RESTRICTION ON EXPENDITURES FOR LEGAL AND CONSULTING FEES FOR
2 REDISTRICTING.

3 (a) Notwithstanding section 20.001 (3) (d) of the statutes, of the amounts
4 appropriated to the assembly under section 20.765 (1) (a) of the statutes in the
5 2001–03 fiscal biennium, no more than \$350,000 may be expended for legal and
6 consulting services, other than for those performed by employees of the Wisconsin
7 legislature in the performance of their regular job responsibilities, to assist the
8 legislature, its committees, and its members in the redistricting of congressional and
9 legislative districts. The limit may be exceeded by an amount approved by all of the
10 members of the committee on assembly organization.

11 (b) Notwithstanding section 20.001 (3) (d) of the statutes, of the amounts
12 appropriated to the senate under section 20.765 (1) (b) of the statutes in the 2001–03
13 fiscal biennium, no more than \$350,000 may be expended for legal and consulting
14 services, other than for those performed by employees of the Wisconsin legislature
15 in the performance of their regular job responsibilities, to assist the legislature, its
16 committees, and its members in the redistricting of congressional and legislative
17 districts. The limit may be exceeded by an amount approved by all of the members
18 of the committee on senate organization.”.

19 **1451.** Page 1343, line 11: after that line insert:

20 “(4z) STUDY ON NEW ECONOMY. The joint legislative council is requested to
21 conduct a study on how the state government, the state’s research universities, and
22 the state’s business community can foster economic development in this state by
23 assisting and developing businesses and industries that are based on science and
24 technology. If the joint legislative council conducts the study, the joint legislative

1 council shall report its findings, conclusions, and recommendations to the legislature
2 in the manner provided under section 13.172 (2) of the statutes by January 1, 2002,
3 and shall include in its report recommendations relating to all of the following:

4 (a) Ways to increase the number and percentage of jobs in this state in
5 businesses and industries that are based on science and technology.

6 (b) Ways to increase the average earnings of employees employed in this state
7 in businesses and industries that are based on science and technology.

8 (c) Ways to increase the amount of venture capital invested in this state and
9 the amount spent on research and development in this state.

10 (d) Ways to increase the number of homes in this state that have computers and
11 access to the Internet.

12 (e) A strategy to bring the best and brightest researchers to this state.”.

13 **1452.** Page 1343, line 11: after that line insert:

14 “(4b) JURY SELECTION STUDY AND REPORT. The joint legislative council is
15 requested to study how juries are selected, including what actions are needed to
16 increase the participation of racial and ethnic minorities on juries so that juries
17 reflect the racial and ethnic composition of the areas from which the juries were
18 selected. If the joint legislative council conducts the study, it shall report its findings
19 and recommendations to the legislature in the manner provided under section
20 13.172 (2) of the statutes.”.

21 **1453.** Page 1343, line 24: after that line insert:

22 “(1k) RECYCLING EFFICIENCY PLANNING GRANTS.

23 (a) The department of natural resources shall establish and administer a
24 recycling efficiency planning grant program to obtain information to use in

1 implementing the recycling efficiency planning grant program under section
2 287.235 of the statutes, as created by this act, and to assist municipalities that are
3 responsible units in preparing to use recycling efficiency planning grants. The
4 department may award grants under this subsection only in fiscal year 2001–02.
5 The department may award grants under this subsection only to cities, villages, and
6 towns that are responsible units, as defined in section 287.01 (9) of the statutes. The
7 department shall award \$2,000,000 in grants under this subsection to municipalities
8 with populations of 50,000 or more and \$1,000,000 to municipalities with
9 populations of less than 50,000.

10 (b) A recipient of a grant under this subsection shall report information to the
11 department of natural resources concerning policies and activities that, if
12 implemented, would make its recycling program more efficient and effective,
13 including activities to provide coordinated program delivery as required under
14 section 287.235 (1) (b) of the statutes, as created by this act, and concerning any
15 barriers to implementation of these policies and procedures.

16 (c) The department of natural resources may promulgate rules for the program
17 under this subsection using the procedure under section 227.24 of the statutes.
18 Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the rules may remain
19 in effect until June 30, 2003. Notwithstanding section 227.24 (1) (a) and (3) of the
20 statutes, the department is not required to provide evidence that promulgating a rule
21 under this paragraph as an emergency rule is necessary for the preservation of public
22 peace, health, safety, or welfare and is not required to provide a finding of emergency
23 for a rule promulgated under this paragraph.

24 (1km) RECYCLING POSITION AUTHORIZATION. The authorized FTE positions for the
25 department of natural resources are increased by 1.0 SEG position to be funded from

1 the appropriation under section 20.370 (2) (hq) of the statutes, for recycling program
2 administration.”.

3 **1454.** Page 1344, line 8: delete lines 8 to 13.

4 **1455.** Page 1344, line 13: after that line insert:

5 “(2g) NONPOINT SOURCE POSITIONS. The authorized FTE positions for the
6 department of natural resources are increased by 5.5 SEG positions, funded by the
7 appropriation under section 20.370 (3) (mt) of the statutes, to reflect the transfer of
8 funding for nonpoint source water pollution control to the environmental fund.

9 (2h) NONPOINT SOURCE ADMINISTRATION. The authorized FTE positions for the
10 department of natural resources are increased by 8.0 SEG positions, funded by the
11 appropriation under section 20.370 (4) (mr) of the statutes, to reflect the transfer of
12 funding for nonpoint source water pollution control to the environmental fund.”.

13 **1456.** Page 1344, line 14: delete lines 14 to 19.

14 **1457.** Page 1344, line 19: after that line insert:

15 “(4p) SPARTA OVERPASS. During the 2001–03 fiscal biennium, the department
16 of natural resources shall provide \$124,000 from the appropriation under section
17 20.370 (5) (cz) of the statutes, as created by this act, to the city of Sparta in Monroe
18 County for construction of the snowmobile–bicycle–pedestrian overpass over I 90
19 specified in SECTION 9152 (4k) of this act.”.

20 **1458.** Page 1346, line 17: delete “\$50,000 in fiscal year 2001–02 and \$50,000”
21 and substitute “\$150,000 in fiscal year 2001–02 and \$150,000”.

22 **1459.** Page 1348, line 6: after that line insert:

23 “(8d) MANITOWOC RIVER PROJECT. From the appropriation under section 20.370
24 (5) (cq) of the statutes, as affected by this act, and before applying the percentages

1 under section 30.92 (4) (b) 6. of the statutes, the department of natural resources in
2 fiscal year 2001–02 shall provide \$340,000 to the city of Manitowoc to dredge the
3 Manitowoc River in the area where the submarine U.S.S. Cobia is moored and to
4 make dock wall repairs and improvements to that mooring area. The city of
5 Manitowoc need not contribute any moneys to match the amount provided from the
6 appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act.
7 Notwithstanding section 30.92 (4) (b) 7. or 8. a. of the statutes, as affected by this act,
8 the dredging project specified under this subsection qualifies as a recreational
9 boating project for the purpose of providing moneys under this subsection. This
10 project need not be placed on the priority list under section 30.92 (3) (a) of the
11 statutes. This subsection does not apply after June 30, 2002.”.

12 **1460.** Page 1348, line 6: after that line insert:

13 “(8c) JANESVILLE RIVERFRONT PARKWAY DEVELOPMENT PROJECT. From the
14 appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the
15 department of natural resources shall provide \$250,000 to the city of Janesville for
16 a project to develop a riverfront parkway that includes the development of a marina
17 with a boat launch and transient boat slips. The amount expended under this
18 subsection shall be considered an expenditure for an inland water project under
19 section 30.92 (4) (b) 6. of the statutes. The city of Janesville need not contribute any
20 moneys to match the amount provided from the appropriation under section 20.370
21 (5) (cq) of the statutes, as affected by this act. Notwithstanding section 30.92 (4) (b)
22 4., 7., or 8. of the statutes, as affected by this act, the project specified under this
23 subsection qualifies as a recreational boating project for the purpose of providing
24 moneys under this subsection. This project need not be placed on the priority list

1 under section 30.92 (3) (a) of the statutes. This subsection does not apply after June
2 30, 2003.”.

3 **1461.** Page 1348, line 6: after that line insert:

4 “(8m) PERROT STATE PARK BRIDGE STUDY. The department of natural resources
5 shall study the feasibility and desirability of constructing a bridge at Perrot State
6 Park in the town of Trempealeau that would provide safe access by park users to
7 Trempealeau Mountain. No later than June 30, 2002, the department shall submit
8 a report to the legislature concerning the results of the study in the manner provided
9 under section 13.172 (2) of the statutes.”.

10 **1462.** Page 1348, line 6: after that line insert:

11 “(8x) KEYES LAKE RECREATIONAL AREA. From the appropriation under section
12 20.370 (5) (as) of the statutes, the department of natural resources shall provide to
13 Florence County \$50,000 in fiscal year 2001–02 to complete the recreational area on
14 Keyes Lake in Florence County.”.

15 **1463.** Page 1348, line 6: after that line insert:

16 “(8k) MENOMINEE RIVER BOAT LAUNCH IMPROVEMENTS. From the appropriation
17 under section 20.370 (5) (cq) of the statutes, as affected by this act, and before
18 applying the percentages under section 30.92 (4) (b) 6. of the statutes, the
19 department of natural resources shall provide to the city of Marinette the amount
20 necessary for improvements to boat launching facilities, including parking lots, that
21 provide access to the Menominee River, in an amount not to exceed \$242,600. This
22 project need not be placed on the priority list under section 30.92 (3) (a) of the
23 statutes. This subsection does not apply after June 30, 2003.”.

1 **1464.** Page 1348, line 10: delete lines 10 to 12 and substitute “consultation
2 with private community–based organizations that have experience identifying and
3 serving the rehabilitation needs of offenders and reintegrating offenders into the
4 community, the director of state courts, and the Wisconsin District Attorneys
5 Association, shall develop alternative charging and sentencing options for
6 misdemeanor crimes and for felony crimes that are punishable by a maximum
7 bifurcated sentence of 5 years imprisonment in order to divert offenders from
8 imprisonment.”.

9 **1465.** Page 1348, line 15: after “property” insert “and nonviolent crimes
10 related to controlled substances”.

11 **1466.** Page 1349, line 11: delete the material beginning with that line and
12 ending with page 1350, line 10.

13 **1467.** Page 1350, line 14: after that line insert:

14 “(6w) AFTER–SCHOOL CARE GRANTS PROGRAM.

15 (j) A school board may apply to the state superintendent of public instruction
16 for a grant to fund an after–school care program for pupils who are eligible to receive
17 temporary assistance for needy families under 42 USC 601 to 619 and who would
18 otherwise be unsupervised by an adult in the afternoon after school.

19 (k) The state superintendent of public instruction shall award grants from the
20 appropriation under section 20.255 (2) (kn) of the statutes, as created by this act, and
21 shall ensure, to the extent feasible, that the grants are evenly distributed among
22 rural, suburban, and urban school districts.”.

23 **1468.** Page 1350, line 14: after that line insert:

1 “(7x) POSITION INCREASE. The authorized FTE positions for the department of
2 public instruction are increased by 1.0 PR position, to be funded from the
3 appropriation under section 20.255 (1) (ke) of the statutes.”.

4 **1469.** Page 1350, line 16: after that line insert:

5 “(1p) PROJECT POSITION. Notwithstanding section 230.27 (1) of the statutes, 1.0
6 FTE project position that is authorized for the board of commissioners to perform
7 duties related to submerged log activities and that terminates in September 2001 is
8 extended to September 30, 2002, and the authorized FTE positions for the board of
9 commissioners are increased by 1.0 PR project position until September 30, 2002, for
10 the purpose of performing duties relating to submerged log activities.”.

11 **1470.** Page 1350, line 16: after that line insert:

12 “(1mk) PAYMENT TO THE DEPARTMENT OF ADMINISTRATION. No later than June 30,
13 2002, the board of commissioners of public lands shall remit to the department of
14 administration from the appropriation under section 20.507 (1) (h) of the statutes an
15 amount equal to \$179,000 to reimburse the department of administration for the
16 costs of administrative services provided to the board during the 1999–2001 fiscal
17 biennium.”.

18 **1471.** Page 1352, line 7: after that line insert:

19 “(3mk) WISCONSIN ADVANCED TELECOMMUNICATIONS FOUNDATION ASSESSMENTS.

20 (a) In this subsection:

21 1. “Commission” means the public service commission.

22 2. “Endowment fund” means the fund established by the foundation under
23 section 14.28 (2) (g), 1999 stats.

1 3. “Foundation” means the Wisconsin Advanced Telecommunications
2 Foundation.

3 4. “Telecommunications provider” has the meaning given in section 196.01 (8p)
4 of the statutes.

5 (b) No later than the first day of the 2nd month beginning after the effective
6 date of this paragraph, the commission shall do each of the following:

7 1. Determine the total amount that the foundation solicited from each
8 telecommunications provider for contribution to the endowment fund and the total
9 amount that each telecommunications provider contributed to the endowment fund.

10 2. Assess against each telecommunications provider the difference, if any,
11 between the amount solicited by the foundation and the amount contributed by the
12 telecommunications provider, as determined under subdivision 1.

13 (c) A telecommunications provider shall pay an assessment made by the
14 commission under paragraph (b) within 30 days after the commission mails the bill
15 to the telecommunications provider. The bill constitutes notice of the assessment
16 and demand for payment. Disputes over failure to pay the assessment shall be
17 governed by section 196.85 (3) to (8), 1999 stats., except that any reference to a public
18 utility shall refer instead to a telecommunications provider, and any reference to a
19 bill rendered under section 196.85 (1) of the statutes, 1999 stats., shall refer instead
20 to a bill rendered under this paragraph.

21 (d) A telecommunications provider may establish a surcharge on customers’
22 bills to collect the amount of an assessment paid under paragraph (c), but only if the
23 bills indicate that the surcharge is being assessed due to the telecommunications
24 provider’s failure to meet its responsibility to make contributions to the Wisconsin
25 Advanced Telecommunications Fund.”.

1 **1472.** Page 1352, line 18: after that line insert:

2 “(4f) CEMETERY REGULATION.

3 (a) *Definition.* In this subsection:

4 1. “Board” means the cemetery board.

5 2. “Cemetery association” has the meaning given in section 157.061 (1r) of the
6 statutes.

7 (b) *Filing requirement.* A cemetery association that was not required to be
8 registered under section 440.91 (1), 1999 stats., and that is not organized or
9 conducted for pecuniary profit shall, no later than the first day of the 6th month
10 beginning after the effective date of this paragraph, file with the department of
11 financial institutions any copies of certifications, resolutions, or proceedings that the
12 cemetery association delivered to the office of the register of deeds of the county in
13 which the cemetery is located under section 157.062 (9), 1999 stats.

14 (c) *Initial appointments to cemetery board.*

15 1. Notwithstanding section 15.405 (3m) (b) 1. and (c) of the statutes, as created
16 by this act, the initial cemetery authority business representative members of the
17 board need not be business representatives of a cemetery authority that is licensed
18 under section 440.91 (1) of the statutes, as affected by this act, to be appointed to and
19 serve as members of the board until the first day of the 13th month beginning after
20 the effective date of this subdivision.

21 2. Notwithstanding section 15.07 (1) (cm) of the statutes, as affected by this act,
22 and section 15.405 (3m) (b) 1. of the statutes, as created by this act, the initial
23 members of the board shall be appointed by the first day of the 4th month beginning
24 after the effective date of this subdivision for the following terms:

1 a. Two cemetery authority business representative members and one public
2 member, for terms expiring on May 1, 2003.

3 b. One cemetery authority business representative member and one public
4 member, for terms expiring on May 1, 2004.

5 c. One cemetery authority business representative member and the
6 representative of the department of justice, for terms expiring on May 1, 2005.

7 (d) *Preneed seller licenses*. Notwithstanding section 440.92 (1) (a) and (b)
8 (intro.) of the statutes, as affected by this act, the department of regulation and
9 licensing shall issue a certificate of licensure as a cemetery preneed seller to any
10 person who, on the effective date of this paragraph, holds a valid certificate of
11 registration as a cemetery preneed seller.”.

12 **1473.** Page 1352, line 20: delete lines 20 to 25.

13 **1474.** Page 1353, line 1: before that line insert:

14 “(2c) PENALTY FOR CONVERTING AGRICULTURAL LAND. Notwithstanding section
15 70.32 (2s) (c) of the statutes, as created by this act, and section 74.48 of the statutes,
16 land assessed as agricultural land for the property tax assessments as of January 1,
17 2001, that may no longer be assessed as agricultural land for the property tax
18 assessments as of January 1, 2002, because the land is not used as a farm, as defined
19 under section 70.32 (2s) (a) 2. of the statutes, is not subject to the penalty under
20 section 74.48 of the statutes with regard to the property tax assessments as of
21 January 1, 2001, and January 1, 2002.”.

22 **1475.** Page 1353, line 3: after “payments” insert “for counties”.

23 **1476.** Page 1353, line 6: delete “municipalities and”.

24 **1477.** Page 1353, line 12: after “2002” insert “county”.

1 **1478.** Page 1353, line 13: after “revenue” insert “payments”.

2 **1479.** Page 1353, line 19: delete “shared revenue” and substitute “county
3 shared revenue payments”.

4 **1480.** Page 1354, line 8: after that line insert:

5 “(4k) LOTTERY ADVERTISING. Of the amounts appropriated to the department of
6 revenue under section 20.566 (8) (q) of the statutes, as affected by this act, the
7 department may not expend more than \$4,358,000 in each fiscal year for advertising
8 of the state lottery.”.

9 **1481.** Page 1354, line 8: after that line insert:

10 “(4z) REPORT ON TAX INCENTIVES. The department of revenue, in cooperation
11 with the department of workforce development, shall by January 1, 2002, study and
12 report on existing incentives in the income tax code in the form of credits and
13 deductions available to employers for providing training to employees, for offering
14 transportation and child care benefits to employees, for locating places of
15 employment in areas of high unemployment and for employing ex-felons, recipients
16 of public assistance, and minorities. The report shall include an analysis of the costs
17 and effects of such credits and deductions, an analysis of such benefits offered by
18 other states, and recommendations for improvements to the state’s tax laws designed
19 to help attract, develop, and retain a highly skilled, highly trained workforce while
20 maintaining a sound, stable tax base. In developing recommendations, the
21 department of revenue shall consult with groups representing the interests of
22 employers, employees, taxpayers, and any other groups that the department of
23 revenue considers appropriate. The report shall be submitted to the appropriate

1 standing committees of the legislature, the joint committee on finance, and the
2 governor.”.

3 **1482.** Page 1354, line 22: after that line insert:

4 “(1c) PRISON IMPACT ASSESSMENTS. The authorized FTE positions for the director
5 of state courts are increased by 1.5 PR project positions for fiscal year 2001–02 and
6 by 0.5 PR position to be funded from the appropriation under section 20.680 (2) (j)
7 of the statutes, for the purpose of providing prison impact assessments for bills.”.

8 **1483.** Page 1354, line 22: after that line insert:

9 “(1n) COURT INTERPRETER PROGRAM. The authorized FTE positions for the
10 supreme court are increased by 1.0 GPR project position, for a 2–year period
11 beginning on the first day of the 2nd month beginning after publication, to be funded
12 from the appropriation under section 20.680 (2) (a) of the statutes, for the purpose
13 of developing and administering a court interpreter testing and training program.”.

14 **1484.** Page 1355, line 4: after that line insert:

15 “(1xx) COMMUNITY DENTAL HEALTH EDUCATION; REPORT. The technical college
16 system board shall prepare a report on the feasibility and cost of increasing the
17 number of sites in the technical college system that offer community dental health
18 education for dentists and dental hygienists. The board shall submit its report to the
19 legislature, in the manner provided under section 13.172 (2) of the statutes, and to
20 the governor by the first day of the 6th month beginning after the effective date of
21 this subsection.”.

22 **1485.** Page 1355, line 14: after that line insert:

1 “(4x) POSITION DECREASE. The authorized FTE positions for the technology for
2 educational achievement in Wisconsin, funded from the appropriation under section
3 20.275 (1) (g) of the statutes, are decreased by 1.0 PR position.”.

4 **1486.** Page 1356, line 13: after that line insert:

5 “(2c) ALLOCATION OF EXPENDITURE REDUCTIONS. Within 30 days of the final credits
6 by the department of employee trust funds to appropriations of the department of
7 transportation to implement 1999 Wisconsin Act 11, section 27 (1) (b) 1., for the
8 payment of contributions under the Wisconsin retirement system, the department
9 of transportation shall submit a plan to the joint committee on finance for allocating
10 reductions of \$3,530,800 in fiscal year 2001–02 among program revenue, program
11 revenue–service, segregated fund revenue, and segregated fund revenue–service
12 appropriations, as defined in section 20.001 (2) (b), (c), (d), and (da) of the statutes,
13 less any amount lapsed in fiscal year 2000–01 as a result of any credits by the
14 department of employee trust funds to the department of transportation’s
15 appropriations to implement such act. The plan shall require that the amount of any
16 proposed reductions from program revenue, program revenue–service, or segregated
17 fund revenue–service appropriations lapse to the transportation fund. If the
18 cochairpersons of the committee do not notify the department of transportation that
19 the committee has scheduled a meeting for the purpose of reviewing the proposed
20 plan within 14 working days after the date of the submittal, the department of
21 transportation may implement the plan. If, within 14 days after the date of the
22 submittal, the cochairpersons of the committee notify the department of
23 transportation that the committee has scheduled a meeting for the purpose of

1 reviewing the proposed plan, the department of transportation may not implement
2 the plan until it is approved by the committee, as submitted or as modified.”.

3 **1487.** Page 1357, line 6: after that line insert:

4 “(3b) LONG-RANGE SURFACE TRANSPORTATION INVESTMENT PLANNING COMMITTEE.

5 (a) There is created a long-range surface transportation investment planning
6 committee consisting of the governor, or a representative of the governor, and 14
7 members nominated by the speaker of the assembly and the majority leader of the
8 senate, acting jointly, and appointed by the governor. Members shall be nominated
9 and appointed within 20 days after the effective date of this paragraph and shall
10 include:

- 11 1. A representative of the senate.
- 12 2. A representative of the assembly.
- 13 3. A representative of the Wisconsin Alliance of Cities.
- 14 4. A representative of the League of Wisconsin Municipalities.
- 15 5. A representative of the Wisconsin Towns Association.
- 16 6. A representative of the Wisconsin Counties Association.
- 17 7. A representative of the Wisconsin Transportation Builders Association.
- 18 8. A representative of the Wisconsin Urban and Rural Transit Association.
- 19 9. A representative of the Citizens for a Better Environment.
- 20 10. A representative of the American Automobile Association of Wisconsin.
- 21 11. A representative of the Wisconsin Council of the Blind.
- 22 12. A representative of the Wisconsin Association of Railroad Passengers.
- 23 13. A representative of a community proposing a commuter rail initiative.
- 24 14. A representative of the Bicycle Federation of Wisconsin.

1 (b) The committee shall have the following duties: to gather information
2 relating to state and local needs for surface transportation programs, including state
3 highways, transit, local roads, passenger rail including commuter rail, and bicycle
4 and pedestrian transportation; to involve the participation of relevant groups,
5 including those with interests in all relevant transportation modes, local and state
6 government, the environment, transportation program users, persons with
7 disabilities, and private businesses; to assess potential future long-range funding
8 needs for surface transportation programs up to a 20-year planning horizon or 2020;
9 to develop a recommended multiprogram state surface transportation investment
10 plan, including funding; and to prepare a report containing the committee's
11 evaluation, findings, and recommendations. Not later than October 15, 2002, the
12 committee shall submit the report to the governor and to the legislature in the
13 manner provided under section 13.172 (2) of the statutes.

14 (c) The committee shall hold its first meeting no later than 28 days after the
15 effective date of this paragraph and shall select a chairperson at that meeting. The
16 department of transportation and the legislative fiscal bureau shall provide staff
17 assistance to the committee.”.

18 **1488.** Page 1357, line 14: after that line insert:

19 “(3e) IMPROVEMENTS TO USH 51 IN CITY OF MADISON. Notwithstanding section
20 85.07 of the statutes, during the 2001–03 fiscal biennium, the department of
21 transportation shall expend funds not to exceed \$300,000 from federal funds
22 available under 23 USC 152 for a highway improvement project on USH 51 at the
23 intersection of Rieder Road in the city of Madison in Dane County, if the project is
24 consistent with the requirements of 23 USC 152 and regulations promulgated under

1 23 USC 152. The project shall include reconstruction of the southbound lanes of USH
2 51 at Rieder Road to incorporate a divided deceleration and turn lane on USH 51 for
3 southbound traffic turning east onto Rieder Road from USH 51 and a divided
4 acceleration lane on USH 51 for traffic traveling west on Rieder Road turning south
5 onto USH 51. The project shall also include installation of any traffic control signals
6 necessary to allow traffic traveling west on Rieder Road to turn onto southbound
7 USH 51 without requiring southbound traffic on USH 51 to stop.”.

8 **1489.** Page 1357, line 14: after that line insert:

9 “(3h) HANSON ROAD BRIDGE IN BURKE. Not later than December 31, 2003, the
10 department of transportation shall construct the Hanson Road bridge project in the
11 town of Burke in Dane County and shall reconfigure Portage Road in the town of
12 Burke to accommodate such construction.”.

13 **1490.** Page 1357, line 22: delete “2002” and substitute “2003”.

14 **1491.** Page 1358, line 2: delete the material beginning with “Within” and
15 ending with “subsection.” on line 6.

16 **1492.** Page 1358, line 6: after that line insert:

17 “(4b) GRANTS TO BROWN COUNTY AND MUNICIPALITIES. From the appropriation
18 under section 20.395 (1) (gs) of the statutes, as created by this act, the department
19 of transportation shall award grants totaling \$410,000 in January 2003 to Brown
20 County, the city of Green Bay, and the village of Ashwaubenon to be used to pay costs
21 associated with the CTH “VK”/Lombardi Avenue project in the city of Green Bay in
22 Brown County. Grant proceeds under this subsection shall be distributed in
23 proportion to the percentage of the costs of the project to be borne by each local
24 governmental unit.”.

1 **1493.** Page 1358, line 16: after that line insert:

2 “(4k) SPARTA OVERPASS. In the 2001–03 fiscal biennium, from the appropriation
3 under section 20.395 (2) (nx) of the statutes, the department of transportation shall
4 award a grant of \$496,000 to the city of Sparta in Monroe County for construction
5 of a snowmobile–bicycle–pedestrian overpass over I 90 in the city of Sparta. The
6 overpass shall be at least 14 feet in width and shall be located to provide convenient
7 and safe access to the Elroy–Sparta State Trail, the La Crosse River State Trail, and
8 nearby snowmobile trails.”.

9 **1494.** Page 1358, line 16: after that line insert:

10 “(4e) CAPITOL COURT PROJECT. Of the amounts appropriated to the department
11 of transportation under section 20.395 (3) (cq) of the statutes, as affected by this act,
12 on the effective date of this subsection, the department shall allocate \$250,000 for
13 preliminary engineering for and construction, reconstruction, or improvement of
14 highways, transportation facilities, or other functionally related or auxiliary
15 facilities or structures associated with the Capitol Court project on West Capitol
16 Drive in the city of Milwaukee and for associated economic development.
17 Notwithstanding section 20.001 (3) (c) of the statutes, if the department has not
18 expended or encumbered any funds for the project on or before June 30, 2003, the
19 funds allocated under this subsection shall lapse from the appropriation account
20 under section 20.395 (3) (cq) of the statutes, as affected by this act, to the
21 transportation fund.”.

22 **1495.** Page 1359, line 7: after that line insert:

23 “(4y) CONSTRUCTION OF 80TH STREET IN KENOSHA COUNTY. Notwithstanding
24 limitations on the amount and use of aids provided under section 86.31 of the

1 statutes, as affected by this act, or on eligibility requirements for receiving aids
2 under section 86.31 of the statutes, as affected by this act, the department of
3 transportation shall award a grant of \$637,000 in the 2001–03 fiscal biennium to the
4 village of Pleasant Prairie in Kenosha County for the construction of 80th Street
5 between Cooper Road and 57th Avenue in the village of Pleasant Prairie. Payment
6 of the grant under this subsection shall be made from the appropriation under
7 section 20.395 (2) (fr) of the statutes, as affected by this act, before making any other
8 allocation of funds under section 86.31 (3) (b) of the statutes, and is in addition to the
9 village of Pleasant Prairie’s entitlement, as defined in section 86.31 (1) (ar) of the
10 statutes, to aids under section 86.31 of the statutes, as affected by this act.

11 (4z) IMPROVEMENT OF 85TH STREET IN KENOSHA COUNTY. Notwithstanding
12 limitations on the amount and use of aids provided under section 86.31 of the
13 statutes, as affected by this act, or on eligibility requirements for receiving aids
14 under section 86.31 of the statutes, as affected by this act, the department of
15 transportation shall award a grant of \$609,000 in the 2001–03 fiscal biennium to the
16 village of Pleasant Prairie in Kenosha County for improvements to 85th Street in the
17 village of Pleasant Prairie. Payment of the grant under this subsection shall be made
18 from the appropriation under section 20.395 (2) (fr) of the statutes, as affected by this
19 act, before making any other allocation of funds under section 86.31 (3) (b) of the
20 statutes, and is in addition to the village of Pleasant Prairie’s entitlement, as defined
21 in section 86.31 (1) (ar) of the statutes, to aids under section 86.31 of the statutes, as
22 affected by this act.”.

23 **1496.** Page 1359, line 15: after that line insert:

1 “(5c) HIGHWAYS DESIGNATED FOR USE BY OVERSIZE VEHICLES. Notwithstanding
2 section 348.07 (4) of the statutes, the secretary of transportation shall designate the
3 following highways to which sections 348.07 (2) (f), (fm), (gm), and (gr) and 348.08
4 (1) (e) and (h) of the statutes apply: STH 107 from CTH “A” in Marathon County to
5 STH 64 in Lincoln County, CTH “A” from STH 97 to CTH “K” in Marathon County,
6 CTH “K” from Wausau in Marathon County to Merrill in Lincoln County, CTH “Q”
7 from CTH “K” to USH 51 in Lincoln County, CTH “U” from STH 107 to USH 51 in
8 Marathon County, and STH 97 from STH 29 in Marathon County to STH 64 in Taylor
9 County. This subsection does not apply after June 30, 2003, or, if the secretary makes
10 a determination before June 30, 2003, whether to designate the highways specified
11 under this subsection under section Trans 276.07, Wisconsin Administrative Code,
12 on the day after such determination.”.

13 **1497.** Page 1359, line 15: after that line insert:

14 “(5e) ASHLAND RAILROAD DEPOT. From the appropriations under section 20.395
15 (2) (nx) of the statutes, the department of transportation shall award a grant under
16 section 85.026 (2) of the statutes of \$1,000,000 in fiscal year 2002–03 to the city of
17 Ashland to be used to restore the historic Ashland railroad depot, if a person, other
18 than the state, contributes funds for the restoration that at least equal 20% of the
19 costs of the restoration.”.

20 **1498.** Page 1359, line 15: after that line insert:

21 “(5g) RAILROAD CROSSING IMPROVEMENTS IN LADYSMITH. (a) The department of
22 transportation shall allocate \$270,000 in the 2001–03 fiscal biennium from the
23 appropriations under section 20.395 (2) (gr) and (gx) of the statutes, as affected by
24 this act, for the installation of safety measures at 2 railroad crossings in the city of

1 Ladysmith in Rusk County to bring the railroad crossings into compliance with
2 provisions of a proposed rule of the federal railroad administration relating to
3 locomotive quiet zones.

4 (b) The department of transportation shall allocate \$480,000 in the 2001–03
5 fiscal biennium from the appropriations under section 20.395 (2) (gr) and (gx) of the
6 statutes, as affected by this act, for the construction of an underpass under the
7 railroad tracks on Phillips Street for the purpose of providing emergency vehicle
8 access to the entire city of Ladysmith.”.

9 **1499.** Page 1362, line 11: after that line insert:

10 “(6bg) STH 100 RECONSTRUCTION. Not later than June 30, 2003, the department
11 of transportation shall begin reconstruction of that portion of STH 100 between STH
12 32 and STH 38 in Milwaukee County.”.

13 **1500.** Page 1362, line 21: after that line insert:

14 “(6pp) SIGNS IN WALWORTH COUNTY. Not later than June 30, 2003, the
15 department of transportation shall erect signs along I 43 approaching the city of
16 Delavan in Walworth County identifying the downtown area of the city of Delavan
17 as a “Historic Downtown” and providing directional information to the “Historic
18 Downtown.””.

19 **1501.** Page 1362, line 21: after that line insert:

20 “(6x) TRAFFIC CONTROL SIGNALS IN OAK CREEK. No later than June 30, 2003, the
21 department of transportation shall install traffic control signals at the intersection
22 of STH 38 and Oakwood Road in the city of Oak Creek in Milwaukee County.”.

23 **1502.** Page 1362, line 21: after that line insert:

1 “(6q) SIGNS IN MARATHON COUNTY. Not later than June 30, 2003, the department
2 of transportation shall erect 2 signs, one for each direction of travel, along STH 29
3 in Marathon County, and 2 signs, one for each direction of travel, along STH 107 in
4 Marathon County. Each sign shall identify and provide directional information to
5 the area that is commonly known as “Little Chicago” and shall be erected near the
6 highway exit providing the most direct route from the highway to the area that is
7 commonly known as “Little Chicago.””.

8 **1503.** Page 1363, line 7: after that line insert:

9 “(7x) NOISE ATTENUATION BARRIER IN MILWAUKEE COUNTY; I 94 AT COLLEGE AVENUE.
10 The department of transportation shall install a noise attenuation barrier along the
11 east side of I 94 at the interchange ramp providing access for northbound traffic to
12 I 94 from College Avenue, in Milwaukee County. The department shall allocate
13 sufficient moneys during the 2001–03 fiscal biennium from the appropriations under
14 section 20.395 (3) (cq), (cv), and (cx) of the statutes, as affected by this act, to pay for
15 the installation required under this subsection.”.

16 **1504.** Page 1363, line 7: after that line insert:

17 “(7y) NOISE ATTENUATION BARRIER IN MILWAUKEE COUNTY; I 94 AT GRANGE AVENUE.
18 The department of transportation shall install a noise attenuation barrier along the
19 west side of I 94 from the intersection of I 94 and Grange Avenue and extending to
20 the south, in Milwaukee County. The department shall expend funds not to exceed
21 \$200,000 from the appropriation under section 20.395 (3) (cq), (cv), and (cx) of the
22 statutes, as affected by this act, for the installation required under this subsection.”.

23 **1505.** Page 1364, line 16: after that line insert:

1 “(3g) MATHEMATICS POSITION. The board of regents of the University of
2 Wisconsin System shall ensure that at least one of the FTE positions authorized in
3 the 2001–02 fiscal year by this act shall be filled by a faculty or staff member in the
4 mathematics department of the University of Wisconsin–Madison.”.

5 **1506.** Page 1364, line 16: after that line insert:

6 “(3c) POSITION AUTHORIZATIONS.

7 (a) In this subsection:

8 1. “Board” means the board of regents of the University of Wisconsin System.

9 2. “Limited term appointment” means an appointment under section 230.26 (1)
10 of the statutes.

11 (b) Notwithstanding section 16.505 (1) of the statutes, as affected by this act,
12 before July 1, 2003, the board may create up to 100 authorized FTE positions in the
13 classified service of the state civil service system at the University of
14 Wisconsin–Madison in positions that are frequently filled by limited term
15 appointments, as determined by the board in consultation with the department of
16 employment relations. The authorized FTE positions may be GPR positions, PR
17 positions, or SEG positions, or any combination thereof.

18 (c) Notwithstanding section 230.15 of the statutes, the board may initially
19 appoint to the positions created under paragraph (b) only individuals who have held
20 limited term appointments at the University of Wisconsin–Madison for at least one
21 year. Individuals so appointed are not required to be certified under section 230.25
22 of the statutes and are not required to have qualified for the position by competitive
23 examination. Any position created under paragraph (b) may not be filled by transfer
24 under section 230.29 of the statutes.

1 (d) Notwithstanding section 20.928 (1) of the statutes, before July 1, 2003, the
2 board may not certify under section 20.928 (1) of the statutes any sum of money
3 needed to pay any costs associated with a position created under paragraph (b) if that
4 position is a GPR position.

5 (e) During the 2001–03 fiscal biennium, the board shall report quarterly to the
6 department of administration and to the joint committee on finance on the number
7 of positions created under paragraph (b).

8 (f) No later than September 1, 2003, the board shall submit a report to the
9 governor, the department of employment relations, and to the chief clerk of each
10 house of the legislature for distribution to the legislature under section 13.172 (2) of
11 the statutes concerning the creation of the positions under paragraph (b). The report
12 shall determine if the number of limited term appointments at the University of
13 Wisconsin–Madison has been reduced as a result of the creation of positions under
14 paragraph (b); document the number of individuals appointed to positions created
15 under paragraph (b) and the number of years of employment that these individuals
16 had as limited term appointments at the time of their appointment to the positions
17 created under paragraph (b); and examine the reasons why any individual who was
18 appointed to a position created under paragraph (b) subsequently terminated
19 employment with the board.

20 (3e) FRINGE BENEFITS FOR CERTAIN LIMITED TERM APPOINTMENTS. Notwithstanding
21 section 230.26 (4) of the statutes, any person who holds a limited term appointment
22 under section 230.26 (1) of the statutes at the University of Wisconsin–Madison and
23 is a participating employee, as defined in section 40.02 (46) of the statutes, shall
24 receive paid vacation and sick leave during the period that begins on the effective
25 date of this subsection and ends on June 30, 2003. For the purpose of calculating the

1 amount of paid vacation and sick leave to which a person holding a limited term
2 appointment is entitled under this subsection, the person shall be considered a
3 permanent employee.”.

4 **1507.** Page 1364, line 16: after that line insert:

5 “(2y) CENTER FOR DAIRY PROFITABILITY. Of moneys appropriated to the board of
6 regents of the University of Wisconsin System under section 20.285 (1) (a) of the
7 statutes, the board of regents shall allocate \$250,000 for fiscal year 2001–02 for the
8 development and operation of an Internet program for beginning dairy farmers
9 sponsored by the University of Wisconsin Center for Dairy Profitability.”.

10 **1508.** Page 1365, line 21: delete lines 21 to 24.

11 **1509.** Page 1366, line 25: delete “Wisconsin veterans service organizations,”.

12 **1510.** Page 1367, line 1: delete “, and county veterans’ service officers”.

13 **1511.** Page 1368, line 4: after that line insert:

14 “(7v) VICTORIOUS CHARGE MONUMENT GRANT. From the appropriation under
15 section 20.485 (2) (eg) of the statutes, as created by this act, the department of
16 veterans affairs shall provide a grant of \$50,000 in fiscal year 2001–02 to the
17 Milwaukee Arts Board for the restoration of the Victorious Charge Civil War
18 monument located in the city of Milwaukee.”.

19 **1512.** Page 1368, line 4: after that line insert:

20 “(8g) GRANT TO WISCONSIN VETERANS TRIBUTE MEMORIAL. In fiscal year 2001–02,
21 the department shall provide a grant from the appropriation account under section
22 20.485 (2) (e) of the statutes, as affected by this act, in the amount of \$3,000 to the
23 Wisconsin Veterans Tribute Memorial in Chippewa County for the repair and

1 replacement of flags at the memorial if the Wisconsin Veterans Tribute Memorial
2 provides matching funds of \$3,000.”.

3 **1513.** Page 1368, line 4: after that line insert:

4 “(8b) SOUTHERN WISCONSIN VETERANS RETIREMENT CENTER. The authorized FTE
5 positions for the department of veterans affairs are increased by 28.0 PR positions,
6 to be funded from the appropriation under section 20.485 (1) (gk) of the statutes, as
7 affected by this act, for the operation of the Southern Wisconsin Veterans Retirement
8 Center.”.

9 **1514.** Page 1371, line 9: delete lines 9 to 17 and substitute:

10 “(8xb) COMMUNITY YOUTH GRANTS. Notwithstanding section 49.175 (1) (z) of the
11 statutes, as affected by this act, from the moneys allocated under section 49.175 (1)
12 (z) of the statutes, as affected by this act, the department of workforce development
13 shall provide all of the following:

14 (a) In each fiscal year of the 2001–03 fiscal biennium, grants to the Wisconsin
15 chapters of the Boys and Girls Clubs of America to improve social, academic, and
16 employment skills of youth who are eligible to receive temporary assistance for needy
17 families under 42 USC 601 et seq. The total amount of grants that are provided
18 under this paragraph in each fiscal year of the 2001–03 fiscal biennium shall be
19 \$500,000.

20 (b) In the 2002–03 fiscal year, grants to community learning centers. The total
21 amount of grants that are provided under this paragraph shall be \$500,000.

22 (c) In each fiscal year of the 2001–03 fiscal biennium, a grant of \$250,000 to the
23 New Concept Self Development Center, Inc., to continue community youth
24 opportunities programming.”.

1 **1515.** Page 1371, line 24: delete lines 24 and 25.

2 **1516.** Page 1372, line 1: delete lines 1 to 5.

3 **1517.** Page 1372, line 12: after that line insert:

4 “2f. “Food stamp employment and training program” means the program under
5 section 49.124 (1m) of the statutes, as affected by this act.

6 2r. “Right-of-first-selection benchmark” means the benchmark the
7 department applies to determine whether a Wisconsin works agency is eligible to
8 contract with the department under section 49.143 (1) (a) 2. of the statutes, as
9 affected by this act.

10 2t. “Tier one unrestricted bonus funds benchmark” means the benchmark the
11 department applies to determine whether a Wisconsin works agency is eligible to
12 receive payment under paragraph (b) 1.

13 2w. “Tier 2 unrestricted bonus funds benchmark” means the benchmark the
14 department applies to determine whether a Wisconsin works agency is eligible to
15 receive payment under paragraph (b) 2.”.

16 **1518.** Page 1373, line 9: delete “bureau” and substitute “bureau,”.

17 **1519.** Page 1373, line 18: delete lines 18 and 19 and substitute “and
18 right-of-first-selection benchmarks.”.

19 **1520.** Page 1373, line 23: delete lines 23 to 25 and substitute “the Wisconsin
20 works agency meets the base contract and right-of-first-selection benchmarks
21 include an extension request”.

22 **1521.** Page 1374, line 15: after that line insert:

1 “7. That the entered employment standard the department applies to
2 determine whether a Wisconsin works agency meets the base contract and
3 right-of-first-selection benchmarks requires the Wisconsin works agency to place
4 at least 50% of Wisconsin works and food stamp employment and training program
5 participants in unsubsidized employment.

6 8. That, for purposes of applying the entered employment standard under
7 subdivision 7., each participant who participates in unsubsidized employment is
8 counted only once regardless of the number of times the participant participates in
9 a new unsubsidized employment placement.

10 9. That the performance standards the department applies to determine
11 whether a Wisconsin works agency meets the base contract, right-of-first-selection,
12 and tiers one and 2 unrestricted bonus funds benchmarks include a wage rate
13 standard that measures the initial wage rate placement for each participant. For
14 purposes of the base contract and right-of-first-selection benchmarks, the
15 department shall require a Wisconsin works agency to have a wage rate equal to the
16 average wage rate in the county in which the Wisconsin works agency contracts. For
17 purposes of the tier one unrestricted bonus funds benchmark, the department shall
18 require a Wisconsin works agency to have a wage rate equal to 102.5% of the average
19 wage rate for the base contract and right-of-first-selection benchmarks. For
20 purposes of the tier 2 unrestricted bonus funds benchmark, the department shall
21 require a Wisconsin works agency to have a wage rate equal to 105% of the average
22 wage rate for the base contract and right-of-first-selection benchmarks.

23 10. That, for informational purposes, the job retention standard also measures
24 the percentage of participants who remain employed after 360 days.

1 11. That the job retention standard requires 85% of Wisconsin works and food
2 stamp employment and training program participants to remain employed after a
3 30-day follow-up for purposes of the base contract and right-of-first-selection
4 benchmarks, requires 90% of Wisconsin works and food stamp employment and
5 training participants to remain employed after a 30-day follow-up for purposes of
6 the tier one unrestricted bonus funds, and requires 95% of Wisconsin works and food
7 stamp employment and training program participants to remain employed after a
8 30-day follow-up for purposes of the tier 2 unrestricted bonus funds benchmark.

9 12. That the full and appropriate engagement standard requires that 90% of
10 Wisconsin works and food stamp employment and training program participants be
11 appropriately engaged in work and educational activities with a current
12 employability plan for purposes of the base contract and right-of-first-selection
13 benchmarks, requires that 95% of Wisconsin works and food stamp employment and
14 training program participants be appropriately engaged in work and educational
15 activities with a current employability plan for purposes of the tier one unrestricted
16 bonus funds benchmark, and requires that 100% of Wisconsin works and food stamp
17 employment and training program participants be appropriately engaged in work
18 and educational activities with a current employability plan for purposes of the tier
19 2 unrestricted bonus funds benchmark.

20 13. That the basic education activities standard requires that 90% of Wisconsin
21 works participants are participating in appropriate education and training activities
22 for purposes of the base contract and right-of-first-selection benchmarks, requires
23 that 95% of Wisconsin works participants are participating in appropriate education
24 and training activities for purposes of the tier one unrestricted bonus funds
25 benchmark, and requires that 100% of Wisconsin works participants are

1 participating in appropriate education and training activities for purposes of the tier
2 2 unrestricted bonus funds benchmark.

3 14. That the educational attainment standard requires that 40% of Wisconsin
4 works participants complete an education or training activity for purposes of the
5 base contract and right-of-first-selection benchmarks, requires that 45% of
6 Wisconsin works participants complete an education or training activity for
7 purposes of the tier one unrestricted bonus funds benchmark, and requires that 50%
8 of Wisconsin works participants complete an education or training activity for
9 purposes of the tier 2 unrestricted bonus funds benchmark.

10 15. That the staff training standard requires that 100% of Wisconsin works
11 agency employees and persons with whom the Wisconsin works agency contracts
12 meet training requirements specified by the department for purposes of the base
13 contract and right-of-first-selection benchmarks.

14 16. That the appropriate tier placement standard requires that 100% of
15 Wisconsin works participants receive an assessment to determine appropriate
16 placement in a Wisconsin works employment position within 30 days of applying to
17 the program for purposes of the base contract and right-of-first-selection
18 benchmarks.

19 17. That the department will not apply the staff training standard under
20 subdivision 15. or the appropriate tier placement standard under subd. 16. to
21 determine whether a Wisconsin works agency meets the tier one and tier 2
22 unrestricted bonus funds benchmarks.

23 18. That the department will not apply the faith-based contracts standard or
24 the supplemental security income program advocacy standard to determine whether

1 a Wisconsin works agency meets the base contract, right-of-first-selection, or tier
2 one and tier 2 unrestricted bonus funds benchmarks.

3 19. That for purposes of determining whether a Wisconsin works agency meets
4 the base contract and right-of-first-selection benchmarks, the department shall
5 apply the employer health insurance standard and that the employer health
6 insurance standard requires that 55% of participants placed in unsubsidized
7 employment have employer health insurance.

8 20. That for purposes of determining whether a Wisconsin works agency meets
9 the tier one unrestricted bonus funds benchmark, the department shall apply the
10 employer health insurance standard and that the employer health insurance
11 standard requires that 60% of participants placed in unsubsidized employment have
12 employer health insurance.

13 21. That for purposes of determining whether a Wisconsin works agency meets
14 the tier 2 unrestricted bonus funds benchmark, the department shall apply the
15 employer health insurance standard and that the employer health insurance
16 standard requires that 65% of participants placed in unsubsidized employment have
17 employer health insurance.”.

18 **1522.** Page 1375, line 17: after that line insert:

19 “(10d) EARLY CHILDHOOD EXCELLENCE INITIATIVE; LA CAUSA. Notwithstanding
20 section 49.175 (1) (r) of the statutes, as affected by this act, from the moneys allocated
21 under section 49.175 (1) (r) of the statutes, as affected by this act, the department of
22 workforce development shall provide, in each year of the 2001–03 fiscal biennium,
23 a grant of \$250,000 to La Causa, Inc., to expand its day care facilities and to provide
24 community services.”.

1 **1523.** Page 1375, line 17: after that line insert:

2 “(10c) PREDATORY RESIDENTIAL REAL ESTATE LENDING PRACTICES INVESTIGATION.

3 (a) *Grant for investigation of predatory residential real estate lending practices.*

4 From the appropriation under section 20.445 (1) (a) of the statutes, the department
5 of workforce development shall award a grant of \$150,000 in fiscal year 2001–02 to
6 the Milwaukee Metropolitan Fair Housing Council, Inc., for the investigation of
7 predatory practices of lenders in the making of loans that are secured by a first lien
8 real estate mortgage on, or an equivalent security interest in, a one–family to
9 4–family dwelling that the borrower uses as his or her principal place of residence.
10 The investigation shall examine the practices of lenders only in Milwaukee County.
11 The investigation shall examine the practices of making loans based upon the equity
12 in a property rather than on the particular borrower’s ability to repay the loan,
13 including credit insurance and other financial products as part of or in association
14 with loans, and inducing borrowers to repeatedly refinance their loans, and shall
15 examine any other unfair, deceptive, false, misleading, or unconscionable practices
16 within the scope of the investigation.

17 (b) *Report on predatory residential real estate lending practices.* By January
18 1, 2004, the Milwaukee Metropolitan Fair Housing Council, Inc., shall submit a
19 report evaluating the results of its investigation under paragraph (a) to the secretary
20 of workforce development, and by February 1, 2004, the secretary of workforce
21 development shall forward copies of the report to the appropriate standing
22 committees of the legislature in the manner provided under section 13.172 (3) of the
23 statutes, to the secretary of financial institutions, and to the governor. The report
24 shall indicate the number of predatory practices discovered during the investigation,

1 and, for each loan with regard to which a predatory practice is discovered, a
2 description of the practice, the total amount of the loan, the cost to the borrower as
3 a result of the practice, the income level, age, race, national origin, and gender of the
4 borrower, and a description of the census block in which the real estate securing the
5 loan is located.”.

6 **1524.** Page 1375, line 17: after that line insert:

7 “(11e) EARLY CHILDHOOD EXCELLENCE INITIATIVE; NOEL LEARNING CENTER.
8 Notwithstanding section 49.175 (1) (r) of the statutes, as affected by this act, from
9 the moneys allocated under section 49.175 (1) (r) of the statutes, as affected by this
10 act, the department of workforce development shall provide, in fiscal year 2002–03,
11 one grant of \$50,000 to the Noel Learning Center to provide child care for low–income
12 individuals.”.

13 **1525.** Page 1375, line 17: after that line insert:

14 “(10b) VOCATIONAL REHABILITATION REPORT. By the first day of the 10th month
15 after the effective date of this subsection, the subunit of the department of workforce
16 development that deals with vocational rehabilitation shall report to the joint
17 committee on finance of the legislature, to all other standing committees of the
18 legislature in the manner provided under section 13.172 (3) of the statutes, and to
19 the governor on all of the following:

20 (a) Any reduction in the length of waiting lists that developed after August
21 2000 for clients of the vocational rehabilitation program.

22 (b) The status of personnel in the subunit.

23 (c) The current and future capacity of the subunit to meet vocational
24 rehabilitation program client caseloads.”.

1 **1526.** Page 1375, line 17: after that line insert:

2 “(10g) COMMUNITY REINVESTMENT FUNDS FOR MILWAUKEE COUNTY.
3 Notwithstanding section 49.175 (1) (d) 2. of the statutes, as affected by this act, from
4 the moneys allocated under section 49.175 (1) (d) 2. of the statutes, as affected by this
5 act, the department shall provide \$656,000 in fiscal year 2001–03 and \$1,312,000 in
6 fiscal year 2002–03 to Milwaukee County to provide services to individuals who are
7 eligible to receive temporary assistance for needy families under 42 USC 601 to 619.”.

8 **1527.** Page 1375, line 17: after that line insert:

9 “(11d) INVESTIGATION OF DISCRIMINATORY HOUSING PRACTICES. From the
10 appropriation account under section 20.445 (1) (a) of the statutes, the department of
11 workforce development shall distribute \$80,000 in fiscal year 2001–02 and \$80,000
12 in fiscal year 2002–03 to the Metropolitan Milwaukee Fair Housing Council, Inc., for
13 the investigation of discriminatory housing practices. Of the amounts distributed
14 under this subsection, the Metropolitan Milwaukee Fair Housing Council, Inc., shall
15 allocate \$20,000 in each of those fiscal years for the investigation of discriminatory
16 housing practices in each of the following areas:

- 17 (a) Milwaukee County.
18 (b) Dane County.
19 (c) Racine County.
20 (d) Brown, Fond Du Lac, Outagamie, and Winnebago counties.”.

21 **1528.** Page 1375, line 17: after that line insert:

22 “(11vw) APPRENTICESHIP MARKETING COUNCIL; INITIAL TERMS. Notwithstanding
23 the length of terms specified for the members of the apprenticeship marketing
24 council under section 15.227 (14) of the statutes, as created by this act, representing

1 the interests of employees and the members of that council representing the interests
2 of employers, the initial members of that council representing the interests of
3 employees and the initial members of that council representing the interests of
4 employers shall be appointed for the following terms:

5 (l) One member representing employees and one member representing
6 employers, for terms expiring on July 1, 2001.

7 (m) One member representing employees and one member representing
8 employers, for terms expiring on July 1, 2002.

9 (n) Two members representing employees and 2 members representing
10 employers, for terms expiring on July 1, 2003.

11 (11vx) WORKPLACE DIVERSITY GRANT PROGRAM.

12 (a) The department of workforce development shall administer a grant
13 program under which local, nonprofit organizations that offer diversity training,
14 basic employment skills development, or instruction in English as a 2nd language
15 to employees and persons seeking employment may receive grants for the operation
16 of those activities.

17 (b) A local, nonprofit organization is qualified for a grant under this subsection
18 if any of the following applies:

19 1. The governing body of the local, nonprofit organization is comprised of
20 representatives of private sector employers and local governmental units or
21 agencies, and the local, nonprofit organization assists local employees in meeting
22 their workforce needs.

23 2. The local, nonprofit organization assists persons who have been convicted
24 of a crime, whether employed or not, in strengthening or developing their

1 employment skills and in making or easing their transition from incarceration to
2 work.

3 3. The local, nonprofit organization assists any of the following persons,
4 whether employed or not, in preparing for or gaining entry into the skilled trades:

5 a. Persons who are eligible for benefits under the Wisconsin works program
6 under sections 49.141 to 49.161 of the statutes, as affected by this act.

7 b. Persons who are military veterans.

8 c. Persons who have been convicted of a crime.

9 d. Persons who are eligible for food stamps under section 49.124, 1999 stats.

10 e. Persons who are minority group members, as defined in section 560.036 (1)
11 (f) of the statutes.

12 (c) To the extent practicable, the department of workforce development shall
13 ensure that the grants under this subsection are awarded to local, nonprofit
14 organizations from different geographic regions of the state.

15 (o) To qualify for a grant under this subsection, a local, nonprofit organization
16 must apply to the department by December 1, 2002. The application shall describe
17 how the organization qualifies for a grant under paragraphs (a) and (b) and how the
18 organization will use the grant.

19 (p) The department of workforce development shall promulgate emergency
20 rules under section 227.24 of the statutes to establish criteria to be used in
21 determining which qualified local, nonprofit organizations are eligible for grants
22 under this subsection. Notwithstanding section 227.24 (1) (a) and (3) of the statutes,
23 the department of workforce development is not required to provide evidence that
24 promulgating an emergency rule under this paragraph is necessary for the

1 preservation of public peace, health, safety, or welfare, and is not required to provide
2 a finding of emergency for a rule promulgated under this paragraph.

3 (q) The department of workforce development may not expend more than
4 \$30,000 as grants under this subsection for any given local, nonprofit organization.

5 (r) By January 1, 2003, the department of workforce development shall make
6 the grants under this subsection from the appropriation under section 20.445 (1) (d)
7 of the statutes, as created by this act.

8 (s) By September 1, 2003, the department of workforce development shall
9 report on the grant program under this subsection, including the uses that the grant
10 recipients made of the grants and a recommendation on whether the grant program
11 should be funded in the next biennium and, if so, a recommendation of an
12 appropriate funding level and any changes that should be made to the program. The
13 report shall be submitted to the appropriate standing committees of the legislature
14 in the manner provided under section 13.172 (3) of the statutes, to the joint
15 committee on finance, and to the governor.”.

16 **1529.** Page 1376, line 14: delete that line.

17 **1530.** Page 1377, line 5: delete lines 5 to 10.

18 **1531.** Page 1378, line 9: after that line insert:

19 “(3q) CITY OF LA CROSSE CLAIM. There is directed to be expended from the
20 appropriation under section 20.395 (1) (ar) of the statutes, as affected by the acts of
21 1999 and 2001, \$8,420.92 in payment of a claim against the state made by the city
22 of La Crosse as partial reimbursement for the penalty that was assessed against the
23 city for tardy filing of its annual report with the departments of transportation and
24 revenue for 1999 under section 86.303 (5) (g) of the statutes. Acceptance of this

1 payment releases this state and its officers, employees, and agents from any further
2 liability relating to deduction of penalties from general transportation aids payable
3 to the city for the 2000 calendar year.”.

4 **1532.** Page 1379, line 17: delete lines 17 to 25.

5 **1533.** Page 1380, line 1: delete lines 1 to 4.

6 **1534.** Page 1381, line 11: delete lines 11 to 13 and substitute:

7 “(6d) OFFICE OF JUSTICE ASSISTANCE PENALTY ASSESSMENT MONEYS.
8 Notwithstanding section 20.001 (3) (c) of the statutes, on July 1 2001, there is lapsed
9 to the general fund \$875,200 from the appropriation account to the office of justice
10 assistance under section 20.505 (6) (j) of the statutes, as affected by the acts of 2001.”.

11 **1535.** Page 1387, line 1: delete lines 1 to 12 and substitute:

12 “(5zo) FEDERAL REIMBURSEMENT OF TARGETED CASE MANAGEMENT COSTS; LAPSE; USE
13 OF REMAINING MONEYS. Notwithstanding section 20.001 (3) (c) of the statutes, the
14 secretary of administration shall lapse to the general fund, from the appropriation
15 account under section 20.435 (8) (mb) of the statutes, as affected by the acts of 2001,
16 \$1,622,100 in fiscal year 2001–02 and \$1,839,000 in fiscal year 2002–03 in moneys
17 received under 42 USC 1396 to 1396v in reimbursement of the cost of providing
18 targeted case management services to children whose care is not eligible for
19 reimbursement under 42 USC 6670 to 679a.”.

20 **1536.** Page 1389, line 4: after that line insert:

21 “(2i) ADDITIONAL TRANSFERS FROM ENVIRONMENTAL FUND. There is transferred
22 from the environmental fund to the general fund, \$956,200 on June 30, 2002, and
23 \$1,055,200 on June 30, 2003.”.

24 **1537.** Page 1389, line 12: after that line insert:

1 “(5c) FOREST INCOME AIDS TRANSFER. On the effective date of this subsection,
2 there is transferred \$451,400 from the forestry account of the conservation fund to
3 the appropriation account to the department of natural resources under section
4 20.370 (9) (iq) of the statutes.”.

5 **1538.** Page 1393, line 19: after that line insert:

6 “(3z) JOB RETENTION SKILLS DEVELOPMENT PROGRAMS. There is transferred from
7 the appropriation to the department of workforce development under section 20.445
8 (3) (md) of the statutes, as affected by the acts of 2001, to the appropriation to the
9 technical college system board under section 20.292 (1) (kd) of the statutes, as
10 created by this act, \$200,000 in fiscal year 2001–02.”.

11 **1539.** Page 1393, line 22: delete lines 22 and 23.

12 **1540.** Page 1393, line 24: delete lines 24 and 25.

13 **1541.** Page 1394, line 1: delete lines 1 and 2.

14 **1542.** Page 1394, line 5: after that line insert:

15 “(3c) UNCLAIMED PRIZES. The treatment of section 562.065 (4) of the statutes
16 first applies to prizes that are unclaimed on the 90th day after the effective date of
17 this subsection.”.

18 **1543.** Page 1394, line 13: delete “and (b) 1.,” and substitute “, (b) 1., and (d).”.

19 **1544.** Page 1394, line 18: after that line insert:

20 “(1d) AGRICULTURAL CHEMICAL CLEANUP PROGRAM. The treatment of section 94.73
21 (3m) (r) of the statutes first applies to applications received on the effective date of
22 this subsection for costs incurred not more than 36 months before the effective date
23 of this subsection.”.

1 **1545.** Page 1395, line 6: delete lines 6 to 9 and substitute:

2 “(1n) COURT INTERPRETERS. The treatment of sections 20.625 (1) (c), 48.315 (1)
3 (h), 48.375 (7) (d) 1m., 758.19 (8), 814.67 (1) (am), (b) (intro.) and 2., 885.37 (title), (1)
4 (a) and (b), (2), (4) (a), and (5) (a), 885.38, 905.015, and 938.315 (1) (h) of the statutes
5 first applies to interpreters used by a clerk of court or appointed by a court on the
6 effective date of this subsection.”.

7 **1546.** Page 1395, line 10: delete lines 10 to 19.

8 **1547.** Page 1396, line 6: after that line insert:

9 “(6d) FEES OF REGISTER IN PROBATE. The treatment of section 814.66 (1) (a) 2. and
10 (b) 2. and (3) of the statutes first applies to petitions filed on the effective date of this
11 subsection.”.

12 **1548.** Page 1396, line 6: after that line insert:

13 “(6q) YOUTH REPORT CENTER. The treatment of sections 103.67 (2) (j), 118.163
14 (1m) (c) and (2) (L), 938.17 (2) (h) 1., 938.245 (2) (a) 9m. and (5), 938.32 (1) (a) and
15 (1p), 938.34 (7j), 938.342 (1d) (c) and (1g) (k), 938.343 (3m), 938.344 (2g) (a) 5., and
16 938.355 (6) (d) 5. and (6m) (a) (intro.) and 4. and (ag) of the statutes first applies to
17 a juvenile who commits a delinquent act or a civil law or ordinance violation, or who
18 is found to be in need of protection or services under section 938.13 of the statutes,
19 on the effective date of this subsection.”.

20 **1549.** Page 1396, line 6: after that line insert:

21 “(7p) AUTHENTICATION OF HEALTH CARE RECORDS. The treatment of section 908.03
22 (6m) (b) (intro.) of the statutes first applies to actions commenced on the effective
23 date of this subsection.”.

24 **1550.** Page 1396, line 6: after that line insert:

1 “(7w) ELECTION OF CIRCUIT COURT JUDGES. The treatment of sections 8.11 (2) and
2 753.015 of the statutes and SECTION 9109 (1w) of this act first apply to the election
3 of circuit court judges at the 2002 spring election.”.

4 **1551.** Page 1396, line 10: after that line insert:

5 “(2q) PRACTICAL EXAMINATION OF CRANE OPERATORS. Notwithstanding section
6 101.22 (3) (b) (intro.) of the statutes, the treatment of section 101.22 (3) (b) 3. of the
7 statutes first applies to a crane operator certification program that issues a crane
8 operator certificate on the first day of the 12th month beginning after the effective
9 date of this subsection.”.

10 **1552.** Page 1396, line 12: delete lines 12 to 21.

11 **1553.** Page 1397, line 6: after that line insert:

12 “(7k) CONTRACTS FOR DATA ENTRY OR TELEMARKETING SERVICES. The treatment of
13 section 301.029 (2) (a) of the statutes first applies to contracts entered into or
14 renewed by the department of corrections on the effective date of this subsection.”.

15 **1554.** Page 1397, line 18: after that line insert:

16 “(3c) CALCULATION OF CERTAIN FRINGE BENEFIT COSTS. The amendment of section
17 111.70 (4) (cm) 8s. of the statutes and the creation of section 111.70 (4) (cm) 8s. b. of
18 the statutes first apply to the calculation of fringe benefit costs in qualified economic
19 offers submitted by a municipal employer under section 111.70 (4) (cm) 5s. of the
20 statutes on the effective date of this subsection.”.

21 **1555.** Page 1397, line 19: delete lines 19 to 22.

22 **1556.** Page 1399, line 20: after that line insert:

23 “(16f) MEDICAL ASSISTANCE FOR INDEPENDENT FOSTER CARE ADOLESCENTS. The
24 treatment of sections 49.46 (1) (a) 5m. and 51.42 (3) (ar) 4m. and 4p. of the statutes

1 first applies to individuals leaving foster care or treatment foster care placement on
2 the effective date of this subsection.”.

3 **1557.** Page 1399, line 20: after that line insert:

4 “(15x) MEDICAL ASSISTANCE ESTATE RECOVERY. The treatment of section 49.496
5 (3) (a) (intro.), 2. d., and 3. and (b) of the statutes first applies to claims for recovery
6 of medical assistance filed on the effective date of this subsection.”.

7 **1558.** Page 1399, line 20: after that line insert:

8 “(16z) QUALIFICATIONS OF ADMINISTRATOR OF DIVISION OF CHILDREN AND FAMILY
9 SERVICES. The treatment of section 46.014 (5) (with respect to the qualifications
10 specified in that section of the administrator of the division of children and family
11 services in the department of health and family services) of the statutes first applies
12 to an individual who is the incumbent administrator of that division on the effective
13 date of this subsection.”.

14 **1559.** Page 1399, line 20: after that line insert:

15 “(16k) INCOME AUGMENTATION ACTIVITIES. The treatment of sections 20.435 (8)
16 (mb) and 46.46 (1) of the statutes with respect to performance by the department of
17 health and family services of income augmentation activities first applies to income
18 augmentation activities performed under section 46.46 of the statutes on the
19 effective date of this subsection, but does not affect any contract to perform income
20 augmentation activities under section 46.46 (1), 1999 stats., entered into before the
21 effective date of this subsection.”.

22 **1560.** Page 1399, line 25: after that line insert:

23 “(1c) CLAIM FOR CHIROPRACTIC SERVICES. If a policy, plan, or contract contains
24 provisions that are inconsistent with the treatment of sections 628.46 (2m) and

1 632.875 (2) (intro.) of the statutes, the treatment of sections 628.46 (2m) and 632.875
2 (2) (intro.) of the statutes first applies to that policy, plan, or contract on the day on
3 which the policy, plan, or contract is terminated or renewed, whichever occurs first.”.

4 **1561.** Page 1399, line 25: after that line insert:

5 “(2k) COVERAGE OF MOTOR VEHICLES. The treatment of section 632.38 (1) (c), (2)
6 (intro.), (2m), (3) (title), (b), (c), and (d), and (4) of the statutes, the renumbering and
7 amendment of section 632.38 (3) (a) of the statutes, and the creation of section 632.38
8 (3) (a) 2. of the statutes first apply to claims under motor vehicle insurance policies
9 issued or renewed on the effective date of this subsection.”.

10 **1562.** Page 1399, line 25: after that line insert:

11 “(2g) SMALL EMPLOYER INSURANCE PREMIUM RATES. The treatment of sections
12 635.02 (4m) and 635.05 (1) of the statutes first applies to health insurance policies
13 or plans that are issued or renewed on January 1, 2002.”.

14 **1563.** Page 1399, line 25: after that line insert:

15 “(1e) COVERAGE OF CONTRACEPTIVES. The treatment of sections 40.51 (8) and
16 (8m), 66.0137 (4), 111.91 (2) (n), 120.13 (2) (g), 185.981 (4t), 185.983 (1) (intro.),
17 609.73, and 632.895 (15) of the statutes first applies to all of the following:

18 (t) Except as provided in paragraphs (u) and (v), disability insurance policies
19 that are issued or renewed, and self-insured health plans that are established,
20 extended, modified, or renewed, on the effective date of this paragraph.

21 (u) Disability insurance policies covering employees who are affected by a
22 collective bargaining agreement containing provisions inconsistent with this act
23 that are issued or renewed on the earlier of the following:

24 1. The day on which the collective bargaining agreement expires.

1 2. The day on which the collective bargaining agreement is extended, modified,
2 or renewed.

3 (v) Self-insured health plans covering employees who are affected by a
4 collective bargaining agreement containing provisions inconsistent with this act
5 that are established, extended, modified, or renewed on the earlier of the following:

6 1. The day on which the collective bargaining agreement expires.

7 2. The day on which the collective bargaining agreement is extended, modified,
8 or renewed.”.

9 **1564.** Page 1400, line 23: before that line insert:

10 “(1m) SOLID WASTE TIPPING FEES. The treatment of sections 289.645 (3) (a) and
11 (b) and 289.67 (1) (cp) of the statutes first applies to solid waste disposed of on the
12 effective date of this subsection.”.

13 **1565.** Page 1401, line 16: after that line insert:

14 “(4m) DESIGNATION OF CHIEF FORESTER. The treatment of section 23.113 of the
15 statutes first applies to appointments made on the effective date of this subsection.”.

16 **1566.** Page 1402, line 6: delete lines 6 to 10.

17 **1567.** Page 1402, line 13: after that line insert:

18 “(12d) SUPPLEMENTAL AID. The treatment of section 115.435 (1) (c) of the statutes
19 first applies to tax assessments as of the January 1 immediately preceding the
20 effective date of this subsection.”.

21 **1568.** Page 1402, line 13: after that line insert:

22 “(13h) FOUR-YEAR-OLD KINDERGARTEN. The treatment of sections 121.07 (7) (c)
23 1. a. and b. and 2. and (cm) and 121.02 (1) (f) 2. of the statutes first applies to the

1 distribution of state school aid in, and the calculation of revenue limits for, the
2 2002–03 school year.”.

3 **1569.** Page 1402, line 13: after that line insert:

4 “(14c) REVENUE LIMIT ADJUSTMENT. The treatment of section 121.91 (4) (k) of the
5 statutes first applies to a school district’s revenue limit for the school year beginning
6 after the effective date of this subsection.”.

7 **1570.** Page 1403, line 5: after that line insert:

8 “(1k) IRREVOCABLE BURIAL TRUSTS. The treatment of section 445.125 (1) (a) 2. of
9 the statutes first applies to burial trust agreements entered into on the effective date
10 of this subsection.”.

11 **1571.** Page 1403, line 5: after that line insert:

12 “(2f) NONDISCLOSURE OF CERTAIN INFORMATION. The treatment of section 440.14
13 (1) (a), (2), (3), (4), and (5) of the statutes first applies to lists furnished by a board
14 in the department of regulation and licensing, other than a credentialing board, on
15 the effective date of this subsection.”.

16 **1572.** Page 1403, line 5: after that line insert:

17 “(1xx) DENTIST LICENSURE. The treatment of section 447.04 (1) (a) 4., (b), (c), and
18 (d) of the statutes first applies to applications for licensure that are received on the
19 effective date of this subsection.”.

20 **1573.** Page 1403, line 19: after that line insert:

21 “(5q) MUNICIPAL TELECOMMUNICATIONS TAX. The treatment of sections 76.94,
22 76.95, 76.96, 76.97, and 76.98 of the statutes first applies to gross revenues received
23 by a telephone company after September 30, 2001.”.

24 **1574.** Page 1403, line 19: after that line insert:

1 “(5z) SCHOOL PROPERTY TAX RENT CREDIT CHANGES. The treatment of section 71.07
2 (9) (b) 1., 5., and 6. of the statutes first applies to taxable years beginning on January
3 1, 2001.”.

4 **1575.** Page 1404, line 8: after that line insert:

5 “(8q) JEWISH COMMUNITY CENTERS. The treatment of section 70.11 (12m) of the
6 statutes first applies to the property tax assessments as of January 1, 2001.”.

7 **1576.** Page 1404, line 15: after “MILWAUKEE” insert “AND BELOIT”.

8 **1577.** Page 1404, line 15: delete “ZONE” and substitute “ZONES”.

9 **1578.** Page 1404, line 16: on lines 16 and 19, after “(e)” insert “and (f)”.

10 **1579.** Page 1404, line 16: on lines 16 and 19, after “(b) 5.” insert “and 6.”.

11 **1580.** Page 1404, line 21: after that line insert:

12 “(9w) MOBILE TELECOMMUNICATIONS SERVICES SALES TAX. The treatment of
13 sections 77.51 (7m), 77.525, and 77.72 (3) (b) of the statutes, the renumbering and
14 amendment of section 77.52 (2) (a) 5. of the statutes, and the creation of section 77.52
15 (2) (a) 5. b. of the statutes first apply to customer bills issued after August 1, 2002.”.

16 **1581.** Page 1405, line 7: after that line insert:

17 “(10w) PROPERTY TAX EXEMPTION FOR DIGITAL BROADCASTING EQUIPMENT. The
18 treatment of section 70.111 (25) of the statutes first applies to the property tax
19 assessments as of January 1, 2002.”.

20 **1582.** Page 1405, line 14: after that line insert:

21 “(11z) DEVELOPMENT ZONES CREDIT. The treatment of sections 71.07 (2di) (b) 1.
22 and 3. and (2dx) (b) (intro.), (be), and (bg), 71.28 (1di) (b) 1. and 3. and (1dx) (b)
23 (intro.), (be), and (bg), and 71.47 (1di) (b) 1. and 3. and (1dx) (b) (intro.), and (be) and

1 (bg) of the statutes first applies to taxable years beginning on January 1 of the year
2 in which this subsection takes effect, except that if this subsection takes effect after
3 July 31 the treatment of sections 71.07 (2di) (b) 1. and 3. and (2dx) (b) (intro.), (be),
4 and (bg), 71.28 (1di) (b) 1. and 3. and (1dx) (b) (intro.), and 71.47 (1di) (b) 1. and 3.
5 and (1dx) (b) (intro.), (be), and (bg) of the statutes first applies to taxable years
6 beginning on January 1 of the year following the year in which this subsection takes
7 effect.”.

8 **1583.** Page 1405, line 22: delete the material beginning with that line and
9 ending with page 1406, line 2.

10 **1584.** Page 1406, line 13: delete lines 13 to 20.

11 **1585.** Page 1406, line 21: delete lines 21 to 23.

12 **1586.** Page 1406, line 23: after that line insert:

13 “(23k) AUTOMATIC TELLER MACHINES. The treatment of section 70.11 (39) of the
14 statutes, as it applies to automatic teller machines, first applies to the property tax
15 assessments as of January 1, 2002.”.

16 **1587.** Page 1406, line 25: after that line insert:

17 “(24d) INTOXICATING LIQUOR LICENSE QUOTAS. The treatment of section 125.51 (4)
18 (br) 1. e. and f. and 2. of the statutes first applies to the issuance of reserve “Class
19 B” licenses on the effective date of this subsection.”.

20 **1588.** Page 1406, line 25: after that line insert:

21 “(24p) EXPENDITURE RESTRAINT PROGRAM. The treatment of section 79.05 (2) (c)
22 of the statutes first applies to payments in 2003.”.

23 **1589.** Page 1407, line 1: delete lines 1 to 6.

1 **1590.** Page 1407, line 6: after that line insert:

2 “(26c) AGRICULTURAL LAND. The treatment of section 70.32 (2) (c) 1. and 1m. and
3 (2s) of the statutes first applies to the property tax assessments as of January 1,
4 2002.”.

5 **1591.** Page 1407, line 9: after that line insert:

6 “(27q) PENALTY FOR CONVERTING AGRICULTURAL LAND. The treatment of sections
7 77.48 and 77.485 of the statutes first applies to penalties imposed on January 1,
8 2002.”.

9 **1592.** Page 1407, line 14: after “statutes” insert “, as it applies to custom
10 software,”.

11 **1593.** Page 1407, line 16: delete lines 16 to 18.

12 **1594.** Page 1407, line 19: delete lines 19 to 21.

13 **1595.** Page 1408, line 7: delete lines 7 to 9 and substitute:

14 “(29q) COMBINED REPORTING. The treatment of sections 71.25 (5) (a) 9. and 10.,
15 (b) 1. and 2. and (9) (a), 71.255, 71.26 (3) (L) and (x) and (4), 71.29 (2), 71.44 (1) (e),
16 71.46 (3), 71.48, and 71.84 (2) (a) of the statutes first applies to taxable years
17 beginning on January 1, 2002.”.

18 **1596.** Page 1408, line 9: after that line insert:

19 “(30k) LIMIT ON CORPORATE INCOME TAX DEDUCTION. The treatment of section
20 71.26 (3) (e) 1. of the statutes first applies to taxable years beginning on January 1
21 of the year in which this subsection takes effect, except that if this subsection takes
22 effect after July 31 this act first applies to taxable years beginning on January 1 of
23 the year following the year in which this subsection takes effect.”.

1 **1597.** Page 1413, line 3: after that line insert:

2 “(6g) FAMILY VIOLENCE OPTION.

3 (a) The treatment of section 49.152 (1) of the statutes first applies to petitions
4 for review filed on the effective date of this paragraph.

5 (b) The treatment of sections 49.145 (2) (f) 1. a. and b. and (n) 1. (intro.), 49.147
6 (5) (b) 1. (intro.) and (5g), 49.1473, and 49.148 (1) (intro.), (a), (b) 1., 1m. (intro.), 3.,
7 and 4., and (c) of the statutes, the renumbering and amendment of sections 49.145
8 (2) (n) 3. and 49.147 (3) (c), (4) (b), and (5) (b) 2. of the statutes, and the creation of
9 sections 49.145 (2) (n) 3. b. and 49.147 (3) (c) 3., (4) (b) 3., and (5) (b) 2. b. of the statutes
10 first apply to Wisconsin works eligibility determinations made on the effective date
11 of this paragraph.”.

12 **1598.** Page 1413, line 15: before “(am)” insert “(ak),”.

13 **1599.** Page 1414, line 2: after that line insert:

14 “(c) The treatment of section 767.27 (2) and (2m) of the statutes first applies
15 to actions in which a child or family support order under chapter 767 of the statutes,
16 as affected by this act, including a revision order under section 767.32 of the statutes,
17 as affected by this act, is granted on the effective date of this paragraph.”.

18 **1600.** Page 1414, line 2: after that line insert:

19 “(9q) INCOME CALCULATION FOR WISCONSIN WORKS. The treatment of section
20 49.145 (3) (b) 1. of the statutes first applies to eligibility determinations for the
21 Wisconsin works program that are made on the effective date of this subsection.”.

22 **1601.** Page 1414, line 2: after that line insert:

23 “(8e) WAGE CLAIM LIENS. Notwithstanding section 109.09 (2) (c), 1999 stats., the
24 treatment of section 109.09 (2) (c) of the statutes first applies to a lien under section

1 109.09 (2) (a) of the statutes for wages earned on the effective date of this
2 subsection.”.

3 **1602.** Page 1414, line 2: after that line insert:

4 “(9f) BONUSES FOR WISCONSIN WORKS AGENCY STAFF. The treatment of section
5 49.143 (2) (g) of the statutes first applies to contracts entered into, extended,
6 modified, or renewed on the effective date of this subsection.”.

7 **1603.** Page 1414, line 6: delete “(title), (2) (a) and” and substitute “(2) (a),
8 (am), and”.

9 **1604.** Page 1414, line 7: delete “(b), (3), and (4)” and substitute “(b) and (3)”.

10 **1605.** Page 1414, line 10: delete “944.205 (1),”.

11 **1606.** Page 1414, line 11: delete “944.205 (1) (a)”.

12 **1607.** Page 1414, line 12: delete “(b) 1. and 2.,” and substitute “(b) 1. and 2.”.

13 **1608.** Page 1414, line 12: delete “and (c),”.

14 **1609.** Page 1415, line 4: delete lines 4 to 14.

15 **1610.** Page 1415, line 14: after that line insert:

16 “(8) SPECIAL CHARGES FOR MUNICIPAL SERVICES. The treatment of sections 66.0627
17 (2) and 66.0707 (2) of the statutes first applies to special charges that are imposed
18 on the effective date of this subsection.”.

19 **1611.** Page 1415, line 14: after that line insert:

20 “(7w) TAX INCREMENTAL FINANCING TASK FORCE RECOMMENDATIONS. The treatment
21 of sections 60.23 (32), 66.1105 (2) (f) 3., (i), and (j), (3) (g), (4) (gm) 1., 4. c., and 6. and
22 (h) 2., (4m) (a), (am), (b) 2., 2m., 4., and 5., and (d), (5) (a), (b), (c), (ce), and (d), (6) (am)
23 1. d. and 2., (7) (ae), (8) (title), (c), and (d), and (15), and 73.03 (57) of the statutes and

1 chapter 105, laws of 1975, section 1 (1) and (2), the renumbering and amendment of
2 section 66.1105 (6) (a) and (am) 1. of the statutes, and the creation of section 66.1105
3 (6) (a) 5. and 6. and (am) 1. c. of the statutes first apply to a tax incremental district
4 that is created, or whose project plan is amended, on the effective date of this
5 subsection.”.

6 **1612.** Page 1415, line 17: after that line insert:

7 “(9v) CITY OF MILWAUKEE COMPTROLLER. The treatment of section 62.51 (1) (a)
8 of the statutes first applies upon the expiration of the term to which the comptroller,
9 who is holding that office on the effective date of this subsection, has been elected.”.

10 **1613.** Page 1416, line 14: delete lines 14 to 16.

11 **1614.** Page 1416, line 16: after that line insert:

12 “(12i) INTENSIVE SANCTIONS PROGRAM. The treatment of sections 301.048 (2m),
13 (3) (a) (intro.) and 1., (b), and (bm), (4) (a) and (ar), and (6) (a) and (c), 302.11 (1i),
14 302.113 (9) (a), 304.02 (4), 304.06 (1y), 304.071 (2), 950.04 (1v) (ve), 973.01 (4),
15 973.032 (title), (2) (a) and (b), (3) (intro.), (a), and (c) 2., (4), (4m), (5), (6), and (7), and
16 973.20 (10) of the statutes, the renumbering and amendment of section 973.032 (3)
17 (b) of the statutes, and the creation of section 973.032 (3) (b) 2. of the statutes first
18 apply to persons committing offenses on December 31, 1999.”.

19 **1615.** Page 1416, line 16: after that line insert:

20 “(12n) SEXUALLY VIOLENT PERSON COMMITMENTS.

21 (a) The repeal of section 980.105 (1) and (2) of the statutes, the renumbering
22 and amendment of section 980.105 (intro.) of the statutes, and the amendment of
23 section 980.015 (2) (intro.) of the statutes first apply to notices of persons who may

1 meet the criteria for commitment as sexually violent persons given on the effective
2 date of this paragraph.

3 (b) The treatment of sections 938.78 (2) (e), 980.02 (1) (am) and (b) (intro.),
4 980.02 (4) (c), 980.02 (6), and 980.03 (1) of the statutes first applies to sexually violent
5 persons petitions filed on the effective date of this paragraph.

6 (c) The treatment of section 980.05 (5) of the statutes first applies to sexually
7 violent person trials initiated on the effective date of this paragraph.

8 (d) The treatment of section 980.07 (2) of the statutes first applies to
9 reexaminations conducted on the effective date of this paragraph.

10 (e) The treatment of section 980.08 (2), (3), (3m), and (5) of the statutes first
11 applies to petitions for supervised release filed on the effective date of this
12 paragraph.”.

13 **1616.** Page 1416, line 16: after that line insert:

14 “(12e) PERSONAL REPRESENTATIVES IN INFORMAL ADMINISTRATION. The treatment
15 of section 865.08 (1) (intro.) and (a) (intro.), 1., 2., and 3. of the statutes first applies
16 to informal administrations commenced as a result of deaths occurring on the
17 effective date of this subsection.”.

18 **1617.** Page 1416, line 16: after that line insert:

19 “(12c) TIME LIMITATIONS ON PROSECUTIONS. The treatment of section 939.74 (1),
20 (2) (c), and (2d) of the statutes first applies to offenses not barred from prosecution
21 on the effective date of this subsection.”.

22 **1618.** Page 1416, line 25: after that line insert:

1 “(3q) UNCLAIMED PRIZES. The treatment of sections 20.455 (2) (fm) and (g),
2 20.505 (8) (b) and (g), and 562.065 (4) of the statutes and SECTION 9301 (3c) of this
3 act take effect on July 1, 2002.”.

4 **1619.** Page 1417, line 6: delete lines 6 to 8.

5 **1620.** Page 1417, line 16: delete lines 16 to 19 and substitute:

6 “(1n) COURT INTERPRETERS. The treatment of sections 20.625 (1) (c), 48.315 (1)
7 (h), 48.375 (7) (d) 1m., 758.19 (8), 814.67 (1) (am), (b) (intro.) and 2., 885.37 (title), (1)
8 (a) and (b), (2), (4) (a), and (5) (a), 885.38, 905.015, and 938.315 (1) (h) of the statutes
9 and SECTION 9309 (1n) of this act take effect on July 1, 2002.”.

10 **1621.** Page 1417, line 20: delete lines 20 to 24.

11 **1622.** Page 1418, line 3: after that line insert:

12 “(2q) CRANE OPERATORS AND IRONWORKERS. The treatment of sections 101.02 (15)
13 (a), (20) (a), and (21) (a), 101.19 (1) (ig) and (ir), 101.22, 101.25, and 101.255 of the
14 statutes and SECTION 9110 (9qr), (9qu), and (9r) of this act take effect on the first day
15 of the 12th month beginning after publication.”.

16 **1623.** Page 1418, line 4: after that line insert:

17 “(1d) SUNSET OF PRIVATE BUSINESS PRISON EMPLOYMENT PROGRAM. The treatment
18 of sections 20.410 (1) (gi), (hm), and (km), 108.07 (8) (b), 303.01 (8) (b), (c), (d), and
19 (e) and (11), 303.06 (3), and 303.21 (1) (b) of the statutes and the repeal of section
20 303.01 (2) (em) of the statutes take effect on September 1, 2004.”.

21 **1624.** Page 1418, line 14: after that line insert:

22 “(2x) MILWAUKEE COUNTY CHILD WELFARE DISTRICT. The repeal and recreation of
23 section 40.02 (28) of the statutes takes effect on January 1, 2010.”.

24 **1625.** Page 1420, line 19: after that line insert:

1 “(17g) MEDICAL ASSISTANCE FOR INDEPENDENT FOSTER CARE ADOLESCENTS. The
2 treatment of sections 49.46 (1) (a) 5m. and 51.42 (3) (ar) 4m. and 4p. of the statutes
3 and SECTION 9323 (16f) of this act take effect on January 1, 2003.”.

4 **1626.** Page 1420, line 19: after that line insert:

5 “(16f) FEES FOR PATIENT HEALTH CARE RECORDS; RULES. The treatment of sections
6 146.83 (1) (b) and (c) and 908.03 (6m) (d) (by SECTION 3872y) of the statutes takes
7 effect on July 1, 2002.”.

8 **1627.** Page 1420, line 19: after that line insert:

9 “(18j) ASSISTIVE TECHNOLOGY AND ADAPTIVE EQUIPMENT. The treatment of
10 sections 20.435 (6) (a) (by SECTION 721s), (7) (bc) (by SECTION 725b), and (7) (c) (by
11 SECTION 726q) of the statutes takes effect on July 1, 2003.”.

12 **1628.** Page 1420, line 19: after that line insert:

13 “(15e) HEALTH INSURANCE SUPPLEMENT. The repeal of section 20.435 (4) (bu) of
14 the statutes takes effect on July 1, 2002.”.

15 **1629.** Page 1420, line 19: after that line insert:

16 “(15xx) DENTAL CARE ACCESS. The treatment of sections 20.235 (1) (d), 20.435
17 (4) (b) and (5) (fL), 49.45 (2) (a) 25. and (24h), 49.46 (2) (b) 1m., 250.13, and 250.15
18 (2) (d) of the statutes, the renumbering and amendment of section 250.15 (1) of the
19 statutes, and the creation of section 250.15 (1) (d) of the statutes take effect on July
20 1, 2002.”.

21 **1630.** Page 1420, line 19: after that line insert:

22 “(19h) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY. The treatment of section
23 20.435 (4) (bv) of the statutes takes effect on September 1, 2002.”.

24 **1631.** Page 1420, line 20: after that line insert:

1 “(2k) WISCONSIN HIGHER EDUCATION GRANTS AND MINORITY UNDERGRADUATE
2 RETENTION GRANTS. The treatment of sections 20.235 (1) (fe), (ff), and (fg) of the
3 statutes takes effect on July 1, 2003.”.

4 **1632.** Page 1421, line 4: after that line insert:

5 “(2k) COVERAGE OF MOTOR VEHICLES. The treatment of section 632.38 (1) (c), (2)
6 (intro.), (2m), (3) (title), (b), (c), and (d), and (4) of the statutes, the renumbering and
7 amendment of section 632.38 (3) (a) of the statutes, and the creation of section 632.38
8 (3) (a) 2. of the statutes and SECTION 9327 (2k) of this act take effect on the first day
9 of the 3rd month beginning after publication.”.

10 **1633.** Page 1421, line 4: after that line insert:

11 “(2e) COVERAGE OF CONTRACEPTIVES. The treatment of sections 40.51 (8) and
12 (8m), 66.0137 (4), 111.91 (2) (n), 120.13 (2) (g), 185.981 (4t), 185.983 (1) (intro.),
13 609.73, and 632.895 (15) of the statutes and SECTION 9327 (1e) of this act take effect
14 on the first day of the 6th month beginning after publication.”.

15 **1634.** Page 1421, line 11: after that line insert:

16 “(2n) TREATMENT AND PREVENTION OF CHILDHOOD SEXUAL ABUSE. The treatment
17 of sections 20.455 (5) (kv), 49.175 (1) (zv), and 165.935 of the statutes and the
18 amendment of section 20.445 (3) (md) (by SECTION 743dg) of the statutes take effect
19 on July 1, 2003.”.

20 **1635.** Page 1422, line 3: after that line insert:

21 “(2q) RACINE MUSEUM. The treatment of section 20.370 (5) (cq) (by SECTION 605c)
22 of the statutes takes effect on July 1, 2005.”.

23 **1636.** Page 1422, line 4: after “COURSE” insert “; KENOSHA MUSEUM”.

24 **1637.** Page 1422, line 5: substitute “2003” for “2002”.

1 **1638.** Page 1422, line 6: delete “(f) 1.”.

2 **1639.** Page 1422, line 12: after that line insert:

3 “(5k) SOLID WASTE TIPPING FEES. The treatment of sections 289.645 (3) (a) and
4 (b) and 289.67 (1) (cp) of the statutes and SECTION 9337 (1m) of this act take effect
5 on January 1, 2002.”.

6 **1640.** Page 1422, line 14: after that line insert:

7 “(6k) SPARTA OVERPASS. The repeal of section 20.370 (5) (cz) of the statutes takes
8 effect on July 1, 2003.”.

9 **1641.** Page 1422, line 14: after that line insert:

10 “(6p) AIR FILTRATION FOR RESIDENTIAL WELLS. The treatment of section 280.25 of
11 the statutes takes effect on January 1, 2002.”.

12 **1642.** Page 1422, line 19: after that line insert:

13 “(2m) MILWAUKEE PARENTAL CHOICE PROGRAM. The treatment of section 119.23
14 (4m) of the statutes takes effect on July 1, 2002.”.

15 **1643.** Page 1422, line 24: after that line insert:

16 “(1k) IRREVOCABLE BURIAL TRUSTS. The treatment of section 445.125 (1) (a) 2. of
17 the statutes and SECTION 9343 (1k) of this act take effect on July 1, 2003.”.

18 **1644.** Page 1423, line 11: after that line insert:

19 “(3xx) REGULATION OF DENTISTS AND DENTAL HYGIENISTS. The treatment of
20 sections 447.01 (10) and (12), 447.02 (1) (c), (2) (d) and (e), and (3), 447.03 (2) (intro.),
21 (a), and (b) and (3) (g), 447.04 (1) (a) 4., (b), (c), and (d), 447.06 (title), (1), (2) (a), (b),
22 (c), (d), and (e), (2m) (title), (3), (4), (5) (title), (6) (title), (d), and (e), and (7), and

1 447.065 (title), (1), (2), and (3) of the statutes and SECTIONS 9123 (13xzz) and 9343
2 (1xx) of this act take effect on July 1, 2002.”.

3 **1645.** Page 1423, line 15: after that line insert:

4 “(1c) USE TAX ON BOATS. The treatment of section 77.53 (17m) of the statutes
5 takes effect on the first day of the 2nd month beginning after publication.”.

6 **1646.** Page 1423, line 15: after that line insert:

7 “(2d) DIGITAL BROADCASTING EQUIPMENT. The treatment of section 77.54 (46) of
8 the statutes takes effect on July 1, 2003.”.

9 **1647.** Page 1423, line 21: after that line insert:

10 “(3w) SALES AND USE TAX EXEMPTION FOR WATER SLIDES. The treatment of section
11 77.54 (46) of the statutes takes effect on the first day of the 2nd month beginning after
12 publication.”.

13 **1648.** Page 1423, line 22: delete the material beginning with that line and
14 ending with page 1424, line 3.

15 **1649.** Page 1423, line 24: after that line insert:

16 “(4k) OUT-OF-STATE WINE SHIPPERS. The treatment of sections 125.031, 125.52
17 (8), 125.53 (3), 125.58 (4), and 125.68 (10) (bm) of the statutes and the creation of s.
18 125.58 (4) (a) 2., 3., and 4. of the statutes take effect on January 1, 2003.”.

19 **1650.** Page 1424, line 4: delete lines 4 and 5.

20 **1651.** Page 1424, line 8: delete lines 8 and 9.

21 **1652.** Page 1424, line 13: after that line insert:

22 “(1x) TECHNICAL AND OCCUPATIONAL PROGRAM. The treatment of section 38.305
23 (2) of the statutes takes effect on July 1, 2002.”.

1 **1653.** Page 1424, line 16: after that line insert:

2 “(2f) THOMAS T. MELVIN TOBACCO CONTROL ENDOWMENT FUND. The treatment of
3 section 20.436 (1) (tc) of the statutes takes effect on July 1, 2003.”.

4 **1654.** Page 1424, line 20: delete that line and substitute:

5 “(d) and (e), (6m) (a), (6r) (b) 2., 3., 4., 6., 7., and 8. (intro.),”.

6 **1655.** Page 1424, line 21: delete “SECTION 3406dm),”.

7 **1656.** Page 1425, line 15: after that line insert:

8 “(6b) GRANTS TO BROWN COUNTY AND MUNICIPALITIES. The repeal of section
9 20.395 (1) (gs) of the statutes takes effect on July 1, 2003.”.

10 **1657.** Page 1425, line 15: delete “2002” and substitute “2003”.

11 **1658.** Page 1426, line 15: after that line insert:

12 “(10q) CORRECTION OF TRANSPORTATION AID PAYMENTS. The treatment of section
13 20.395 (1) (ar) (by SECTION 632n) of the statutes takes effect on January 1, 2003.”.

14 **1659.** Page 1426, line 21: after that line insert:

15 “(1k) GRADUATE STUDENT FINANCIAL AID; AND LAWTON MINORITY UNDERGRADUATE
16 GRANTS PROGRAM. The treatment of section 20.285 (4) (b) and (dd) of the statutes takes
17 effect on July 1, 2003.”.

18 **1660.** Page 1427, line 1: delete lines 1 and 2.

19 **1661.** Page 1427, line 12: after “(a) to (d)” insert “, and (e)”.

20 **1662.** Page 1427, line 12: delete “(title) and” and substitute “(title),”.

21 **1663.** Page 1428, line 4: delete “(by SECTION 1682c)” and substitute “1. (by
22 SECTION 1682cd) and 2. (by SECTION 1682cf)”.

23 **1664.** Page 1428, line 5: after that line insert:

1 “(3z) PREVAILING WAGE RATES; JOB CLASSIFICATIONS. The treatment of sections
2 66.0903 (3) (am) and 103.49 (3) (a) of the statutes takes effect on January 1, 2002,
3 or on the day after publication, whichever is later.”.

4 **1665.** Page 1428, line 5: after that line insert:

5 “(3g) WORKFORCE ATTACHMENT. The treatment of section 49.173 (1) (intro.), (2),
6 and (3) of the statutes takes effect on July 1, 2002.”.

7 **1666.** Page 1428, line 5: after that line insert:

8 “(6j) FAMILY VIOLENCE OPTION. The treatment of sections 49.145 (2) (f) 1. a. and
9 b. and (n) 1. (intro.), 49.147 (5) (b) 1. (intro.) and (5g), 49.1473, 49.148 (1) (intro.), (a),
10 (b) 1., 1m. (intro.), 3., and 4., and (c), and 49.152 (1) of the statutes, the renumbering
11 and amendment of sections 49.145 (2) (n) 3. and 49.147 (3) (c), (4) (b), and (5) (b) 2.
12 of the statutes, the creation of sections 49.145 (2) (n) 3. b. and 49.147 (3) (c) 3., (4) (b)
13 3., and (5) (b) 2. b. of the statutes, and SECTION 9358 (6j) of this act take effect on the
14 first day of the 6th month beginning after publication.”.

15 **1667.** Page 1428, line 10: delete lines 10 to 17.

16 **1668.** Page 1429, line 4: after that line insert:

17 “In enrolling this bill, the legislative reference bureau shall change the
18 amounts shown in the schedule under section 20.005 (3) of the statutes to substitute
19 in fiscal year 2001–02 and in fiscal year 2002–03 the following amounts for the
20 amounts shown for each of the following appropriation paragraphs:

21	20.625 (1) (a)	51,739,000
22	20.660 (1) (a)	7,609,400
23	20.680 (1) (a)	4,152,700”.

24 **1669.** Page 1429, line 4: after that line insert:

