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Summary of the 1989-90 Wisconsin Legislative Session

1989 WISCONSIN ACTS 1 to 357

INTRODUCTION

This brief provides an overview of the 1989-90 legislative session through May 11, 1990. The main body of the brief is divided according to subject matter; beneath each subject heading the acts of the Legislature are individually described. The significant provisions of any act affecting more than one area of state law (including Acts 31 and 336, the budget act and the state agency adjustment act) are described separately under the appropriate subject headings. The brief also includes summaries of the more important enrolled joint resolutions. Included in the *HIGHLIGHTS* section of this brief are synopses of those acts and joint resolutions that were of particular interest to the Legislature. Commonly used abbreviations are listed in section V of the bulletin.

The 1989 Legislature took its oath of office on January 3, 1989. Its regular session was organized into 7 floorperiods:

I — January 24 to February 3, 1989
II — March 14 to March 16, 1989
III — April 25 to April 27, 1989
IV — May 16 to June 30, 1989
V — October 3 to November 10, 1989
VI — January 23 to March 23, 1990
VII — May 15 to May 17, 1990

In addition to these floorperiods, as of May 11, 1990, the Governor has called one special session, down from 2 special sessions called during the 1987-88 legislative session. Six acts resulted from the October, 1989 Special Session.

The 1989 Legislature enacted 357 acts through May 11, 1990, compared to 422 acts enacted by the 1987 Legislature. The number of bills introduced decreased to 1,599, compared to 1,656 in the previous session. Of the bills introduced, 1,026 originated in the Assembly and 573 originated in the Senate. The 1989 Legislature enacted 22.3% of the bills introduced, compared to 25.5% enacted by the 1987 Legislature. These figures do not tell the entire story; many bills were redrafted a number of times prior to introduction and

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many bills had one or more complete substitute versions. As of May 11, 1990, the Legislative Reference Bureau has received 13,034 drafting requests during the 1989-90 legislative session compared to 15,482 drafting requests received during the 1987-88 legislative session.

Governor Tommy Thompson vetoed 35 bills in their entirety during the 1989-90 legislative session, down from 38 totally vetoed bills in the 1987-88 legislative session. The Governor vetoed parts of 27 appropriation bills, up from 20 partially vetoed in the prior session. As of May 11, 1990, the Legislature has not overridden any of the Governor's vetoes.

HIGHLIGHTS

Agriculture

Act 336 *(SB-542)* makes changes in the law covering dairy plant financial security requirements. The act:

1. Requires a dairy plant to provide security or enter into a trusteeship unless certain minimum financial standards are met.

2. Requires dairy plant operators to pay milk producers once each month.

3. Requires that plant operators file quarterly financial statements with DATCP.

4. Requires out-of-state dairy plants that receive milk from Wisconsin to meet the same security requirements as in-state plants, except that out-of-state plants need not be licensed in Wisconsin.

Act 353 *(SB-344)* prohibits any person from administering supplemental BST to cows until June 1, 1991. The act also establishes an Agricultural Technology and Family Farm Institute in the College of Agricultural and Life Sciences at the UW-Madison and directs the Board of Regents to establish extension programs to educate consumers about biotechnology processes and products and to conduct research on the effects of using supplemental bovine somatotropin (BST) in commercial milk production.

Business and Consumer Law

Act 303 *(AB-780)* rewrites Wisconsin's business corporation law, which regulates the organization and certain on-going activities of for-profit, stock corporations. Many of the act's provisions parallel the Revised Model Business Corporation Act prepared by a committee of the American Bar Association. Among the many changes, the act:

1. Broadens the circumstances in which a shareholder may dissent from a corporate action and receive payment from the corporation for the fair value of his or her shares, and substantially changes the procedure for asserting dissenters' rights.

2. Creates a procedure for a share exchange, by which a corporation acquires one or more classes or series of stock of another corporation.

3. Permits corporations to allow shareholders to use cumulative voting in elections for directors. Cumulative voting means a shareholder multiplies the number of votes that he or she is entitled to cast by the number of directors for whom he or she is entitled to vote and casts the product for a single candidate or distributes the product among 2 or more candidates.

4. Makes a number of changes in the procedures governing derivative actions (actions brought by shareholders asserting a right or remedy on behalf of the corporation), including eliminating the obligation of shareholders bringing the action to post security, in certain circumstances, for the costs of the litigation. However, the act allows the court at the end of the litigation to require shareholders to pay the defendant's costs.

5. Expands the activities that a foreign corporation may engage in in Wisconsin without obtaining a certificate of authority from the Secretary of State.

6. Makes various changes in the procedure and fees for filing corporate documents with the Secretary of State.

Act 307 *(SB-252)* makes various changes in the requirements for owners and operators of cemeteries and sales of cemetery merchandise, lots and mausoleum spaces beginning on

November 1, 1991 (see also *Other Business and Consumer Law Act 95*). With various exceptions, the act:

1. Establishes various requirements for preneed sales. A "preneed sale" is a sale of cemetery merchandise (a monument, nameplate, urn or other good associated with a burial, except a casket or burial vault) that is to be delivered after the date of the initial payment under the preneed sales contract, or a sale of a mausoleum space that is not ready for burial on the date of the sale of the mausoleum space. The act requires the preneed seller to deposit a specified amount of each payment made by the purchaser into a trust account and prohibits the seller from withdrawing the funds until all of the terms of the contract have been fulfilled, unless the preneed sale is for the sale of cemetery merchandise that is delivered within 180 days after the date of the sale, and prescribes requirements for the investment of preneed trust funds, and also requires a preneed seller to be registered with DORL.

2. Requires each owner or operator of a cemetery to be registered with DORL and each cemetery salesperson who was previously required to be registered with the Real Estate Board to be registered with DORL.

3. Establishes a cemetery consumer protection fund, by requiring each preneed seller to pay to DORL $5 for each preneed sales contract entered into by the preneed seller, to reimburse consumers for losses resulting from the illegal, unprofessional or unethical conduct of cemetery owners and operators, cemetery salespersons and preneed sellers.

4. Requires a newly established cemetery to be an endowment care cemetery (a cemetery determined by DORL to have a specified amount of funds available for the care of the cemetery) and to consist of at least 20 contiguous acres, and, beginning on November 1, 1992, prohibits a person from selling a cemetery lot or mausoleum space in a cemetery that is not an endowment care cemetery unless the contract for sale specifies that the cemetery is not an endowment care cemetery and that the cemetery may not have sufficient funds to provide for the care of the lot or space.

5. Exempts certain religious-affiliated cemeteries from various requirements applicable to other cemeteries.

6. Prescribes requirements for the resale of abandoned cemetery lots.

7. Transfers jurisdiction over cemetery associations (7 or more residents of the same county who organize to own and operate a cemetery) from the Registers of Deeds to the Secretary of State.

Act 328 *(SB-10)* permits a rental car company to hold a renter or authorized driver liable for damage to a rental car for no more than the costs of repairing the car or its fair market value, whichever is less, and for towing and limited storage costs. The act also regulates the sale of collision damage waivers, which rental car companies offer to sell renters to eliminate or reduce renters' liability for damage to rental cars.

Children

Act 31 *(SB-31)* requires a juvenile court judge to order 100 hours of community service work and to revoke for not less than 6 months nor more than 2 years the operating privilege of a child who is adjudicated delinquent for the possession of a controlled substance in or within 1,000 feet of a school, school bus, public park, public swimming pool, youth center or community center. The act also authorizes a juvenile court judge to combine these dispositions with placement in a correctional school (see also *Crimes*).

Act 121 *(Oct. 1989 Spec. Sess. AB-9)* requires a juvenile court to order a forfeiture or to suspend or revoke the operating privilege of a child who has committed a violation of the

laws regulating controlled substances (dangerous drugs). The court may stay execution of such an order if the child agrees to submit to alcohol or other drug abuse (AODA) assessment, treatment or education. The act also makes the citation procedure and dispositional alternatives that are applicable to juveniles who commit beer and liquor violations applicable to juveniles who commit drug paraphernalia violations. Finally, the act authorizes a juvenile court to order AODA treatment or education for the parent, guardian or legal custodian of a child found delinquent or in need of protection or services for use or abuse of an alcohol beverage or controlled substance or for possession or attempted possession of a controlled substance (see also *Act 336*).

Constitutional Amendments

Enrolled Joint Resolution 39 *(Senate Joint Resolution 11)*, proposed by the 1989 Legislature on 2nd consideration, precludes the Governor, in approving an enrolled appropriation bill in part, from creating a new word by rejecting individual letters in the words of the bill. The amendment was ratified by the electorate on April 3, 1990.

Correctional System

Act 31 *(SB-31)* created a department of corrections (DOC), effective January 1, 1990, and transfers most authority for administering adult and juvenile correctional institutions and administering probation and parole from DHSS to DOC. The act also creates a parole commission in DOA to exercise discretionary parole-granting authority and a division of corrections hearings in DOA to handle probation and parole revocation proceedings. Despite these changes, the act also directed DHSS to prepare legislation, effective January 1, 1990, to retain juvenile corrections functions in DHSS and to place the parole commission in DOC (see also *Act 107*).

Courts and Procedure

Act 278 *(SB-259)* replaces most of the specific items of property exempt from seizure to satisfy a judgment and other court proceeding with broad categories of exempt property and provides specific procedures to claim and value exempt property.

Crimes

Act 121 *(Oct. 1989 Spec. Sess. AB-9)* makes various changes relating to crimes. The act:

1. Provides penalties for manufacturing, delivering or possessing cocaine base (this includes "crack" cocaine).

2. Revises penalties for controlled substances (dangerous drugs) crimes involving large amounts of cocaine, heroin, phencyclidine, amphetamine or methamphetamine.

3. Provides penalties for using a child to illegally manufacture or deliver a controlled substance.

4. Provides increased penalties for a person who obstructs a law enforcement officer by giving false information or placing physical evidence with an intent to mislead the officer.

5. Provides penalties for illegally attempting to possess a controlled substance.

6. Restricts the manufacture, delivery, possession and advertising of drug paraphernalia.

7. Makes all of the minimum sentence provisions under the uniform controlled substances act presumptive minimum sentences, allowing courts to order probation or a

lesser sentence for defendants subject to these provisions if the court finds that the best interests of the community will be served and the public will not be harmed.

Domestic Relations

Act 212 *(SB-253)* makes various changes in the laws relating to child support and paternity. The act:

1. Prohibits retroactive modification of support orders entered by courts in other states.

2. Permits a court in a child support action to require a parent to seek employment.

3. Creates a presumption of paternity based on the written acknowledgment of paternity by a child's mother and a man presumed to be the child's father.

4. Permits a court to consider a parent's earning capacity in setting child support.

5. Specifies the county in which petitions for enforcement or modification of child support, family support or maintenance are required to be filed.

6. Requires a person who owes child support, family support or maintenance to notify the clerk of court of any change of employer and any substantial change in the amount of his or her income within 10 days of the change.

Act 218 *(AB-107)* creates a procedure to divide the accumulated rights and benefits of a public employe under WRS in accordance with a qualified domestic relations order, which means a judgment, decree or other order issued by a court pursuant to a domestic relations law of any state or territory of the United States that provides for the division of the employe's accumulated rights and benefits under WRS and meets certain other requirements. The procedure is based upon the present value of the benefits under WRS that have been accrued to the date that the employe's marriage is terminated by a court.

Education

Act 114 *(AB-146)* substantially revises procedures for changing school district boundaries. The act expands the membership of the School District Boundary Appeal Board, creates appeal panels composed of members of the board to hear certain appeals, and creates new procedures for school district consolidations and dissolutions and for the detachment of territory from one school district and its attachment to an adjoining school district. The act also revises the criteria that must be used in making school district reorganizations and creates a state aid incentive for school district consolidations.

Act 336 *(SB-542)* permits approximately 930 pupils from low-income families in the city of Milwaukee to attend, at state expense, nonsectarian private schools located in the city. Payments by the state to such schools are offset by a reduction in state aid to the Milwaukee public schools. Pupils must be selected for the program on a random basis. The act specifies performance standards for the private schools participating in the program.

Elections

Act 192 *(SB-260)* makes numerous changes in election and campaign finance laws, including:

1. Requiring municipal governing bodies and boards of election commissioners to appoint the nominees of party committeemen and committeewomen for election to official positions, unless the State Elections Board, upon showing of cause after hearing and subject to court appeal, permits nonappointment. Formerly, governing bodies and boards of election commissioners had discretion to reject nominations for any reason.

2. Broadening the authority of the State Elections Board to review compliance with laws relating to election administration and voting qualifications, and to order compliance with the law.

3. Removing the requirement that there be a showing of facts in circuit court that could constitute cause for the recall of a municipal or school district officer, and instead requiring that a petition for the recall of such an officer contain a statement of the reason for the proposed recall. The act also changes various petition requirements for recall elections.

4. Broadening polling place accessibility requirements to apply to all elderly and handicapped individuals, instead of only individuals in wheelchairs, but permitting the State Elections Board to exempt any polling place from accessibility requirements, and permitting municipal clerks and boards of election commissioners to reassign voters from nonaccessible to accessible polling places.

5. Eliminating the requirement that voter registration forms be sworn before an officer who is authorized to administer oaths and simplifying other registration requirements for voters who are living away from home.

6. Permitting special voting deputies to be appointed to conduct voting in certain retirement homes and community-based residential facilities.

7. Permitting members of the armed forces and certain other individuals who are living away from home to vote in state and local elections by casting a blank write-in absentee ballot.

8. Establishing uniform petition requirements for all petitions for referenda.

Employment

Act 13 *(SB-148)* makes various changes relating to the retirement benefits of public employes who are participants under WRS. The act:

1. Establishes an early retirement window until June 30, 1990, based on a 55/23 rule (with earliest retirement allowed at age 50) for protective occupation participants (police officers, fire fighters and certain others) and a 62/23 rule (with the earliest retirement allowed at age 55) for all other participants. Under these rules, the normal retirement age (the age at which the participant is eligible for full retirement benefits) is calculated by subtracting from the first number (55 or 62) one year for each year of creditable service (service credited under WRS) that exceeds 23 years.

2. Reduces the normal retirement age for a protective occupation participant who retires after June 30, 1990, to 54, and to 53 with 25 years of creditable service.

3. Reduces the penalty for retirement before the normal retirement age of a participant, other than a protective occupation participant, who retires after June 30, 1990.

4. Beginning on January 1, 1990, for employes hired on or after January 1, 1982, reduces interest on employe retirement contributions from 5% to 3% annually for purposes of calculating a lump sum separation benefit (paid to a participant who terminates employment and waives his or her right to a future retirement benefit).

5. Changes the requirements for determining creditable service and whether an employe qualifies for participation under WRS.

6. Requires an employe who is hired on or after January 1, 1990, to have creditable service during at least 5 calendar years to establish the right to receive a retirement benefit. Formerly, there was no similar requirement.

7. Provides, with certain exceptions, that a statutory provision governing WRS benefits for state employes or certain other fringe benefits for state employes apply to state

employes who are covered by a collective bargaining agreement unless the bargaining agreement provides otherwise (see also *Fringe Benefits of Public Employes, Act 31*).

8. Makes various changes relating to funding WRS benefits, valuation of WRS assets and adjustment of WRS employer and employe contribution rates.

Act 44 *(AB-60)* makes various changes related to employe notification by employers of business closings or mass layoffs. The act:

1. Reduces from 100 to 50 the number of employes an employer must employ to be subject to the requirement that the employer give 60 days' prior notice of a business closing or mass layoff.

2. Defines the actions that trigger the 60-day notice requirement. These actions are a "business closing," which means a permanent or temporary shutdown that affects 25 or more employes; or a "mass layoff", which means a reduction in force that affects at least 25% of the employer's workforce or 25 employes, whichever is greater, or at least 500 employes.

3. Creates various exceptions to the 60-day notice requirement.

4. Creates a private cause of action for an employe whose employer did not give him or her timely notice of a business closing or mass layoff. An employe may claim pay and the value of employe benefits from the time notice should have been given to the time of actual notice or layoff.

Act 77 *(SB-293)* makes various changes in the unemployment compensation law. The act:

1. Increases weekly benefit rates from a range of $38 to $200 per week to a range of $42 to $225 per week, depending upon the wages earned by an employe during the work period upon which benefit credits are based.

2. Decreases the amount of wages earned by an employe that are required to qualify for benefits.

3. Decreases the length of time that an employe must work and the amount of wages an employe must earn in order to requalify for benefits after quitting a job, and eliminates a reduction in benefits and wage credits that was formerly imposed upon employes who quit their jobs under certain conditions.

4. Treats temporary partial disability payments received under the Worker's Compensation law as wages for purposes of establishing benefit eligibility and benefit rates payable to an employe.

5. Establishes 3 new rate schedules for unemployment compensation contributions (taxes) that provide for reduced contributions when the cash balance of the unemployment reserve fund is at or above $300,000,000 on any June 30, and provides for small employers to be assessed at lower rates than larger employers.

Environment

Act 335 *(SB-300)* makes major changes relating to recycling, reduction in the amount of solid waste produced and solid waste disposal and treatment. The act:

1. Prohibits the landfilling and incineration of specified materials. The prohibitions are phased in from January 1, 1991, to January 1, 1995. The act establishes exceptions from some of the prohibitions, including an exception for solid waste generated in a local governmental unit in Wisconsin that has an effective recycling program or in a local governmental unit outside of Wisconsin that has an effective recycling program and that is located in a state that satisfies requirements for creating or expanding landfills and

incinerators. The act includes criteria that DNR uses to determine whether a local governmental unit has an effective recycling program.

2. Establishes a program that awards grants to local governmental units to help pay the costs of recycling programs.

3. Establishes several financial assistance programs for businesses that produce products from materials recovered from solid waste and for diaper services.

4. Imposes a recycling fee on businesses, based on gross receipts, to fund programs related to recycling. The fee does not apply after July 1, 1992.

5. Requires some plastic containers to consist of a specified amount of recycled or remanufactured material, beginning on January 1, 1995.

6. Imposes a fee on newspapers that do not use specified amounts of recycled fiber in their newsprint.

7. Requires state agencies to separate for recycling specified materials from the solid waste they generate and imposes requirements on state and local governmental purchasing to increase the purchasing of recycled and reuseable, as opposed to single-use, products.

8. Directs DATCP to establish standards that must be met in order for a person to represent that products are recycled, recyclable or degradable.

9. Prohibits a local governmental unit that receives a state recycling grant from imposing a restriction on packaging, except for a restriction that is consistent with a state restriction, for a purpose related to the disposal of the packaging.

10. Requires DNR, the UW and the VTAE Board to conduct educational programs concerning recycling.

11. Requires persons who sell lead acid (motor vehicle) batteries to accept used batteries from consumers.

12. Limits the number of landfills that may be constructed in a 3rd class city (10,000 to 38,999 population). The act also establishes a program for the certification of landfill operators.

13. Establishes a program for the certification of incinerator operators.

14. Authorizes a municipality to impose a fee on the operator of a medical waste incinerator located in the municipality. The act authorizes DNR to modify the air pollution control permit of a medical waste incinerator at the request of the municipality in which the incinerator is located if the modifications are reasonable to protect the public health and the environment. The act also requires operators of large medical waste incinerators in certain counties to test air emissions for specified substances.

15. Establishes a program of grants to assist local governmental units in closing their landfills.

16. Imposes a solid waste capacity fee on out-of-state wastes landfilled or incinerated in this state.

17. Prohibits the sale of packaging with concentrations of certain toxic substances in excess of specified limits.

18. Prohibits the use of nondegradable bags for the disposal of yard waste.

19. Establishes a pilot program of grants to counties for the collection, disposal and recycling of agricultural chemicals and chemical containers.

20. Requires DILHR to establish requirements for the provision of space in public buildings for storage and collection of materials separated for recycling.

Health and Social Services

Act 31 *(SB-31)* establishes numerous requirements, effective October 1, 1989, in addition to preexisting nursing home regulatory laws, that conform to federal Medicaid requirements, for operation of nursing homes that are certified providers of medical assistance services. The act:

1. Requires that nursing homes develop and periodically review a written plan of care for each resident and conduct and periodically review a comprehensive assessment of each resident's functional capacity.

2. Establishes specific resident rights generally and with respect to transfer, discharge, access and visitation.

3. Establishes requirements relating to equal access to quality care, admissions and resident fund protection.

4. Establishes monetary forfeitures for violations of the nursing home requirements and permits DHSS to impose penalty assessments and interest on the imposed forfeitures. Collections from the penalty assessments and interest must be used for specified purposes relating to the welfare of nursing home residents.

Act 200 *(AB-305)* creates a power of attorney for health care, whereby a person may designate another to act on behalf of the person, if incapacitated, in making an informed decision to accept, maintain, discontinue or refuse health care. The act:

1. Establishes requirements for execution and revocation of a power of attorney for health care.

2. Establishes powers and limitations under a power of attorney for health care, including permitting the withholding or withdrawal of nutrition or hydration under specified circumstances and permitting health care decisions on behalf of a pregnant woman.

3. Provides a form of a power of attorney for health care document, requires DHSS to prepare and make available copies of the form and permits DHSS to impose a fee for providing the form.

4. Provides a limited immunity from liability for health care facilities, health care providers and persons acting on behalf of others under a power of attorney for health care.

Act 294 *(AB-347)* changes procedures for voluntary acceptance of assignment of federal Medicare Part B benefits by physicians. Medicare Part B is that portion of the federal health insurance program that covers the costs of medically necessary physicians' services, specified outpatient services, home health services and specified medical tests and equipment. The act requires the Board on Aging and Long-Term Care annually to:

1. Ask full-time practicing physicians whether or not they voluntarily accept assignment of federal Medicare Part B benefits from their patients whose incomes are within state limits required to qualify for a homestead credit on state income taxes and provide the information to federal Medicare Part B beneficiaries.

2. Obtain information on the percentage of federal Medicare Part B claims for which assignment of benefits has been accepted by physicians.

The act requires DHSS annually to provide county aging units with enrollment cards for and materials explaining voluntary acceptance of assignment.

The act requires DNR annually to distribute to persons who are issued senior citizen recreation cards information on voluntary acceptance of assignment of federal Medicare Part B benefits by physicians and to report to the Legislature on the distribution.

The act requires DOT annually to distribute to certain licensees and license applicants information on voluntary acceptance of assignment of federal Medicare Part B benefits by physicians and to report to the Legislature on the distribution.

The act requires DOR annually to distribute to persons eligible for the homestead credit information on voluntary acceptance of assignment of federal Medicare Part B benefits by physicians and to report to the Legislature on the distribution.

Natural Resources

Act 31 *(SB-31)* creates a stewardship program that authorizes the state to contract public debt in an amount not to exceed $250,000,000 to acquire and develop land for the following conservation and recreational purposes:

1. General DNR land acquisition, including land for state parks and state forests.
2. Development and acquisition of land for local parks.
3. Acquisition of land for natural areas, the Ice Age Trail and the Lower Wisconsin State Riverway.
4. Development of wildlife habitat restoration areas to enhance wildlife-based recreation such as hunting, fishing and observation of wildlife.
5. Acquisition of land for development of state trails for use by bicyclists, hikers, equestrians or cross-country skiers.
6. Acquisition of land by local governments to develop urban green space.
7. Acquisition of easements along stream banks to support fish habitat and protect the streams from agricultural and urban runoff.
8. Acquisition of land under the natural areas heritage program.
9. General property development.

The act authorizes DNR to award grants to nonprofit conservation organizations to acquire land for some of these conservation and recreational purposes.

The act expresses the Legislature's intent that DNR expend $23,100,000 in each fiscal year between 1990-91 and 1999-2000 for the recreational and conservation purposes listed in items 1 through 9.

The act also creates a State Trail Council that advises and consults with DNR on the development and management of state trails.

The act also creates a Lower Wisconsin State Riverway along the Wisconsin River downstream from the dam at Prairie du Sac. Certain activities in the Riverway are regulated in order to preserve the scenic value of the lower Wisconsin River. Most land located in a city or village is not in the Riverway and is not subject to the act.

With certain exceptions, the act requires that a person (including a local governmental unit or state agency) obtain a permit to construct, reconstruct, modify or repair a structure or to place or replace a mobile home in the Riverway. In addition to the requirements for structures in general, there are specific permit requirements for piers, utility facilities that are not high-voltage transmission lines, bridges not under the supervision of DOT, stairways and walkways.

The act also requires that person obtain a permit to cut marketable timber in the Riverway.

The act prohibits certain activities in the Riverway, including:

1. Cutting of vegetation other than marketable timber, with certain exceptions.
2. Storing and disposing of junk or solid waste except certain wastes used in agriculture.

3. New mining activity.

4. Road construction or alteration not under the supervision of DOT unless certain requirements to minimize the visual impact and to guard against erosion are met.

5. New signs except for DNR signs, highway signs and no trespassing signs.

6. Construction of new dams.

7. Construction, reconstruction, modification or repair of wharves or public access sites unless certain requirements to minimize the visual impact are met.

The act provides that a person may put land in the Riverway into agricultural use only if the use complies with DATCP rules governing soil and water resource management and any applicable requirements under the act. The act exempts from regulation new or existing agricultural buildings on existing farms.

The act restricts recreational use of the river within the Riverway. Boats must carry waterproof trash containers and persons using the river may not leave trash in the Riverway. The act also bans glass containers in the Riverway.

The act creates a Lower Wisconsin State Riverway Board. The Board is responsible for issuing permits for structures on land not zoned as county shorelands. The counties are responsible for issuing permits for county shoreland. The Board or the PSC must approve the placement of high-voltage transmission lines. The placement may be approved only if the lines, to the extent practicable, will not impair the scenic beauty or the natural value of the Riverway.

The act establishes civil monetary forfeitures and allows the state, counties and municipalities to bring suit to enforce its provisions.

Act 324 *(AB-710)* creates a Dane County Watershed and Lakes Commission (Commission), which is governed by a Board of Commissioners (Board), as part of county government for Dane County. The Board has various duties and powers regarding the regulation of boating and the protection and rehabilitation of water quality in Dane County, including the following:

1. The Board may propose to the Dane County Board the adoption, modification or rescission of a local regulation or ordinance relating to boating or to water recreation or safety.

2. The Board may propose to the Dane County Board minimum environmental and property maintenance standards which, if adopted by the county board, supersede any conflicting and less restrictive ordinances, local regulations or minimum standards.

3. The Board may develop projects for certain purposes, including water quality, recreation and safety; reduction of soil erosion; and aquatic weed control.

4. The Board may propose to the Dane County Board that a levy be placed on all taxable real property for the Commission's operations and that special assessment or special charges be levied to implement the Commission's projects.

The act prohibits the county and its municipalities from reducing their level of expenditures for surface water and groundwater quality protection and rehabilitation below the expenditures they made for the fiscal year ending in 1990.

The Board consists of 9 members who are residents of Dane County: the Dane County Executive or his or her designee, the Mayor of Madison or his or her designee, 2 Dane County Supervisors from districts outside Madison, 2 Dane County Supervisors from districts in Madison, and 3 members who are not Dane County Supervisors.

Shared Revenue

Act 336 *(SB-542)* creates a tax rate disparity payment to be made, beginning in 1991, to municipalities that have a property tax rate that is higher than the statewide average, a per capita property value that is less than 120% of the statewide average and a budget increase less than a specified amount. Each qualifying municipality receives a portion of the payment that reflects the size of its levy rate and the value of its property. The amount to be distributed is $25,000,000 in 1991 and thereafter.

State Government

Act 31 *(SB-31)* makes various changes relating to district attorneys and the prosecution system (see also *Other State Government, Acts 117* and *336* and *Fringe Benefits of Public Employes, Act 122*). The act:

1. Transfers district attorneys, deputy district attorneys and assistant district attorneys from county employment to state employment.

2. Specifies the duties of and restrictions on district attorneys, deputy district attorneys and assistant district attorneys.

3. Transfers certain duties, such as providing advice to the county board, from district attorneys to corporation counsels. The act also allows each county board, in lieu of or in addition to employing a corporation counsel, to designate an attorney to perform the duties of the corporation counsel as the need arises.

4. Provides that counties continue to be responsible for handling civil actions relating to child support and paternity. With certain exceptions, the counties must either employ or contract with attorneys to provide these services.

5. Includes district attorneys under the code of ethics for state public officials.

6. Provides for district attorneys to be paid salaries fixed with reference to the state compensation plan at levels determined in accordance with the populations of the prosecutorial units in which they serve, but at a level not lower than the salary they were receiving on December 31, 1989.

7. Provides for appointment of deputy and assistant district attorneys in the unclassified service, but applies provisions relating to discharge and discipline procedure for state employes in the classified service to assistant district attorneys.

8. Permits assistant district attorneys to bargain collectively with the state in a collective bargaining unit separate from other attorneys employed by the state.

9. Provides for assistant district attorneys to be paid in accordance with the pay range or ranges established for assistant attorneys general, except as otherwise provided in a collective bargaining agreement.

10. Provides that the Milwaukee County District Attorney and each Milwaukee County deputy or assistant district attorney has an option to continue as a participant under the Milwaukee County retirement system instead of becoming a participant under WRS if he or she elects that option on or before March 1, 1990.

11. Provides that each district attorney, deputy district attorney and assistant district attorney has an option to continue coverage under his or her county fringe benefit plan instead of being covered under the state fringe benefit plan if he or she elects that option within a specified period.

12. Provides a series of payments for calendar years 1990, 1991 and 1992 to provide a transition toward state assumption of costs relating to the prosecution system.

Act 338 *(AB-611)* makes various changes in the lobbying regulation law and the code of ethics for state public officials. Significant provisions include:

1. Transferring responsibility for administration of the lobbying regulation law from the Secretary of State to the state Ethics Board.

2. Broadening coverage of the lobbying regulation law so that it is not limited to "direct" communications with officials, covers contacts with all legislative employes (including blue collar and clerical employes), and specifically provides that time spent in preparation for making communications and appearances is considered to be "lobbying."

3. Deleting a provision that permitted a principal that is a nonprofit organization or agency to furnish things of value to state officials and candidates for state office at a bona fide social function or meeting of the organization or agency.

4. Permitting a local government that is a principal to furnish compensation, per diems and expense reimbursements to employes who are also state officials under certain conditions.

5. Permitting things of value to be provided by a lobbyist to certain of his or her relatives and individuals who reside in the same household as the lobbyist even if the relatives or other individuals are state officials or candidates for state office.

6. Permitting a principal to furnish things of value to a member of the governing body of the principal who is an employe of the UW system under certain conditions.

7. Permitting a lobbyist or principal to furnish things of value to an individual who would otherwise be precluded from accepting the thing because of membership on a part-time state body under certain conditions.

8. Making changes in lobbying registration and reporting requirements. Reporting of personal travel and living expenses is required, as well as research and related costs and certain expenses incurred to urge members of the public to attempt to influence legislative action or rule making by state agencies.

Taxation

Act 31 *(SB-31)* reduces the top rate on both toll and exchange revenue for the gross receipts tax on telecommunications companies.

The act also creates a one-time supplement for 1990 of the school property tax credit, which increases the rate of the credit by 6.5% for taxable year 1987 or 1988 or both. The department sent out checks in April 1990 to eligible claimants in an amount equal to the lesser of the claimant's net tax liability or the credit as calculated under the act.

Transportation

Act 22 *(SB-7)* extends the requirement that most motor vehicle operators and passengers use safety belts until July 1, 1991. The act permits passengers to not use safety belts in rear seats if shoulder harnesses have not been installed and eliminates the imposition of fees and assessments for safety belt use convictions. The act retains the $10 forfeiture for safety belt use violations.

Act 105 *(AB-605)* establishes a classified driver license system and implements the requirements of the federal Commercial Motor Vehicle Safety Act of 1986. The act:

1. Requires issuance of a single comprehensive driver's license to each motor vehicle operator by April 1, 1992, authorizing the operation of specific classes and types of motor vehicles. The act eliminates chauffeurs' licenses and school bus operators' licenses, and establishes fees for licenses, endorsements and instruction permits.

2. Establishes new eligibility requirements and restrictions relating to occupational licenses and authorizes DOT to issue occupational licenses for commercial motor vehicle drivers without a court order.

3. Requires applicants for a license authorizing the operation of commercial motor vehicles to pass a written test and a driving skills road test. The act permits issuance of the license without a driving skills road test to certain experienced applicants.

4. Requires prospective employers to obtain an employment history from applicants for employment as a commercial motor vehicle driver and requires any commercial motor vehicle driver to notify DOT and his or her employer of traffic law convictions, other than parking-related offenses, and of any suspension, revocation or cancellation of operating privileges.

5. Provides that commercial motor vehicle drivers who commit serious traffic-related offenses are disqualified from operating commercial motor vehicles for a specified period of time up to a lifetime disqualification.

6. Prohibits the operation of commercial motor vehicles by drivers with an alcohol concentration of 0.04 or more and makes changes in state laws on presumptions concerning chemical testing for intoxication or alcohol concentration.

7. Specifies that persons driving, operating or on duty time with respect to commercial motor vehicles are considered to have given implied consent for chemical testing prior to arrest. The act provides that refusal to submit to chemical testing results in immediate issuance of an order prohibiting operation of any commercial motor vehicle for 24 hours and revocation of operating privileges.

MAJOR PROPOSALS THAT FAILED ENACTMENT OR ADOPTION

Agriculture

Senate Bill 146 would have required that all milk produced by cows in this state be labeled to disclose whether cows producing the milk have been administered bovine somatotropin, and would have required that milk produced by cows that have not been administered bovine somatotropin be kept separate from and labeled differently than other milk.

Senate Bill 454 would have prohibited the sale or distribution of supplemental bovine somatotropin (bovine growth hormone) until July 1, 1991, or the first day of the 7th month beginning after the federal Food and Drug Administration approved the hormone for use other than scientific research, whichever is later.

Constitutional Amendments

Enrolled Joint Resolution 2, proposed by the 1989 Legislature on 2nd consideration, would have allowed the Legislature to create credits or refunds against income taxes or sales taxes for property taxes or sales taxes that have been paid. The amendment was rejected by the electorate on April 4, 1989.

Assembly Joint Resolution 18 and Senate Joint Resolution 19, proposed by the 1989 Legislature on first consideration, would have created a state constitutional right to keep and bear arms.

Discrimination

Senate Bill 405 would have created a private cause of action for violations of the state laws prohibiting discrimination in employment or violations of the civil rights guarantees in the state constitution.

Assembly Bill 590 would have prohibited, with some exceptions, any person or local governmental unit that receives state assistance, or any state agency, court agency or legislative agency, from discriminating against any qualified individual in providing a program.

Education

Assembly Joint Resolutions 2 and 4 and Senate Joint Resolution 4, proposed by the 1989 Legislature on second consideration, would have abolished, over a 10-year period, the use of the property tax for school operations.

Assembly Bill 721, Senate Bill 360 and Oct. 1989 Spec. Sess. Assembly Bill 21 and Senate Bill 21 would have created a new state aid formula for school district debt service costs.

Elections

Assembly Bills 701 and 934 would have revised the campaign finance law and the law that provides public funding to finance certain state campaigns.

Employment

Assembly Bill 1 and Senate Bill 1 would have increased the state minimum wage.

Ethics

Assembly Bill 765 would have revised state ethics and civil service laws.

Health and Social Services

Assembly Bills 38 and 75 and Senate Bills 18 and 530 would have required a pregnant child to obtain the consent of her parents before having an abortion unless a medical emergency exists or she obtains a waiver of this requirement from a court.

Assembly Bills 500 and 571 and Senate Bill 319 would have modified laws prohibiting abortions.

Insurance

Assembly Bill 476 would have created a program to provide health care coverage for the uninsured.

Local Law

Senate Bills 65 and 455 would have given the Milwaukee Metropolitan Sewerage District new authority in areas such as the recovery of capital costs and determining its borders.

Transportation

Senate Bill 466 would have permitted a court to seize and sell a motor vehicle owned by a person who operated the vehicle under the influence of an intoxicant or drugs or a combination of an intoxicant and drugs.

SUMMARY OF PROPOSALS ENACTED BY THE 1989 LEGISLATURE

Agriculture

Act 1 *(AB-15)* increases the amount WHEDA may guarantee under the agricultural production loan guarantee program by $5,000,000 and extends the program to December 31, 1991.

Act 2 *(SB-13)* extended the termination date for the agricultural production drought assistance loan guarantee program administered by WHEDA from February 28, 1989, to June 30, 1989. In addition, the act increased the total principal amount per borrower that WHEDA may guarantee under the program from $10,000 to $15,000.

Act 10 *(AB-306)* authorizes WHEDA to determine the maximum interest rate that a lender may charge for a loan that is guaranteed under the agricultural production loan guarantee program or the agricultural production drought assistance loan guarantee program.

Act 15 *(AB-14)* provides a procedure for a state agency to review and comment on a release in this state of any genetically engineered organism that is subject to federal regulation.

Act 31 *(SB-31)* makes various changes to DATCP's fruit and vegetable inspection program, including:

1. Authorizing DATCP to regulate fruit and vegetable grading by administrative rule.
2. Establishing a registration requirement and fee for contractors who purchase fruits and vegetable products from producers.
3. Extending security requirements that currently apply to food processing plants to include 3rd party handlers of fruits and vegetables.
4. Making food processing plants liable for claims against contractors if the contractors are affiliates of the plants.

The act also requires DATCP to establish an agricultural diversification program under which DATCP awards grants for the development of new agricultural technologies and new methods to be used in agricultural production and processing.

The act deletes the requirement that DATCP inspect nurseries at least once a year. Instead, the act provides for nursery inspections to occur at intervals determined by DATCP.

The act extends the deadline for DATCP's reimbursing the general fund from program revenue for milk standards program start-up costs from 1989 to 1994.

The act creates an agricultural development loan guarantee program, which is administered by WHEDA. Under the act, WHEDA may guarantee up to 90% of a loan made to an eligible borrower if the loan is used to process or market a product made from a raw agricultural commodity produced in Wisconsin.

The act enlarges the agricultural production loan guarantee program (the CROP program) that is administered by WHEDA. Under the act, WHEDA may guarantee a loan to a farmer who has not been paid for milk provided to a bankrupt or insolvent dairy plant.

The act establishes a wind erosion control pilot program to provide grants to at least one county that is subject to severe wind erosion. The act provides that the grants are to be

used for property tax relief for property subject to severe wind erosion and for wind erosion control tillage demonstrations. The program expires on June 30, 1994.

The act delays the implementation of the plastic container labeling law from the former effective date of January 1, 1990, for all plastic containers to various effective dates depending on the size or type of the container and on whether the container is being wholesaled or retailed. No effective date is earlier than January 1, 1990 or later than January 1, 1994. The act also deletes DATCP's authority to exempt, by rule, labeling requirements for containers of minimum sizes.

The act transfers the duties and powers of DOA in regard to the drainage of land to DATCP. The act also requires DATCP to employ an engineer to improve the operations of drainage districts.

With certain exceptions, the act exempts from the open records requirements for government documents the following:

1. DATCP lists that identify individuals owning livestock herds that are or may be infected with paratuberculosis.

2. DATCP composite lists of individual milk producers who deliver milk to licensed plants.

3. Information kept by DATCP pertaining to individual milk producer production, milk fat, and other tests and other tests and records.

The act requires that the Animal Health and Disease Research Board award funds to applicants for research on Lyme disease in farm animals.

The act extends the expiration date on the farm mediation and arbitration program from July 1, 1989, to July 1, 1991. The act also specifically authorizes DATCP to provide assistance to distressed farmers, including grants for tuition for courses on farm management techniques and a voluntary program to advise farmers on financial matters. The provisions authorizing this assistance expire on July 1, 1991.

Act 52 *(SB-176)* prohibits the distribution, sale or use of any pesticide product containing daminozide (alar) as an active ingredient and intended for use on a food-producing plant.

Act 162 *(AB-240)* designates corn as the state grain and requires the Wisconsin Blue Book to include that information.

Act 163 *(AB-332)* adds personal bonds and other 3rd-party guarantees to the kinds of security that may be used by a warehouse keeper if the personal bonds or guarantees are supported by cash, a certificate of deposit, bonds or an irrevocable letter of credit.

Act 165 *(AB-532)* replaces all references in the statutes to the National Bureau of Standards with references to the National Institute of Standards and Technology to reflect the current name.

Act 174 *(SB-320)* makes various changes related to the authority of DATCP to issue licenses, permits, registrations and certificates, changes the surcharge for dairy plants found operating without a license and modifies exemptions for various licensures administered by DATCP.

Act 219 *(AB-168)* makes the State Fair Park Board independent of DATCP.

Act 227 *(AB-839)* appropriates $30,000 to the Ginseng Research Institute of America for research on the health benefits of ginseng.

Act 277 *(AB-814)* creates an implied warranty that an animal sold is free of paratuberculosis (commonly known as Johne's disease) unless before the sale the seller

either notifies the buyer in writing that the animal is not warranted to be free of that disease or complies with a testing and results notification program approved by DATCP.

The act modifies animal health requirements to prohibit a person from knowingly concealing a contagious or infectious disease, knowingly commingling an exposed or diseased animal with another person's healthy animals or knowingly misrepresenting that an animal has not been exposed to or infected with a contagious or infectious disease.

Act 279 *(SB-309)* requires a veterinary clinic to obtain a permit from DATCP to use pesticides in the clinic and exempts veterinarians and certified animal technicians from licensure by DATCP as pesticide applicators if they use pesticides within the scope of their license or certificate.

Act 282 *(SB-437)* makes various changes related to DATCP authority regarding grain transactions and inspections, including sample collection, analysis, weighing and testing of food and farm products, standard samples of products or grades and grain transactions and inspections at the Port of Superior.

The act prohibits the falsification, forgery, alteration, counterfeiting or fraudulent issuance or use of an official DATCP certificate, seal, stamp or mark.

Act 336 *(SB-542)* makes various changes in the law covering dairy plant financial security requirements (see *HIGHLIGHTS*).

Act 353 *(SB-344)* prohibits any person from administering supplemental BST to cows until June 1, 1991 (see *HIGHLIGHTS*).

Beverages

Act 16 *(SB-112)* changes the conditions under which DOR may issue a permit for the sale of alcohol beverages aboard a vessel. The act reduces the minimum passenger capacity required of the vessel from 100 to 40 and adds the requirement that the vessel serve food in addition to alcohol beverages (see also *Act 252*).

Act 30 *(AB-265)* provides that a liquor bar license issued to a winery permits the winery to sell wine by the glass for consumption on the premises and to sell wine in the original container for consumption off the premises.

Act 31 *(SB-31)* redefines the type of identification that is recognized as an official identification card for demonstrating attainment of the legal drinking age. The act also prohibits a retailer from purchasing beer from anyone other than a licensed wholesaler and authorizes State Patrol officers to arrest underage persons for alcohol-related and falsification of proof-of-age offenses.

Act 135 *(AB-319)* permits a retailer of alcohol beverages to require a person who alleges that he or she is the parent, guardian or spouse of an underage patron to sign a book kept on the retailer's premises if the retailer suspects that the person is not the underage patron's parent, guardian or spouse.

Act 252 *(SB-402)* provides that DOR may issue a permit for the sale of alcohol beverages aboard a vessel if the vessel has an approved passenger capacity of not less than 100 individuals and the sale of alcohol beverages on the vessel accounts for less than 50% of the vessel's gross receipts.

Act 253 *(SB-462)* makes various technical and minor policy changes to the alcohol beverage laws, including prohibiting a person from impersonating an inspector, agent or other employe of DOR or DOJ, requiring bartenders to complete a training course before obtaining a license and changing the amounts of certain license and permit fees.

Business and Consumer Law

Business Associations

Act 50 *(SB-70)* requires the Secretary of State to notify nonprofit corporations upon incorporation of the requirement that charitable organizations which solicit contributions must submit financial reports to DORL (see also *Other State Government*).

Act 232 *(SB-296)* revises the laws governing limited partnerships, which are based upon a uniform law, to incorporate changes to the uniform law that were adopted in 1985 by the National Conference of Commissioners of Uniform State Laws. Most significantly, the act:

1. Broadens the types of activities that a limited partner may engage in without being considered to have participated in the control of the limited partnership to a degree that the limited partner may be liable to 3rd parties to the same extent as a general partner.

2. Reduces the amount of information that must be included in a certificate of limited partnership, which must be filed with the Secretary of State to form a limited partnership.

Act 303 *(AB-780)* rewrites Wisconsin's business corporation law (see *HIGHLIGHTS*).

Act 306 *(AB-888)* limits the personal, monetary liability of directors, officers and volunteers of any Roman Catholic church incorporated under Wisconsin law, and specifies the circumstances in which the incorporated church is required or permitted to indemnify (reimburse) a director or officer for expenses and personal liability incurred in connection with a legal action.

Act 308 *(SB-327)* permits the board of directors of a corporation, cooperative or financial institution to conduct its meetings by telephone or certain other types of communication technology.

Consumer Transactions

Act 328 *(SB-10)* regulates the ability of rental car companies to hold a renter or other authorized driver liable for damage to a rental car (see *HIGHLIGHTS*).

Economic Development and Investment

Act 8 *(SB-16)* makes minor changes in the system for allocating the federally-mandated volume cap on private activity bonds issued by state and local governmental units.

Act 31 *(SB-31)* makes various changes in the laws relating to economic development. The act:

1. Creates a minority business grant and loan program administered by a Minority Business Development Board attached to DOD. Under the program, minority group members receive grants to fund projects related to planning the start-up of businesses that will be minority owned, and minority group members, businesses and development corporations receive grants or loans to fund the start-up, expansion or acquisition of minority-owned businesses.

2. Authorizes DOD to make grants to promote business development in areas with high unemployment and low average income, including grants for business incubators (organizations that encourage new business growth by providing shared support services and managerial assistance). Municipalities and private organizations involved in economic development may be grant recipients.

3. Authorizes the Development Finance Board to make grants to higher educational institutions to support research aimed at developing products with commercial application

and to make grants and loans to nonprofit business development organizations to help establish technology-based incubators (facilities providing laboratory space and support services to technology oriented businesses).

4. Establishes a rural economic development program administered by a Rural Economic Development Board attached to DOD. The board may award grants or loans to businesses located in rural municipalities.

5. Establishes technology-based economic development programs in DOD, including a seed capital fund to provide equity financing to technically-oriented businesses.

6. Requires DOD to make a grant to a nonprofit corporation for deposit in a revolving fund used to make or guarantee loans to women for purposes of starting or expanding businesses.

7. Repeals a requirement that DOD designate on its staff a liaison between Indians and state programs that are available to Indians (see also *Act 336*).

8. Creates a small business loan guarantee program that is administered by WHEDA. Under the act, WHEDA may guarantee a loan made to an eligible small business if the loan is used to perform a contract that is entered into with a governmental unit.

Act 78 *(SB-368)* extends the deadline for WHEDA to issue bonds under the economic development loan program from December 31, 1989, to December 31, 1991.

Act 185 *(AB-856)* requires DOD to make grants to the Great Lakes Composites Consortium, Inc., a nonprofit corporation that is seeking federal funding to establish in Kenosha County a center for the development of composites (combinations of materials that are superior to conventional materials). DOD must make the grants to cover expenses incurred by the consortium in applying for federal funding and, if federal funding is received, to pay some of the costs of establishing the center.

Act 237 *(SB-446)* requires DOD to coordinate state and local participation in a program offered by the National Trust for Historic Preservation that promotes tourism of historic and prehistoric sites in Wisconsin.

Act 281 *(SB-377)* raises the bonding limit from $105,000,000 to $200,000,000 for the economic development loan program that is administered by WHEDA.

Act 317 *(AB-700)* authorizes the Wisconsin Health and Educational Facilities Authority to guarantee loans of up to $1,000,000 made to small, nonprofit hospitals located in rural areas of the state, or to a cooperative of such hospitals, to finance the acquisition or construction of hospital space or equipment. The act creates a fund consisting of service charges assessed in connection with loan guarantees, general purpose revenue and investment income, from which lenders are paid if a guaranteed loan is in default.

The act creates a program under which DOD may repay up to $50,000 in medical school loans on behalf of a physician who practices primary care in Wisconsin in a medical shortage area, a prison or on an Indian reservation.

The act creates the Rural Health Development Council to make recommendations regarding these programs and other initiatives to improve the delivery of health care in rural areas.

Act 336 *(SB-542)* makes various changes in the laws relating to economic development. The act:

1. Authorizes DOD to designate 4 development zones, in addition to the 8 existing development zones. (Individuals and businesses in areas designated as development zones

may qualify for tax credits for investments in property and employe wages.) The act requires that at least one of the 4 development zones be within an Indian reservation.

2. Permits DOD to make a loan of up to $1,200,000 to a firm that owns a facility on a reservation located in Wisconsin to cover operating expenses of the facility.

3. Requires DOD to make a loan of up to $1,000,000 to a minority-owned bank holding company in the city of Milwaukee to capitalize its minority-owned subsidiaries.

4. Creates a program under which DOD may make grants to tribal and community relations committees to fund projects aimed at improving relations between Indians and non-Indians. To be eligible for a grant, a voluntarily-formed tribal and community relations committee must consist of Indian tribe or band members and non-Indians living near a reservation of the tribe or band.

5. Requires DOD to designate a staff person to serve as liaison between Indians and state programs available to Indians and to make an annual grant to the Great Lakes Inter-Tribal Council to partially fund a similar position in the council.

6. Establishes a business improvement loan guarantee program. Under the act, WHEDA may guarantee collection of up to 90% of a loan that is used to improve an eligible tourism-related business. WHEDA may also subsidize the interest rate charged on the loan by paying the lender up to 3.5% of the annual balance of the loan.

Act 342 *(AB-798)* requires DOD to provide technical assistance and grants to help individuals, small businesses and nonprofit organizations start or expand for-profit businesses that are expected to provide employment opportunities for persons with severe disabilities. The grants may be used to obtain technical assistance for an eligible for-profit business, or may be used by the Community Development Finance Company, a quasi-governmental corporation, to acquire stock in an eligible for-profit business.

Act 346 *(SB-369)* revises various requirements in loan programs that are administered by WHEDA and modifies WHEDA's surplus fund reporting procedure. In addition, the act modifies permissible profit distributions by limited-profit entities. A limited-profit entity limits the amount of rent it charges and profits it earns in order to receive a WHEDA housing loan.

SECURITIES

Act 336 *(SB-542)* exempts from registration securities that are traded on the national market system of the National Association of Securities Dealers, Inc. (generally referred to as the NASDAQ/NMS system) and, with a few exceptions, securities of an issuer that are of no less rank than the issuer's securities that are traded on the NASDAQ/NMS system or listed on certain exchanges. The act repeals an exemption for certain initial public offerings of common stock.

OTHER BUSINESS AND CONSUMER LAW

Act 31 *(SB-31)* requires gas stations to have an employe pump gas for a physically disabled person upon request by the disabled person and requires the gas station to charge the disabled person the same price as the station charges for gas pumped from a self-service pump.

Act 43 *(SB-183)* clarifies that a synagogue, mosque or religious society may operate a cemetery.

Act 91 *(SB-207)* allows a person who registers a trademark, brand, label or related device to cancel the registration at no charge.

Act 95 *(AB-202)* prescribes various requirements relating to the sale and installation of cemetery monuments (see also *Act 307*). The act:

1. Prohibits a cemetery from requiring the owner or purchaser of a cemetery lot to purchase a monument or services related to the installation of a monument from the cemetery.

2. Requires a cemetery to make available to owners and prospective purchasers of cemetery lots an itemized list of amounts charged by the cemetery for monuments and for the finishing, installation and care of monuments, and any regulations adopted by the cemetery relating to the sale, delivery, installation or care of monuments.

3. Specifies the types of regulations that may be adopted by and certain other rights of cemeteries relating to the sale, delivery, installation or care of monuments.

Act 123 *(AB-533)* makes a number of minor changes in the laws governing trademark registrations and financing statements, including decreasing from 20 to 10 years the effective period of trademark registrations and modifying the fees for certain financing statement and related filings.

Act 292 *(AB-235)* requires a manufacturer, distributor or importer that has granted a franchise to a motor vehicle dealer to purchase certain vehicles, inventory and other goods upon the termination of the franchise. The act also requires a manufacturer, distributor or importer to designate in writing the area of sales responsibility that is assigned to a motor vehicle dealer.

Act 295 *(AB-392)* requires that a gas pump that dispenses a gasoline-ethanol fuel blend be labeled with the percentage of ethanol in the blend.

Act 307 *(SB-252)* makes various changes in the requirements for owners and operators of cemeteries and sales of cemetery merchandise, lots and mausoleum spaces (see *HIGHLIGHTS*).

Act 336 *(SB-542)* prohibits the use of facsimile (fax) machines to solicit sales without the consent of the person solicited unless the transmitted document does not exceed one page, the document is received between 9 p.m. and 6 a.m. and the sender has had a previous business relationship with the person being solicited. The act also prohibits a person from soliciting sales through a fax machine to a person who has notified the sender in writing that he or she does not want to receive fax solicitations.

Children

Act 31 *(SB-31)* makes various changes in the laws relating to children. The act:

1. Creates a mandatory disposition of community service and revocation of operator's privilege for a child adjudicated delinquent for possession of a controlled substance in or near a school and certain other locations customarily frequented by youth (see *HIGHLIGHTS*).

2. Requires DHSS to notify certain officials in the community and the victim of a child's delinquent act of that child's impending release from correctional custody and return to the community.

3. Authorizes a juvenile court judge to combine restitution and correctional school placement as a delinquency disposition.

4. Authorizes DHSS to accept guardianship of a child from an American Indian tribal court in this state for purposes of seeking a permanent adoptive placement for the child.

5. Authorizes DHSS and adoption agencies to charge fees for providing adoption records.

6. Extends insurance coverage and civil liability exemption to family-operated group home parents on the same basis as foster parents are covered and exempted.

7. Authorizes a county human services or social services department to contract with a licensed child welfare agency to investigate child abuse and neglect cases and grants those agencies all the powers and duties of a county department with respect to child abuse and neglect investigations.

8. Creates a children-in-crisis program of grants to counties that have a high number of substantiated child abuse and neglect cases to be used to provide 24-hour crisis and respite care for abused and neglected children.

9. Permits the Child Abuse and Neglect Prevention Board to use private donations made to the children's trust fund for general operating expenses of the board and for statewide projects, in accordance with the wishes of the donor, and to use federal funds for the administration of federally-funded projects.

10. Creates a program of grants, administered by the Child Abuse and Neglect Prevention Board, for early childhood family education centers to provide parenting education services with an emphasis on the provision of direct services to families with children who are 3 years of age or less (see also *Act 336*).

11. Transfers authority for administration of the adolescent choices project grants program from the Women's Council in DOA to DHSS, expands the age range of adolescents served under the program and changes procedures and criteria for soliciting and approving grant applications.

12. Requires DHSS to allocate funds for recruitment of child care providers, start-up and expansion of child day care services and provision of child day care information and referral services to parents (see also *Act 336*).

13. Specifies that foster home licenses are valid for 2 years (see also *Act 336*).

14. Authorizes county boards of supervisors to establish integrated service programs to coordinate, among 2 or more service providers, services for children with severe disabilities, and their families, with priority given to children who are at risk of institutionalization if not provided comprehensive community-based services. The act also requires DHSS to provide grants and support services for counties participating in the program and authorizes juvenile courts to order that an integrated service plan be provided for a child found to be in need of such a plan.

Act 41 *(SB-90)* specifies that the standard for determining whether an abused or neglected child should remain in his or her home is the child's best interest in terms of his or her physical health and safety.

Act 86 *(AB-272)* makes various changes regarding termination of parental rights (TPR) and the placement of children outside their homes. The act:

1. Creates incestuous parenthood as new grounds for involuntary TPR.

2. Requires, when a child has been found to be in need of protection or services and placed outside of his or her home for 2 years or more, that the report filed with the court by the agency primarily responsible for providing services for the child state whether or not TPR has been recommended and provide supporting details.

3. Provides that a dispositional order or extension order in effect when a petition for TPR, or an appeal in a TPR case, is filed remains in effect until the final disposition of the TPR petition or appeal.

Act 121 *(Oct. 1989 Spec. Sess. AB-9)* makes various changes relating to dispositional orders for children and parents of children who have committed controlled substances or

drug paraphernalia violations and who have used or abused alcohol beverages or controlled substances (see *HIGHLIGHTS*).

Act 122 *(Oct. 1989 Spec. Sess. AB-12)* creates several new programs in DHSS and increases existing allocations to DHSS for programs and services for children. The act:

1. Creates a grant program for counties to establish early intervention programs, consisting of school, school-related and after school programs and structured activities, for children ages 8 to 11 who are at high risk of committing serious delinquent acts in the future. This program expires on June 30, 1993.

2. Creates a grant program for counties or persons administering secure juvenile treatment programs to establish intensive aftercare pilot programs for children who have been released from secured correctional facilities or child caring institutions or who have completed secure juvenile treatment programs, to reduce the rate of recidivism among such children. The pilot aftercare programs must provide each participant at least one face-to-face supervisory contact per day for at least 90 days following the participant's release from custody. This program expires on June 30, 1993.

3. Creates a grant program for school districts and private nonprofit organizations to establish before-school and after-school day care services or after-school academic or recreational programs for children ages 4 to 11. This program expires on June 30, 1993.

4. Provides funds for the Career Youth Development Center in the city of Milwaukee for the operation of a minority youth substance abuse treatment program and for drug prevention programs for high school athletes (see also *Act 336*).

5. Directs DHSS to develop a plan for a multidisciplinary prevention and treatment team pilot project in Milwaukee County for cocaine-abusing women and their children. Residents of other counties may also receive services under the project. The project expires on June 30, 1993.

6. Provides funds specifically for alcohol and other drug abuse education and treatment for participants in the youth diversion from gang activities program.

Act 161 *(AB-63)* creates a procedure for the appointment of a guardian for a child who has no living parent or guardian when a finding as to the adoptability of the child is sought.

The act protects a birth parent from coercion by a nonrelative adoptive parent by:

1. Requiring court review of any agreement between a birth parent and a nonrelative adoptive parent that provides for the payment of medical or legal expenses connected with the birth or placement of the child.

2. Creating a rebuttable presumption of coercion if such an agreement makes the payment of the birth parent's medical or legal expenses conditional upon surrender of the child for adoption.

3. Prohibiting the same attorney from representing both the nonrelative adoptive parents and the birth parent in an adoption proceeding.

The act also provides that an otherwise qualified person may not be denied adoption of a child by reason of that person's race, color, ancestry or national origin.

Act 336 *(SB-542)* makes various changes relating to children. The act:

1. Restores to juvenile courts the dispositional alternative of suspending a child's operating privileges for 30 to 90 days for a first violation relating to liquor, beer or drug paraphernalia.

2. Deletes a provision that foster home licenses are valid for 2 years and specifies instead that foster home licenses issued by county social or human services departments or by child welfare agencies may be issued for a period not to exceed 2 years.

3. Requires DHSS to provide funds specifically to counties that have a serious problem with child abuse and neglect, as determined by DHSS, for child abuse and neglect prevention, investigation and treatment services.

4. Requires the Child Abuse and Neglect Prevention Board to provide funds for early childhood education family center grants specifically for organizations located in counties with a population of 500,000 or more (Milwaukee).

Constitutional Amendments

Enrolled Joint Resolution 39 *(Senate Joint Resolution 11)*, proposed by the 1989 Legislature on 2nd consideration, precludes the Governor, in approving an enrolled appropriation bill in part, from creating a new word by rejecting individual letters in the words of the bill (see *HIGHLIGHTS*).

Enrolled Joint Resolution 52 *(Senate Joint Resolution 76)*, proposed by the 1989 Legislature on first consideration, adds railways to the list of purposes for which the state may contract public debt by issuing general obligation bonds and creates another exception to the prohibition on the state engaging in works of internal improvement by authorizing the acquisition, development, improvement or construction of railways.

Enrolled Joint Resolution 53 *(Assembly Joint Resolution 12)*, proposed by the 1989 Legislature on first consideration, removes the constitutional restriction limiting the authority to conduct raffles to licensed "local" organizations.

Enrolled Joint Resolution 54 *(Assembly Joint Resolution 47)*, proposed by the 1989 Legislature on first consideration, provides that any increase in the compensation of senators takes effect on the first Monday in January of the first odd-numbered year following the change. Currently, any increase does not apply to senators whose terms do not expire on that date.

Enrolled Joint Resolution 55 *(Assembly Joint Resolution 101)*, proposed by the 1989 Legislature on first consideration, excepts appropriations for the acquisition, improvement or construction of housing that is of primary benefit to low or moderate income persons from the constitutional prohibition against state involvement in internal improvements.

Correctional System

Act 31 *(SB-31)* makes various changes relating to the correctional system. The act:

1. Creates a department of corrections (DOC) and transfers most authority for the correctional system from DHSS to DOC (see *HIGHLIGHTS*).

2. Establishes a community residential confinement program in which state prisoners may be confined in their homes or other places designated by DOC.

3. Sets a prisoner population limit for the number of prisoners at all state prisons and establishes procedures to be followed if the limit is exceeded.

4. Authorizes DOC to contract with counties to provide electronic monitoring services for criminal offenders.

5. Provides that certain prison inmates who are eligible for parole and who successfully participate in a literacy program or earn a high school diploma or certificate of general educational development must receive a discretionary parole grant unless there are overriding considerations not to do so.

Act 92 *(SB-263)* extends the deadline from December 31, 1989, to December 31, 1990, for heads of jails or houses of correction to submit policy and procedure manuals to DOC.

Act 107 *(SB-365)* limits the transfer of corrections authority under Act 31 so that juvenile corrections functions remain with DHSS. The act also places the parole commission in DOC and eliminates the division of corrections hearings, giving its duties to the division of hearings and appeals in DOA.

Act 121 *(Oct. 1989 Spec. Sess. AB-9)* requires DOC to provide alcohol or other drug abuse assessments to prisoners shortly after their entry into the state prison system, to provide alcohol or other drug abuse treatment at major state prisons and to conduct drug testing of prospective parolees who have undergone treatment while in prison. The act also places time limits on detaining probationers and parolees in jails or other county facilities pending probation or parole revocation proceedings.

Act 122 *(Oct. 1989 Spec. Sess. AB-12)* makes various changes relating to prisons and jails. The act:

1. Allows a county sheriff to place certain jail inmates in the home detention program. If the inmate and DOC agree to the placement, the inmate is detained at home or another place designated by the sheriff and is monitored by an electronic monitoring system.

2. Requires DOC to establish a challenge incarceration program that provides participants with strenuous physical exercise, manual labor, personal development counseling, substance abuse treatment and education, military drill and ceremony, and counseling in preparation for release on parole. If an inmate successfully completes the program, the parole commission must grant the person release on parole.

3. Increases the payment rate from $30 per day to $36 per day to reimburse counties for certain parolees and probationers detained in a jail or other county facility pending revocation proceedings.

Act 251 *(SB-459)* exempts DOC's community residential confinement program from the prison annual inspection requirements, exempts prisoners' homes used in the program from the clean indoor air law requirements and specifies DOC's authority to grant leaves to prisoners who are in community residential confinement.

Act 261 *(AB-509)* specifies legal and fiscal responsibility and authorizes intergovernmental agreements for arrested or detained persons in a county having a population of 500,000 or more (Milwaukee).

Act 283 *(SB-445)* permits prison industries to provide services to the state, local government, tax-supported institutions and nonprofit agencies; allows prison industries to provide products, components or services that a manufacturer or distributor has previously obtained from a facility outside the United States; restricts the prison industries program's authority to sell office furniture and laundry services; and revises notification and reporting requirements applicable to the prison industries program.

Act 336 *(SB-542)* revises the criteria specifying when a prisoner is eligible for special action release on parole without having to meet DOC eligibility criteria. The act requires that a prisoner be eligible for a discretionary parole grant.

Courts and Procedure

Act 31 *(SB-31)* makes various changes relating to courts and procedure. The act:

1. Increases the compensation of temporary reserve judges from $175 to $190 per day.

2. Authorizes full-time court commissioners to conduct arraignments.

3. Permits court commissioners to officiate at marriage ceremonies anywhere in the state. Formerly, a court commissioner could officiate at a marriage ceremony only within his or her own county.

4. Removes the authority of DOJ to reimburse counties for certain court costs in civil actions brought by or against the state, a state agency or a state officer.

5. Continues the circuit court automation project, including the implementation of a microcomputer information system in one- and 2-judge counties and minicomputer systems for counties with 3 to 11 judges, by increasing the court fees for commencing an action, joining a 3rd party in the action and appealing from municipal court or an administrative proceeding.

Act 63 *(SB-203)* increases the number of court of appeals judges from 13 to 14 and assigns the additional judge to district II, with court chambers in Waukesha. The act requires the initial election for this judgeship to occur in the spring of 1990 and the initial term to run from August 1, 1990, to July 31, 1995.

Act 65 *(AB-10)* creates an additional circuit court branch in Milwaukee County commencing August 1, 1990 (see also *Act 336*).

Act 108 *(AB-295)* exempts private nonprofit organizations that provide food to low-income individuals from civil liability for death or injury to an individual caused by the food if the food meets the standards of quality established by state law or rule or federal law or regulation.

Act 121 *(Oct. 1989 Spec. Sess. AB-9)* allows the court to render a judgment against the property and the defendant personally in an action brought to forfeit property, including controlled substances (dangerous drugs), used or derived from a crime. The act allows a court to order the forfeiture of other property of the defendant if the property subject to forfeiture is not available.

The act requires the coroner or medical examiner, if an autopsy is not performed, to take body fluids for analysis from an individual who died as the result of a crime, accident or suicide if relatives of the deceased individual request the taking of the fluids.

Act 122 *(Oct. 1989 Spec. Sess. AB-12)* makes various changes relating to courts and procedure. The act:

1. Establishes a court procedure for use if a building is used to illegally manufacture or deliver controlled substances, including declaring the building a public nuisance, ordering removal of personal property from the building, closing the property and selling or razing the building. The proceeds of the sale are used to pay the cost of the court action and sale and to pay any lienholders, with any remainder paid to the law enforcement agency and municipality that brought the action.

2. Provides funding and staffing for the operation of and purchase of space for a circuit court branch in Milwaukee County that primarily handles drug-related cases.

3. Provides a grant to the city of Milwaukee for a pilot drug abatement team to identify houses in the city that are used to illegally manufacture or deliver controlled substances and proceed to end that activity, either through voluntary action by the owner or by court action to have the house declared a nuisance, closed and sold or razed.

Act 139 *(SB-64)* specifies that an attorney may issue a subpoena to compel the attendance of a witness or the production of evidence in a contested case before a state or local governmental agency.

Act 141 *(SB-273)* assigns to the registers in probate, probate registrars and clerks of circuit court the task of notifying certain fiduciaries when an insurer doing a surety business is in financial trouble. The act also allows court reporters to administer an oath or affidavit and makes minor revisions in the required contents of a notice of guardianship petition (see also *Trusts and Estates; Probate*).

Act 170 *(AB-606)* makes various technical changes in the procedure and forms used when citing a person for a traffic violation.

Act 188 *(AB-316)* requires a court to issue a judgment for any restitution that remains unpaid at the end of a person's parole, probation or sentence unless the victim has already recovered the damages.

Act 191 *(AB-722)* permits the clerk of court to deduct a $10 fee for receiving and disbursing a deposit made in lieu of bail in a contempt proceeding.

Act 193 *(AB-451)* specifies the circumstances under which a law enforcement officer must arrest a person who violates a domestic abuse restraining order or injunction issued by a federally recognized Wisconsin Indian tribe or band. Under preexisting law, a law enforcement officer was authorized to arrest a person who violated a domestic abuse restraining order or injunction only if the order or injunction was issued by a circuit court.

Act 210 *(SB-235)* allows a public employer to receive a $3 fee out of the moneys delivered to the court each time the employer makes a payment to the court under a garnishment after the first payment.

Act 246 *(AB-711)* gives court commissioners authority to conduct reviews of guardianships and preside at reviews of protective service and placement cases.

Act 261 *(AB-509)* makes various changes related to courts and procedure. The act:

1. Allows a circuit court in Milwaukee County to hear municipal ordinance violation cases when the municipal court is not in session.

2. Allows a municipal court to obtain personal jurisdiction over a defendant who is arrested and brought before the court personally or through interactive video and audio transmission.

3. Allows a court to be open to transact business on Sundays and legal holidays.

Act 274 *(AB-651)* permits municipalities to authorize municipal judges to appoint a guardian ad litem in an action before the court.

Act 275 *(AB-661)* gives a defendant charged with operating a motor vehicle while under the influence of an intoxicant or drug an affirmative defense to the charge of causing injury or death only if the defendant proves that the injury or death would have occurred even if the defendant had been exercising due care and had not been under the influence of an intoxicant or drug.

Act 278 *(SB-259)* makes various changes in the law relating to property that is exempt from execution (see *HIGHLIGHTS*).

Act 320 *(AB-85)* eliminates the requirement that 2 independent appraisals must establish the value of a vehicle at $200 or less in order to enforce a towing and storage lien by the sale or junking of the vehicle.

Act 336 *(SB-542)* creates 8 additional circuit court branches, 3 in Milwaukee County and 5 in various other counties in the state.

Crimes

Act 12 *(SB-27)* decriminalizes the offense of operating a vehicle after a suspension or revocation due solely to a failure to pay a fine or forfeiture.

Act 31 *(SB-31)* makes various changes relating to crimes. The act:

1. Provides penalties for persons who distribute or possess a controlled substance (dangerous drug) on, in or near school premises or buses, parks, public swimming pools or youth or community centers (see also *HIGHLIGHTS, Children*).

2. Requires a court, before pronouncing a sentence in felony cases, to allow a victim or a family member of a homicide victim to make a statement or submit a statement to be read in court.

3. Adds criteria for DOJ to use when funding county-tribal law enforcement programs and eliminates the $20,000 annual limitation on funding for any one program.

Act 85 *(AB-270)* allows a court to sentence a criminal defendant to a series of short periods of imprisonment.

Act 121 *(Oct. 1989 Spec. Sess. AB-9)* makes various changes relating to crimes (see *HIGHLIGHTS*).

Act 122 *(Oct. 1989 Spec. Sess. AB-12)* makes various changes relating to crimes. The act:

1. Provides grants for multijurisdictional enforcement groups (MEG units) and for drug law enforcement detectives.

2. Requires DOJ to maintain toll-free telephone numbers (hotlines) for persons to call regarding possible controlled substance violations or to call for background checks of persons seeking to purchase firearms.

3. Provides a general standard to be used in various statutory immunity provisions that gives a witness immunity from the use of compelled testimony or evidence derived from the compelled testimony.

Act 131 *(AB-208)* prohibits discharging a firearm near a house trailer or mobile home without the consent of the owner or occupant.

Act 140 *(SB-227)* expands the coverage of the crime victim compensation award program by allowing awards to on-duty police officers and fire fighters, to victims of 4th degree sexual assault and to victims who reside with or are related to the offenders.

Act 142 *(SB-287)* requires courts to inform criminal defendants who are either convicted of a felony or found not guilty of a felony by reason of mental disease or defect about the laws prohibiting them from possessing firearms.

Act 223 *(AB-469)* increases penalties for intentionally causing injury to an animal used by a law enforcement agency.

Act 250 *(SB-415)* changes the lesser-included crime law to reflect the replacement of the crime of rape by sexual assault crimes.

Act 263 *(AB-790)* provides for the court-ordered seizure and forfeiture of vehicles used for prostitution or prostitution-related crimes.

Act 271 *(AB-242)* increases the mandatory minimum jail sentence for a 2nd or subsequent conviction, within a specified period of time, of certain offenses of operating a vehicle while under the influence of alcohol or other drugs.

Act 291 *(SB-444)* switches the law enforcement officer and jail officer recertification requirement from a calendar year to a state fiscal year basis and applies the requirement to additional officers.

Act 293 *(AB-249)* affects the domestic abuse arrest law by revising the coverage of the law, changing arrest and victim notification procedure and providing immunity from liability for law enforcement officers who make a good faith effort to comply with the law.

Act 321 *(AB-460)* prohibits a person authorized to accept credit cards from submitting a charge record for payment if the person did not provide the goods or services indicated on the charge record.

Act 334 *(SB-458)* revises procedures and establishes standards for the commitment, conditional release and discharge of persons found not guilty of a crime by reason of mental disease or defect. The act also sets maximum commitment periods, specifies the rights of persons subject to commitment and requires that all release or discharge hearings be heard by a judge acting without a jury.

Act 336 *(SB-542)* authorizes a person making a criminal complaint to transmit a copy of the signed complaint to the district attorney or judge by facsimile (fax) machine. The act also increases the penalties for intentionally causing bodily harm to a probation and parole agent and provides penalties for tenants who abscond without paying the rent due to the landlord.

Discrimination

Act 27 *(AB-217)* provides that trainers of dogs that are trained to aid blind, deaf or mobility-impaired people may not be denied access to public accommodations because they are accompanied by such a dog.

Act 47 *(AB-327)* eliminates the criminal penalty for a violation of the public places discrimination law and instead provides for a civil monetary forfeiture. The act also merges the substance of the public places discrimination law with equal rights laws that prohibit housing discrimination. This merger allows DILHR to handle public places discrimination complaints as it handles housing discrimination complaints. Finally, the act expands the remedies available to a person who brings a civil action that alleges a violation of the public places discrimination law.

Act 94 *(AB-128)* prohibits age discrimination against adults seeking accommodations in hotels and similar establishments, prohibits certain activities involving alcohol beverages and controlled substances (dangerous drugs) in hotels and similar establishments and provides civil penalties.

Act 106 *(SB-217)* narrows an exception to the law that prohibits discrimination in public places of accommodation or amusement.

Act 228 *(SB-60)* expands employment discrimination prohibitions to include discharging or otherwise discriminating against an individual who files a complaint, testifies or assists DILHR in an action based on an employer's failure to pay the prevailing wage or overtime, or attempts to enforce or assists DILHR in enforcing certain employment laws.

Domestic Relations

Act 31 *(SB-31)* makes various changes in the laws relating to domestic relations. The act:

1. Clarifies the support enforcement responsibilities of counties.

2. Requires that the court, whenever it approves a stipulation for child support, ensure that the parties stipulate which party will claim the child as an exemption for federal income tax purposes.

3. Clarifies that a person who withholds money pursuant to a notice of assignment but fails to send the money to the clerk of court may be subject to a fine or to contempt proceedings. A notice of assignment requires an employer or other person who owes money to a person who is ordered to pay support to pay that money to the clerk of court rather than to the person to whom the money is owed.

4. Retains a provision that had been scheduled to be eliminated on December 31, 1989, permitting a child's grandparent or presumed grandparent to bring a paternity action if the grandparent or presumed grandparent is potentially liable for child support.

5. Permits a family court commissioner to conduct hearings under the revised Uniform Reciprocal Enforcement of Support Act.

Act 111 *(AB-562)* provides $65,200 in fiscal year 1989-90 to fund a child support supplement program in Oneida County. A child support supplement program enables a child's custodian to obtain a supplemental payment for the child from public funds if the child receives inadequate support from his or her parents.

Act 132 *(SB-210)* permits the court to grant a legal separation between spouses upon finding that the marital relationship is broken. Under former law, the court could grant a legal separation only upon finding that the marital relationship was irretrievably broken.

Act 178 *(AB-612)* allocates $66,960 to fund a domestic abuse transitional living program in the city of Wausau.

Act 212 *(SB-253)* makes various changes in the laws relating to child support and paternity (see *HIGHLIGHTS*).

Act 218 *(AB-107)* creates a procedure to divide the accumulated rights and benefits of a public employe under WRS in accordance with a qualified domestic relations order (see *HIGHLIGHTS*).

Education

Primary and Secondary Education

Act 4 *(AB-36)* excludes from the city of Milwaukee's civil service system the deputy superintendent of schools, associate superintendent of schools, executive assistant and assistant to the superintendent of schools, community superintendent, division director and department director.

Act 21 *(SB-72)* provides that if a public library system reimburses a participating public library for the costs of providing interlibrary borrowing services to an individual who holds a valid borrower's card from another participating public library, the reimbursement may not exceed the actual costs incurred by the public library in providing such services.

Act 26 *(AB-216)* makes various changes in the handicapped education laws in order to bring state law into conformance with federal law. For example, the act specifically authorizes DPI to monitor special education, approve all special education programs in this state and enforce the state laws relating to special education.

Act 31 *(SB-31)* makes numerous changes in the laws relating to public instruction. The act:

1. Increases the primary cost ceiling, which determines the level of state support for most school costs, and increases the limit on shared debt service costs (see also *Act 336*).

2. Modifies the calculation of intradistrict transfer aid and requires all school districts receiving state aid under the integration aid program to submit an annual report to the State Superintendent of Public Instruction.

3. Requires school districts to provide children-at-risk programs for pupils who are either 2 or more years behind in basic skill levels or one or more years behind in basic skill levels and absent for more than 10% of the required number of hours of direct pupil instruction in any school semester. The act also allows school districts with a dropout rate

greater than 2.5% but not exceeding 5% to submit children-at-risk plans to the State Superintendent of Public Instruction and thereby become eligible for children-at-risk aid.

4. Authorizes the State Superintendent of Public Instruction to award grants for the establishment of a school and community partnership program designed to promote the interaction of pupils and teachers with professional scientists, engineers and mathematicians.

5. Directs the Milwaukee School Board to provide expanded educational opportunities for first grade pupils who have participated in an expanded 5-year-old kindergarten program and to establish a family resource center. The act also directs the State Superintendent of Public Instruction to appoint a council to advise the State Superintendent on various grant programs that are available to the Milwaukee School Board.

6. Provides that if the State Superintendent of Public Instruction determines that a public school is in violation of safety codes, and DILHR, based on an inspection of the school, concurs in the determination, the State Superintendent may order the school board to repair, improve, remodel or close the school or develop a plan that describes how the school will be made safe. The act requires DILHR to inspect all public schools constructed before January 1, 1950, and to establish life-safety plans for all public schools. The act also requires every school board to establish an annual building maintenance schedule.

7. Requires a referendum on the issuance of bonds or promissory notes by a school district only if at least 7,500 electors or 20% of the number of electors voting in the last gubernatorial election, whichever is less, file a petition requesting a referendum. Under former law, a referendum was mandatory for bonds in excess of $5,000, and, for promissory notes, subject to request by a petition signed by at least 500 electors or 20% of the number of electors voting in the last gubernatorial election, whichever was less. The act also provides that a resolution to issue bonds or promissory notes is subject to a potential referendum only if the amount to be borrowed would cause the school district's total outstanding indebtedness incurred without a referendum since August 9, 1989, to exceed $1,000,000 or 1.5% of the state average equalized valuation per pupil multiplied by the school district's enrollment, whichever is less (see also *Act 205*).

8. Until July 1, 1993, requires that 50% of the money available for loans from state trust funds be reserved for loans to school districts.

9. Authorizes the Milwaukee School Board to direct the Milwaukee Common Council to issue up to $27,500,000 in promissory notes prior to July 1, 1994, for the purpose of providing additional classroom space to accommodate anticipated school enrollments.

10. Creates a drug abuse resistance education program for pupils in grades kindergarten to 8 and directs the State Superintendent of Public Instruction to award grants to school districts and cooperative educational service agencies (CESAs) for alcohol and other drug abuse prevention, intervention and instruction programs.

11. Requires the State Superintendent of Public Instruction to give priority in awarding grants for preschool to grade 5 programs to programs in existence on August 9, 1989, that have proven successful and to programs established in school districts with a high number of dropouts and low-income pupils. Under former law, only the Milwaukee, Beloit and Kenosha school districts were eligible for such grants.

12. Eliminates the expiration of the council on suicide prevention.

13. Declares that any long-term debt incurred prior to April 15, 1989, by a CESA board of control for the purpose of purchasing real property is a legal, valid and binding debt of the agency.

14. Authorizes the State Superintendent of Public Instruction to award grants to school districts for various learning assistance programs.

15. Increases the minimum aid amounts per pupil, guarantees school districts that are not eligible for the higher minimum aid amounts $100 per pupil and modifies the criteria for the higher aid amounts.

16. Provides that if a school district received special adjustment aid in the 1986-87, 1987-88 and 1988-89 fiscal years, and the district's enrollment is less than 500, the district continues to be eligible for the aid even if its equalized property valuation per pupil exceeds 135% of the state average. Special adjustment aid guarantees school districts with equalized property valuations per pupil below 135% of the state average 90% of their prior year's general school aid payment.

17. Modifies the determination of shared costs (those costs for which the state shares funding with school districts) under the equalization aid formula to allow for the sharing of certain costs funded from a capital expansion fund or through a lease or purchase agreement.

18. Directs the State Superintendent of Public Instruction to award grants to one or 2 school districts to implement a Japanese language and culture program.

19. Beginning July 1, 1992, prohibits the State Superintendent of Public Instruction from granting a teaching license to a person unless the person has received instruction in the study of minority group relations.

20. Requires all school districts to include instruction in the history, culture and tribal sovereignty of Indian tribes and bands located in Wisconsin and to provide regular instruction in foreign language in grades 7 and 8 beginning in the 1994-95 school year.

21. Requires school districts to permit a 12th grade pupil who is no longer a school district resident to complete 12th grade in the district without paying tuition.

22. Allows a pupil to be suspended from school for up to 10 school days if notice of an expulsion hearing has been sent. Former law limited suspensions to 7 school days.

Act 82 *(AB-262)* directs the State Superintendent of Public Instruction to study the fiscal and programmatic impact of limiting the involvement of school district employes who are not health care professionals in providing specialized physical health care services to pupils.

Act 114 *(AB-146)* substantially revises procedures for changing school district boundaries (see *HIGHLIGHTS*).

Act 121 *(Oct. 1989 Spec. Sess. AB-9)* prohibits a pupil from using or possessing an electronic paging or 2-way communication device while on premises owned or rented by or under the control of a public school.

Act 122 *(Oct. 1989 Spec. Sess. AB-12)* authorizes the State Superintendent of Public Instruction to award grants to school districts for alcohol and other drug abuse prevention and intervention programs.

Act 146 *(SB-314)* directs public schools to observe April 22 as Environmental Awareness Day.

Act 168 *(AB-561)* continues the treatment of pupil health care records as pupil records. 1987 Wisconsin Act 70 provided that, effective September 1, 1990, pupil health care records would be treated as patient health care records. The exceptions to confidentiality for patient health care records are different than for pupil records.

Act 203 *(AB-461)* requires a school district providing an instructional program in human growth and development to include instruction about the human immunodeficiency virus and AIDS in order to receive a state grant for the program.

Act 204 *(AB-503)* directs DPI to study the educational programming in secured correctional facilities and licensed child caring institutions.

Act 205 *(AB-609)* provides that if a school board adopts a resolution to issue a bond in excess of an amount determined by formula, the school board must also direct the holding of a binding referendum on the resolution or hold a public hearing on the resolution. The public hearing may be for informational purposes only or may allow the electors present to vote on whether a binding referendum on the resolution will be held. If the hearing is informational only or if the electors vote at the hearing not to hold a referendum, a referendum must nevertheless be held if a petition signed by a sufficient number of electors is filed within 30 days of the public hearing.

Act 207 *(AB-836)* provides that if the State Superintendent of Public Instruction notifies a school district that a state aid payment may be withheld, he or she must notify each member of the school board or the school district clerk, who must distribute a copy of the notice to each school board member.

Act 209 *(SB-142)* prohibits the use of all tobacco products on premises owned or rented by, or under the control of, a school board.

Act 259 *(AB-433)* eliminates the requirement that the recommendations made by planning councils to school boards to facilitate interdistrict pupil transfers for the purpose of reducing racial imbalance include socioeconomic factors for the school boards to consider in permitting pupils to transfer.

Act 267 *(SB-383)* authorizes the Milwaukee School Board to permit a pupil to be absent for up to 3 hours each week to obtain religious instruction outside the school.

Act 269 *(AB-417)* increases the reimbursement rate for meals served by school districts to elderly persons from 20 cents per meal to 15% of the cost of the meal or 50 cents per meal, whichever is less.

Act 280 *(SB-336)* authorizes a school board to grant foreign language credit to a pupil who has satisfactorily completed a high school course in American sign language.

Act 285 *(AB-506)* requires each school district to provide remedial reading services for certain pupils in grades kindergarten to 4.

Act 286 *(AB-730)* makes various changes in the laws relating to public library systems, including establishing a procedure for the designation of a system resource library for each system, prohibiting a person employed by a public library that is a member of a system from being appointed to the system board and allowing a system or library to contract with library organizations in adjacent states to provide or receive library services.

Act 287 *(AB-831)* clarifies that a referendum held on the consolidation of 2 or more school districts is a binding referendum, provides that an agreement between 2 or more consolidating school districts to continue operating a program or facility at a specific location for up to 5 years is binding upon the new school boards and gives priority in hiring to any person laid off from a school district from which territory is detached.

Act 290 *(SB-338)* makes several changes in the laws pertaining to the Milwaukee public schools. The act provides for the election of Milwaukee School Board members from election districts instead of from combined aldermanic districts. The act also requires the City Civil Service Commission to delegate its recruitment and hiring duties related to

specified classifications of school employes to the board upon board request, directs the board to establish competitive bidding policies and procedures (former law required the board to engage in competitive bidding in certain circumstances) and eliminates the requirement that the system of instruction in the Milwaukee public schools be as nearly uniform as possible.

Act 297 *(AB-519)* discontinues, after July 1, 1991, the requirement that DPI award federal discretionary aid to the school district that received such funds in the 1982-83 school year (the Madison Metropolitan School District).

Act 299 *(AB-660)* creates an Environmental Education Board attached to DPI. The act directs the board to award grants to nonprofit corporations and public agencies for the development, dissemination and presentation of environmental education programs.

Act 309 *(SB-372)* guarantees a school district that received state aid for a merged attendance area program (designed to reduce racial imbalance in the school district) in the 1988-89 school year a base amount of such aid in the 1989-90 and 1990-91 school years.

Act 336 *(SB-542)* makes several changes in the laws relating to primary and secondary education. The act:

1. Permits certain pupils who reside in the city of Milwaukee to attend private school at state expense (see *HIGHLIGHTS*).

2. Eliminates the use of proceeds from the state lottery for state school aid.

3. Separately identifies the amounts appropriated to fund 4 school aid programs (minimum aid, special adjustment aid, aid for children-at-risk programs and aid to county handicapped children's education boards) that were formerly funded through the general equalization aid appropriation.

4. Removes the limitation placed on eligibility for supplemental aid, designed to offset the loss to a school district of general equalization aid as a result of the creation of a tax incremental financing (TIF) district in the school district. Under former law, a school district received supplemental aid only for a TIF district created before 1983.

5. Eliminates the $90 per pupil limit on school district debt service costs shared under the equalization aid formula.

6. Modifies the determination of general school aid paid to county handicapped children's education boards for special education programs.

7. Directs the State Superintendent of Public Instruction annually to award a grant to a school district with an enrollment consisting of at least 50% American Indians to support the costs of 2 home-school coordinators.

8. In most cases, requires a school board to render a decision within 90 days of a request for a program or curriculum modification for a pupil. The act also requires a school board annually to notify pupils and their parents regarding the availability of program or curriculum modifications.

9. Authorizes the Milwaukee School Board to provide modified educational programs to meet the needs of dropouts who are between 13 and 17 years old and have been sanctioned for violating the learnfare school attendance requirement. The act provides state aid to the Milwaukee School Board for each pupil enrolled in such programs.

UNIVERSITY OF WISCONSIN SYSTEM

Act 20 *(SB-68)* adds to the Laboratory of Hygiene Board one member to represent private environmental testing laboratories.

Act 31 *(SB-31)* makes various changes relating to the UW system. The act:

1. Authorizes the UW Board of Regents to establish one or more solid waste experiment centers and requires the Board of Regents to conduct research into alternatives to solid waste disposal.

2. Requires that at least 3 of the professors awarded distinguished professorships be hired from outside the UW system, and directs the Board of Regents to establish a Wilder Crane professorship of government at the UW-Milwaukee.

3. Requires the Board of Regents to establish an integrated agriculture program.

4. Directs the Board of Regents to establish a license plate scholarship program at each institution (see also *Motor Vehicles, Act 302*).

5. Provides 2 unclassified positions under DOA to serve as independent staff for the Board of Regents.

6. Directs the Board of Regents to appoint alcohol and other drug abuse prevention and intervention program counselors for the UW-Madison and the UW-Milwaukee.

7. Gives the Board of Regents police authority over property contiguous to the UW-Parkside campus that is owned by a nonprofit corporation the primary purpose of which is to benefit the UW system.

8. Directs the UW-Madison to perform research on biological control related to the deer tick.

9. Exempts from nonresident tuition any minor or dependent adult student whose natural parents are divorced or legally separated if at least one parent has been a resident of this state for at least 12 months.

10. Requires that any unranked faculty member who held a faculty appointment prior to July 10, 1974, be treated as an associate professor for all purposes.

11. Prohibits the Board of Regents from accepting any gift, grant or bequest or real property valued at more than $30,000 without the approval of the Building Commission.

Act 67 *(AB-11)* allows the UW Board of Regents to remit nonresident tuition to a graduate student who is employed as a faculty member or as an instructional academic staff member if the student has an appointment equal to at least 33% of a full-time equivalent position.

Act 121 *(Oct. 1989 Spec. Sess. AB-9)* provides that any UW student who engages in an activity that constitutes a violation of the laws regulating controlled substances (dangerous drugs) while on campus or at an event sponsored by the UW system is subject to nonacademic misconduct disciplinary sanctions.

Act 127 *(SB-289)* provides that the UW Board of Regents must file a report with DOA and JCF concerning the number of positions created or abolished during each calendar quarter no later than the last day of the month following the end of the quarter, rather than the 15th of that month, as formerly required.

Act 177 *(AB-431)* requires each center and institution within the UW system to incorporate in its orientation program for newly entering students information on sexual assault.

Act 179 *(AB-615)* allows an arresting officer to issue a citation for the violation of a rule promulgated by the Board of Regents.

Act 181 *(SB-37)* extends the exemption from nonresident tuition at the UW system formerly granted only to employes of private businesses who are relocated to this state or move to this state for business purposes to persons employed by public employers.

Act 186 *(AB-218)* prohibits discrimination against a student in the UW system on the basis of the student's race, color, creed, religion, sex, national origin, disability, ancestry,

age, sexual orientation, pregnancy, marital status or parental status. The act requires institutions and centers within the UW system to provide policies and procedures to handle discrimination complaints and directs the Board of Regents to develop policies and procedures for the appeal of institution or center decisions on such complaints.

Act 249 *(SB-355)* authorizes the Board of Regents to rent space on the Madison public broadcast transmission tower to the Educational Communications Board and to other public and commercial broadcasters.

Act 269 *(AB-417)* allows any center or institution within the UW system, and any private institution of higher education approved by the Board of Regents, to establish a meal program for elderly persons. For each meal served, the state must reimburse the center or institution 15% of the cost of the meal or 50 cents, whichever is less.

Act 299 *(AB-660)* establishes in the College of Natural Resources at the UW-Stevens Point a Center for Environmental Education to assist in the development and implementation of environmental education programs for elementary and secondary school teachers.

Act 336 *(SB-542)* permits the salaries of 5 UW vice presidents, the position of Vice Chancellor of the UW-Madison Center for Health Sciences and the positions of vice chancellors who are serving as deputy chancellors of the UW system campuses to be set by the Board of Regents within a range no lower than the minimum of the salary range for executive salary group 7 but less than the salary of the President of the UW system (at least $58,483 but less than $111,648 in 1989-90). The act also permits the salaries of these positions, as well as the salaries of all chancellors of the UW system campuses, the center system and the UW-extension to be set at a level higher than the Governor's salary ($86,149 in 1989-90), and permits these salaries to be increased at a rate greater than 10% within a fiscal year. Former law limited these salaries to various points below the salary of the Governor, precluded salary increases except in accordance with the state compensation plan, and precluded salary increases of more than 10% within the salary range to which a position was assigned, if any, during a fiscal year.

Act 353 *(SB-344)* establishes an Agricultural Technology and Family Farm Institute in the College of Agricultural and Life Sciences at the UW-Madison and directs the Board of Regents to establish extension programs to educate consumers about biotechnology processes and products and to conduct research on the effects of using supplemental bovine somatotropin (BST) in commercial milk production (see *HIGHLIGHTS, Agriculture*).

VOCATIONAL, TECHNICAL AND ADULT EDUCATION

Act 24 *(AB-91)* allows an individual who is under the age of 16 to attend a VTAE school if the district board of the VTAE school the individual proposes to attend agrees to admit the individual, the individual has the written permission of his or her parent or guardian and he or she will not be attending during the hours of the normal school day of the school district in which the individual resides.

Act 31 *(SB-31)* makes various changes relating to the VTAE system. The act:

1. Authorizes the state VTAE Board to award incentive grants to district boards to pay the tuition of farmers enrolled in farm training programs.

2. Directs the state VTAE Board to award grants to district boards to establish minority student retention programs.

3. Modifies the calculation of district aidable cost under the state aid formula by excluding all receipts from fire school aids, displaced homemakers' grants and minority student retention grants.

4. Specifies that each VTAE District Board consist of 2 employers, 2 employes, 3 additional members, a school district administrator and an elected official who holds a state or local office. Under former law, each district board consisted of 3 employers, 3 employes, 2 additional members and a school district administrator.

5. Makes permanent the authority of VTAE districts to make capital expenditures in excess of $500,000 without holding a referendum if the cost of the project, exclusive of gifts, grants and federal funds, is less than $500,000.

6. Requires the state VTAE Board to set fees for programs and courses offered to state prison inmates equal to the fees established for postsecondary and vocational-adult programs.

7. Authorizes VTAE district boards to provide fiscal and management services to educational institutions and federal agencies in addition to state agencies and local governmental units.

8. Authorizes the state VTAE Board to award grants to district boards for alcohol and other drug abuse prevention and intervention programs.

9. Exempts from VTAE tuition any minor student or dependent adult student whose natural parents are divorced or legally separated if at least one parent is a Wisconsin resident, and any person (and his or her spouse and dependents) who moves to Wisconsin for full-time employment.

10. Subject to state VTAE Board approval, until July 1, 1991, authorizes a district board to lease facilities to others for school purposes, and to lease land to others for the construction of a school if any future acquisition of the school by the district will not expose the district board to an expenditure exceeding $500,000.

Act 121 *(Oct. 1989 Spec. Sess. AB-9)* directs each VTAE district board to adopt rules providing nonacademic misconduct disciplinary sanctions for any student who engages in an activity, on district premises or at a district-sponsored event, that constitutes a violation of the laws regulating controlled substances (dangerous drugs).

Act 169 *(AB-585)* authorizes the state director of the VTAE system to appoint an executive assistant.

Act 177 *(AB-431)* directs each VTAE District Board to incorporate in its orientation program for newly entering students information on sexual assault.

Act 186 *(AB-218)* prohibits discrimination against a student in a VTAE school on the basis of the student's race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status. The act requires each district board to develop policies and procedures to handle discrimination complaints and specifies that such policies and procedures are subject to review by the state VTAE Board.

Act 269 *(AB-417)* allows a VTAE District Board to establish a meal program for elderly persons. For each meal served, the state must reimburse the District Board 15% of the cost of the meal or 50 cents, whichever is less.

Act 336 *(SB-542)* eliminates interdistrict tuition in the VTAE system. Under former law, a state resident who wished to attend a VTAE school outside his or her VTAE district of residence was charged nonresident tuition. The District Board of the student's district of residence was liable for the student's tuition if the program in which the student was enrolled was not offered by the district of residence.

OTHER EDUCATIONAL AGENCIES

Act 17 *(AB-94)* authorizes the Arts Board to give preference in the arts in state buildings program to Wisconsin residents.

Act 31 *(SB-31)* authorizes the Arts Board to administer a rural arts program to award grants to improve and expand arts programming in rural areas and to administer a pilot program to provide grants and loans for the initial funding of arts incubator projects.

The act transfers funding and administrative responsibility for instructional telecommunications from DPI to the Educational Communications Board.

The act authorizes HEAB to administer an academic excellence higher education scholarships program for certain high school pupils who enroll at postsecondary institutions in Wisconsin and to administer a minority teacher loan program to provide loans to minority undergraduate students who agree to teach in selected Wisconsin school districts.

The act authorizes the Historical Society to collect a burial sites excavation and analysis fee and makes a number of technical changes to state law on burial sites preservation administered by the Historical Society.

The act requires that, to the extent possible, not less than 5% of the total enrollment of both Marquette Dental School and the Medical College of Wisconsin be minority students.

The act provides funding for a grant to St. Norbert College for costs associated with planning of a proposed International Center.

Act 46 *(AB-233)* creates a higher education bond program under which the State Building Commission (SBC) sells bonds to individuals to encourage savings for college education costs. The act permits the SBC to allow the purchaser of a bond to present the bond to a nonprofit, postsecondary school to pay tuition or other educational-related costs, including room and board. The act provides that interest earned on the bonds is exempt from state income tax (see also *Act 68*).

Act 68 *(AB-616)* requires that bonds designated by the State Building Commission as higher education bonds must be sold by negotiated private sale rather than by competitive public sale (see also *Act 46*).

Act 184 *(SB-400)* authorizes HEAB to enter into a Minnesota-Wisconsin student tuition reciprocity agreement to take effect on July 1, 1991.

Act 208 *(AB-889)* reassigns the Director of the Historical Society from executive salary group (ESG) 4 to ESG 7 and specifies the maximum salary increase for reassignment of this position to ESG 7. The act also increases the number of division administrator positions authorized for The Historical Society from 2 to 6.

Act 336 *(SB-542)* authorizes HEAB to administer a loan forgiveness program for health care providers who agree to practice exclusively in health manpower shortage areas, and to award independent student grants to resident students who are current AFDC recipients.

The act authorizes DOA to contract with Mount Senario College to provide educational programs and services designed for American Indians.

The act permits the Educational Communications Board to provide a bonus compensation plan for employees in the unclassified service whose primary responsibility is fundraising.

Elections

Act 88 *(AB-389)* permits any county having a population of at least 100,000 but not more than 500,000 to provide by ordinance that the number of signatures required on nomination papers for the office of County Supervisor is reduced from a minimum of 100 electors to a minimum of not less than 50 electors.

Act 192 *(SB-260)* makes numerous changes in election and campaign finance laws (see *HIGHLIGHTS*).

Eminent Domain

Act 31 *(SB-31)* eliminates the requirement that a condemnor record a certificate of compensation. The act requires the conveyance, which must be recorded, to state the identity of all persons with an interest in the property acquired, the nature of the interest acquired and the compensation for the acquisition. The condemnor must mail a copy of the conveyance and a notice of the right to appeal the amount of compensation, instead of a copy of the certificate of compensation, to each person named in the conveyance.

Employment

Civil Service

Act 31 *(SB-31)* makes various changes in the laws relating to state employment. The act:

1. Abolishes the state Personnel Board.

2. Provides that a person who is employed in the classified service is considered to be a recipient of public assistance for the purpose of DER's efforts to promote the hiring of public assistance recipients if the person is receiving public assistance at the time of certification. Formerly, the determination was made when the employe commenced employment.

3. Requires the Secretary of Employment Relations to submit an annual report to the Legislature describing each state agency's efforts to employ public assistance recipients.

4. Permits DER to offer employe development and training programs to local government employes.

5. Clarifies procedures regarding positions that are included in the classified service when the state assumes functions from other agencies.

6. Permits DER to limit competition for promotion to a given agency provided that the applicant group is representative of the state labor pool.

7. Permits DER to make grants to day care providers who provide day care services for children of state employes.

8. Requires the Director of the Racing Board to appoint a director of security, a director of data processing and a chief steward to serve in classified permanent positions and clarifies that all other employes of the Racing Board, except the director, deputy director and assistant director, serve in the classified service.

Act 39 *(SB-226)* eliminates the requirement that the Secretary of Employment Relations maintain a master pay schedule for state positions, under which identical pay ranges in separate pay schedules have the same maximum and minimum pay rates. The act permits DER to adjust the pay rate of an employe whose position is classified, reclassified or reallocated into a class with a pay range maximum or pay rate that is lower than the employe's pay rate, in accordance with provisions of the state compensation plan or rules

of DER. Formerly, such pay rates could only be adjusted in accordance with rules of DER.

Act 118 *(Oct. 1989 Spec. Sess. SB-14)* ratifies the collective bargaining agreement for the 1989-91 biennium between the state and the District 119W/United Professionals for Quality Health Care as representative of the employes of the professional patient care collective bargaining unit.

Act 144 *(AB-557)* permits the administrator of DER's Division of Merit Recruitment and Selection to authorize an extended probationary period for a handicapped state employe.

Act 153 *(AB-985)* provides that statutory limits on certain types of pay increases provided to employes whose positions are covered under the state compensation plan do not apply if the plan specifically so provides.

Act 154 *(AB-986)* ratifies the collective bargaining agreement for the 1989-91 biennium between the state and the State Engineering Association as representative of the employes of the professional engineering collective bargaining unit.

Act 155 *(AB-987)* ratifies the collective bargaining agreement for the 1989-91 biennium between the state and the Wisconsin State Building Trades Negotiating Committee as representative of the employes of the building trades crafts collective bargaining unit.

Act 156 *(AB-988)* ratifies the collective bargaining agreement for the 1989-91 biennium between the state and the WSEU, AFSCME Council 24, and its appropriate affiliated locals, AFL-CIO, as representative of employes of the security and public safety collective bargaining unit.

Act 157 *(AB-989)* ratifies the collective bargaining agreement for the 1989-91 biennium between the state and the WSEU, AFSCME Council 24, and its appropriate affiliated locals, AFL-CIO, as representative of the employes of the technical collective bargaining unit.

Act 158 *(AB-990)* ratifies the collective bargaining agreement for the 1989-91 biennium between the state and the WSEU, AFSCME Council 24, and its appropriate affiliated locals, as representative of the employes of the professional social services collective bargaining unit.

Act 245 *(AB-598)* prohibits a person who is authorized to appoint subordinate state employes from taking disciplinary action against a state employe if the action is based on evidence obtained as a result of unauthorized covert surveillance unless the employe committed a crime.

Fringe Benefits of Public Employes

Act 13 *(SB-148)* makes various changes relating to retirement benefits of public employes under WRS (see *HIGHLIGHTS*).

Act 14 *(SB-160)* requires DETF to charge a fee to each state agency with employes who are eligible to participate in the state employe-funded reimbursement account plan and makes certain other changes regarding contract and administrative costs under the plan.

Act 31 *(SB-31)* creates a Deferred Compensation Board in DETF to administer the state deferred compensation plan, requires DER to review determinations regarding the classification of state employes as protective occupation participants (police officers, fire fighters and certain other participants under WRS) and allows DETF to review

determinations regarding the classification of local governmental employes as protective occupation participants.

The act provides, with certain exceptions, that a statutory provision governing a fringe benefit, other than a WRS benefit, for state employes does not apply to state employes who are covered by a collective bargaining agreement unless the bargaining agreement so provides.

Act 93 *(AB-78)* extends coverage under the state group health insurance program to children of dependent children of eligible employes.

Act 110 *(AB-463)* allows the Employe Trust Funds Board to extend the period during which certain Milwaukee teachers participating in WRS are eligible for a special death benefit.

Act 116 *(SB-525)* allows a member or employe of the Legislature or employe of a legislative service agency who did not receive creditable service (service credited under WRS) for certain legislative service to purchase the period of service not previously credited.

Act 119 *(Oct. 1989 Spec. Sess. SB-15)* provides that any period during which a state employe was on a leave of absence during the first 6 months of employment is not included in calculating the initial 6-month period of employment that is required to be eligible for employer contribution toward the employe's health insurance premium under the state group health insurance program. The act also provides that such employer contributions continue while an employe is on a leave of absence for the entire period of the leave of absence if the employe is receiving temporary disability compensation under state worker's compensation law or, if the employe is not receiving such compensation, only for the first 3 months of the leave of absence.

Act 122 *(Oct. 1989 Spec. Sess. AB-12)* provides for service that has been performed by a district attorney, deputy district attorney or assistant district attorney before January 1, 1990 (as a county employe) to be credited towards satisfying the 6-month service requirement (as a state employe) for eligibility for employer contribution towards his or her health insurance premium under the state group health insurance program. This provision applies until July 1, 1990, when all district attorneys and deputy and assistant district attorneys employed before January 1, 1990 will have been state employes for at least 6 months (see also *Other State Government, Act 336*).

Act 166 *(AB-534)* makes various changes relating to the time for filing appeals of certain determinations made by DETF and the time allowed for an annuitant under WRS to change his or her choice of annuity options.

Act 182 *(SB-304)* makes certain changes relating to the coverage of public employes under the state group life and health insurance programs and allows certain public employes to continue group life insurance coverage after terminating employment and to convert the value of postretirement life insurance to pay for health or long-term care insurance.

Act 189 *(AB-516)* allows a participating employe under WRS whose earnings as a UW instructional faculty member included compensation for teacher improvement leave during the period between January 1, 1964, and August 31, 1967, to purchase the amount of creditable service equal to the period of the employe's teacher improvement leave, not to exceed one year.

Act 218 *(AB-107)* creates a procedure to divide the accumulated rights and benefits of a public employe under WRS in accordance with a qualified domestic relations order (see *HIGHLIGHTS, Domestic Relations*).

Act 230 *(SB-195)* grants creditable service for service in the Merchant Marine aboard an oceangoing vessel during the period between December 7, 1941, and August 15, 1945.

Act 240 *(AB-382)* classifies all state motor vehicle inspectors as protective occupation participants (instead of only those inspectors who were hired before 1968).

Act 323 *(AB-526)* establishes a type of reciprocity among the 3 public employe retirement systems of this state (WRS, the Milwaukee County Retirement System and the City of Milwaukee Retirement System), subject to approval by the respective county and city governing bodies. The act provides that any individual who has vested annuity benefit rights under any of the 3 systems, subsequently becomes covered by one or both of the other systems and terminates all employment covered by any of the systems may, in lieu of any other benefits payable under the systems, have his or her retirement benefit computations and eligibility under each system determined by using the sum of all service credited under each system to meet vesting periods required for benefit eligibility during subsequent employment covered by any of the systems, and also provides that the individual's final average salary or final average earnings used to compute retirement benefits under each system shall be the final average salary or final average earnings determined in accordance with the provisions of the respective system based on the earnings covered by that system, indexed by a specified percentage (to account for salary increases that would have been realized had the individual continued employment under that system) between the last day of employment under that system and the last day of employment under any of the systems.

Act 327 *(AB-834)* allows a participating employe under WRS who served as a junior teacher (a teacher employed before July 1, 1957, while under age 25) and has not received creditable service for that service to purchase the period of that service not previously credited.

Act 355 *(AB-522)* allows state employes, and certain local government employes, who are eligible for a disability annuity under WRS to avoid delay of the start of the annuity by converting accumulated unused sick leave to credits for the payment of health insurance premiums.

Act 357 *(AB-413)* classifies a participant under WRS who is an emergency medical technician as a protective occupation participant if the participant's employer classifies the participant as a protective occupation participant and notifies DETF of the classification.

Other Employment

Act 28 *(AB-430)* requires that Wisconsin Conservation Corps members be paid the greater of the federal minimum wage or the state minimum wage established by DILHR. Under former law, corps members were paid the federal minimum wage.

Act 31 *(SB-31)* makes various changes related to employment. The act:

1. Authorizes DILHR to fund grants for planning and starting 3 additional Job Center pilot projects and extends the expiration date for the program an additional 2 years to June 30, 1991.

2. Gives priority for the awarding of wage subsidies under the pilot Wisconsin job opportunity business subsidy (WISJOBS) program to businesses that use processes or

techniques that reduce or eliminate the production of ozone depleting compounds or substances (see also *Act 336*).

3. Requires DILHR to establish a policy regarding waiver of overpayments to recipients under the federal Adjustment Assistance for Workers program when the overpayment is not the fault of the recipient and when requiring repayment would be contrary to equity and good conscience.

4. Deletes the provisions regarding determination of dislocated worker status as it relates to farmers under the dislocated workers assistance program and otherwise modifies and creates certain definitions to bring the Wisconsin statute creating the program into substantial conformity with the federal statute under which the program is funded.

5. Exempts Private Industry Council and State Job Training Coordinating Council members from the laws prohibiting public officers from having a private pecuniary interest in public contracts.

6. Adds 4 members to the Labor and Management Council, 2 representing labor and 2 representing management.

Act 44 *(AB-60)* makes various changes related to employe notification by employers of business closings and mass layoffs (see *HIGHLIGHTS*).

Act 64 *(AB-602)* makes various changes in the worker's compensation laws. The act:

1. Creates an uninsured employers fund from which DILHR pays compensation to injured employes of uninsured employers, including loaned employes and employes of independent contractors. This fund expires if it does not reach a balance of $3,000,000 before July 1, 1992.

2. Increases the amount of death and disability benefits payable.

3. Makes miscellaneous changes related to coverage of loaned employes, employes of small employers and independent contractors. The act also extends the date for officers of small closely-held corporations to elect not to be covered under the worker's compensation laws to June 30, 1993.

4. Makes miscellaneous changes relating to the administration of the worker's compensation laws, including a requirement after June 30, 1992, that DILHR reduce employer payments to the work injury supplemental benefit fund if the amount in the fund exceeds 3 times the amount of annual payments from the fund; an exemption of worker's compensation records from the open records law, except as provided by DILHR by rule; and an exemption of caucuses of employer and employe members of the Council on Worker's Compensation from the requirement to hold open meetings under the open meetings law.

5. Makes miscellaneous changes relating to the procedures governing worker's compensation hearings, including permitting psychologists to examine claimants, testify and produce reports on the same basis as physicians.

6. Permits DILHR, before July 1, 1992, to deny payment for unnecessary treatment, as determined by DILHR.

Act 77 *(SB-293)* makes various changes in the unemployment compensation law (see *HIGHLIGHTS*).

Act 97 *(SB-66)* extends the coverage of the clean indoor air law to include private offices and prisons.

Act 113 *(SB-262)* makes various changes relating to regulation of persons employing minors in house-to-house street trades. The act requires such an employer to:

1. Obtain a certificate from DILHR before employing minors for house-to-house street trades.

2. Establish, as a condition of receiving a certificate, one of several types of financial commitments to prove the employer's ability to pay its minor employes and any penalties that might be imposed.

3. Disclose in writing the terms and conditions of employment to a minor who applies for house-to-house employment.

4. Notify the clerk and local law enforcement officers of a municipality when a minor employe is or will be conducting a house-to-house street trade in the municipality.

5. Keep records of minors employed and the municipalities in which they operate.

The act exempts newspaper publishers and fund-raising sales by nonprofit organizations and schools from regulation of house-to-house street trades. The act also permits DILHR to enter into reciprocal agreements with other states for the collection of wage claims.

Act 126 *(SB-284)* permits the employment of minors 12 and 13 years of age as sideline officials at high school football games and of minors 11 to 13 years of age as ball monitors at those games.

Act 220 *(AB-264)* exempts from DILHR regulation as an employment agent (other than the annual registration requirement) persons whose fees are paid entirely by the employer. The act also permits DILHR to order a person acting as an employment agent without a license to refund all fees collected while unlicensed.

Act 225 *(AB-558)* specifies that the state, its political subdivisions, and state and local governmental agencies are employers for the purposes of laws regarding minimum wage, hours of labor and restrictions on AIDS testing.

Act 226 *(AB-648)* exempts from the requirement that an employer pay an employe his or her wages no later than 31 days from the date they are earned private school employes who request payment over a 12-month period for services performed during the school year.

Act 236 *(SB-436)* expands the categories of migrant workers protected and assisted by Wisconsin law to include migrant workers employed in the production of any agricultural or horticultural commodity. Under former law, only migrant workers employed in certain enumerated activities were covered under Wisconsin law.

Act 258 *(AB-204)* applies to city of Milwaukee fire fighters the dispute settlement procedure that formerly applied only to law enforcement and fire fighting employes of local governments other than the city of Milwaukee. The procedure includes a requirement for binding arbitration of labor disputes. Formerly, there was no compulsory dispute settlement procedure applicable to city of Milwaukee fire fighters.

Act 336 *(SB-542)* makes various changes in the Wisconsin job opportunity business subsidy (WISJOBS) program. The act:

1. Earmarks funds to create a WISJOBS program for a federally recognized American Indian tribe or band to be designated by DILHR.

2. Makes persons who are under the federal poverty level eligible for the program.

3. Requires that an employer who buys out another employer increase the number of jobs over those provided by the previous employer to qualify for a subsidy under the program.

Environment

Act 31 *(SB-31)* makes numerous changes in environmental law. The act:

1. Ends the state's assumption of responsibility for the long-term care of new hazardous and solid waste disposal facilities. The act requires owners of new hazardous and solid waste disposal facilities to demonstrate financial responsibility for the long-term care of those facilities for at least 40 years after the closing of the facilities.

2. Expands the types of underground petroleum storage systems that are eligible for awards from the petroleum storage environmental cleanup fund to reimburse owners for costs incurred because of petroleum product discharges. The act raises the limits on the size of awards that DILHR may make from the fund and adds compensation to 3rd parties for bodily injury and property damage as a reimbursable cost. The act also provides that no awards may be made from the fund for costs incurred after July 1, 1995 (see also *Acts 254 and 255*).

3. Increases funding for environmental repair at contaminated waste sites by imposing a fee on generators of hazardous waste, increasing the tonnage fee on solid waste disposed of in landfills and authorizing state bonding to finance environmental repair projects.

4. Prohibits DNR from issuing an operating license for a solid waste disposal facility or hazardous waste facility if the applicant or an owner of the applicant is subject to a DNR plan or order regarding a solid waste disposal facility or hazardous waste facility and has not complied with the plan or order.

5. Provides for the state's participation in the Great Lakes protection fund, formed to address water pollution problems in the Great Lakes, under specified conditions.

6. Establishes a program to provide grants for lake management planning to counties, cities, towns, villages, public inland lake protection and rehabilitation districts and certain lake associations (see also *Act 160*).

7. Makes various changes in the clean water fund program, which provides financial assistance to municipalities for wastewater treatment projects. The changes include prohibiting DNR from making any clean water fund loans, except that DNR may make transition loans after March 31, 1990, and expanding eligibility for transition loans. Transition loans are loans for projects that were unable to obtain grants under the point source grant program that is being phased out (see also *Act 336*).

8. Requires DNR to establish a program for the certification of operators of septage servicing vehicles and makes other changes concerning the licensing of persons who service septic systems.

9. Modifies the program that provides compensation for contamination of private wells by imposing an income limitation, decreasing the percentage of eligible costs that may be paid and replacing general fund financing with segregated fund financing. The act eliminates the program of grants to provide municipal water supplies to replace contaminated private water supplies.

10. Increases the income limit for individual eligibility for a private sewage system replacement grant (see also *Act 326*).

11. Sets aside funds under the nonpoint source water pollution abatement program for grants for projects affecting lakes where the need for nonpoint source pollution abatement is most critical.

12. Transfers the Radioactive Waste Review Board from DOA to the UW system and eliminates the board on June 30, 1991.

13. Establishes a lake level pilot project administered by DNR to install check dams to control water levels on lakes with falling water levels. The act sets an expiration date of June 30, 1991 for the program (see also *Act 336*).

Act 115 *(AB-353)* makes numerous changes in the laws relating to the hazardous substances information and emergency planning program, including increasing funding for costs incurred by local emergency planning committees and extending to additional persons the requirement to pay fees that fund the program. The act clarifies that the state pays a judgment entered against a member of a local emergency planning committee acting within the scope of his or her duties and authorizes DOJ to represent local committees and their members.

Act 160 *(AB-715)* changes the conditions that a lake association must meet in order to be eligible for a lake management planning grant from DNR.

Act 211 *(SB-241)* changes enforcement procedures for older solid waste facilities that DNR believes do not meet solid waste disposal standards. Under the act, if the owner of the facility requests an administrative hearing concerning an enforcement order, the owner may not withdraw that request and receive a new trial in district court on all issues relating to the facility.

Act 247 *(AB-895)* prohibits DNR from imposing air pollution emission standards on a coal-powered car ferry that operates on Lake Michigan and meets specified conditions.

Act 254 *(AB-274)* makes persons owning certain above-ground petroleum product storage systems eligible for awards from the petroleum storage environmental cleanup fund to pay some of the costs incurred because of discharges of petroleum products.

Act 255 *(AB-275)* increases the limits on the size of awards that DILHR may make from the petroleum storage environmental cleanup fund to owners of some underground petroleum product storage systems as reimbursement for costs incurred before July 1, 1995, because of petroleum product discharges. The act eliminates the July 1, 1995, expiration date on the award program but establishes lower limits on the size of awards made to owners of underground systems for costs incurred after that date. The lower limits also apply to awards to owners of above-ground petroleum product storage systems, no matter when the costs are incurred. The act also provides that costs reimbursed by an award may not be recovered by any other method, for example a private lawsuit.

Act 256 *(AB-237)* authorizes an agency of a county, city, village or town to take emergency action in response to a discharge of a hazardous substance that threatens public health or safety or damage to property. The act requires a person who possessed or controlled a discharged hazardous substance to reimburse an agency of a county, city, village or town for actual, reasonable and necessary costs incurred in taking such emergency action.

Act 284 *(SB-382)* creates numerous provisions concerning refrigerants that can deplete the stratospheric ozone layer. The act limits, after January 1, 1994, the sale of new automobiles with air conditioners that contain ozone-depleting refrigerant. The act imposes conditions on persons who install, service or salvage motor vehicle air conditioners and other types of refrigeration equipment that contain ozone-depleting refrigerants. The act also imposes limitations on the sale of ozone-depleting refrigerants.

Act 288 *(SB-42)* authorizes DNR to contract for the sampling and testing of sediments from the Fox river and Lake Winnebago.

Act 289 *(SB-147)* imposes a criminal penalty on a person who intentionally commits an act that violates air pollution control laws.

Act 325 *(AB-736)* requires the UW Board of Regents to establish a hazardous pollution prevention program to provide education and technical assistance in reducing the use and release of hazardous substances. The act establishes a hazardous pollution prevention

audit grant program, administered by DOD, to assist producers and users of hazardous substances to identify ways to reduce their use and release of those substances. The act creates a Hazardous Pollution Prevention Board to act on applications for the audit grants and advise state agencies about the promotion of hazardous pollution prevention. The act also establishes a process for DNR to revise the state's capacity assurance plan (the federally required plan for the management of hazardous waste generated in this state), and requires DNR to designate a Hazardous Pollution Prevention Coordinator.

Act 326 *(AB-767)* makes several changes in the private sewage system replacement and rehabilitation grant program. The act replaces the income limitation on program eligibility of a commercial establishment with a limitation based on gross revenue and increases the maximum daily waste water flow rate that a commercial establishment may have and still be eligible for a grant. The act requires that DNR award grants equal to 60% of average current replacement or rehabilitation costs. The act also allows DNR to award a grant for costs incurred prior to the issuance of a written enforcement order if a state or local governmental inspector has determined that the private sewage system is failing.

Act 335 *(SB-300)* makes major changes relating to recycling, reduction in the amount of solid waste produced and solid waste disposal and treatment (see *HIGHLIGHTS*).

Act 336 *(SB-542)* makes several changes in environmental laws. The act:

1. Changes the date on which DNR may begin making transition loans from the clean water fund (for wastewater treatment projects) from April 1, 1990, to June 1, 1990. The act authorizes DNR to make transition loan commitments in an amount not to exceed its general obligation bonding authority for the clean water fund program plus federal funds received for the program. The act also authorizes a municipality that has received a commitment for a transition loan from DNR to issue municipal obligations in anticipation of receiving the transition loan.

2. Authorizes DNR to distribute nonpoint source water pollution abatement program funds to itself for the purchase of easements in priority watershed areas.

3. Provides funds to DNR for projects concerning barnyard runoff under the nonpoint source pollution abatement program.

4. Requires DNR to allocate lake management planning grant funds for Lake Neshonoc in La Crosse County and Hillsboro Lake in Vernon County.

5. Appropriates funds to the village of Cazenovia to rehabilitate a lake.

6. Prohibits DNR from requiring a municipality to repay point source pollution abatement grant funds provided for a wastewater treatment project that subsequently failed if certain conditions are met.

7. Eliminates the expiration date on the lake level pilot project, making it a permanent program.

Financial Institutions

Act 29 *(SB-133)* permits statewide branch banking for a one-year period ending July 31, 1990. After that date, the law reverts to the more restrictive branch banking provisions in effect before August 1, 1989. The act also authorizes banks to establish joint branch banks and courier services, revises provisions relating to bank-owned banks and makes other revisions to banking laws (see also *Act 180*).

Act 31 *(SB-31)* requires that the commissioners of banking, credit unions and savings and loan have at least 3 years, and that deputy commissioners have at least one year, of

practical financial institution managerial experience. The act also repeals the interest rate limit that takes effect on November 1, 1990, for loans of less than $5,000 from licensed lenders.

Act 45 *(AB-134)* clarifies who must register as a mortgage banker and revises mortgage banker registration requirements.

Act 103 *(AB-524)* permits financial institutions to accept cooperative real estate ownership interests as security for loans.

Act 180 *(AB-753)* eliminates the expiration date contained in Act 29 that limited the authority for statewide branch banking to a one-year period.

Act 242 *(AB-849)* permits a mutual savings and loan association to convert into a mutual savings and loan holding company.

Act 300 *(AB-731)* permits a bank or a trust company to invest trust assets in securities of a federally-registered investment company or trust.

Act 313 *(SB-438)* permits a savings and loan association to transact business on Sundays, establish statewide limited offices, maintain demand deposits and furnish customer lists to others. The act also permits financial institutions to copy vital records for administrative use.

Act 336 *(SB-542)* permits the Commissioner of Banking to determine the amount to be charged a collection agency, insurance premium finance company, community currency exchange or a motor vehicle dealer for inspections or examinations that are performed by the Office of the Commissioner of Banking. Formerly, the commissioner charged an amount fixed by statute or an amount equal to the actual cost of the service.

Gambling

Act 31 *(SB-31)* makes various changes relating to the regulation of bingo and raffles, pari-mutuel wagering and the state lottery. The act:

1. Removes the limit on the number of regular bingo occasions that may be played at any one location in a year.

2. Creates a segregated racing fund, into which a portion of the annual revenues from pari-mutuel taxes are deposited. Money in the racing fund is appropriated for various alcohol and other drug abuse prevention and intervention programs.

3. Allows the Racing Board to contract for the services of a veterinarian if such services are required to administer the board's functions.

4. Allows the Racing Board, upon request of the owner of a licensed racetrack, to change the date specified on the initial racetrack license by which racing must begin.

5. Requires racetracks to pay purses for dog races at least weekly.

6. Requires the withholding of lottery winnings that are payable in instalments for child or spousal support.

7. Provides statutory authority for Wisconsin to participate in a multistate lottery and makes the requirements for the state lottery applicable to participation in a multistate lottery.

Act 99 *(SB-152)* provides that a vendor who develops a specification related to or evaluates a bid or competitive sealed proposal to supply goods or services to the lottery board may not submit a bid or competitive sealed proposal with respect to, or have an ownership interest in a vendor that supplies or submits a bid or competitive sealed proposal to supply, those goods or services.

Act 147 *(SB-329)* makes various changes in the requirements for conducting bingo and raffles. In addition to other changes, the act:

1. Allows a community-based residential facility, senior citizen community center or adult family home to obtain a license to conduct bingo, and exempts such an organization from various requirements applicable to other bingo licensees, if bingo is conducted by the organization for the recreational or social activity of its residents, members or patrons, no admission fee is charged to play bingo and certain other conditions are met.

2. Removes various restrictions on and requirements for organizations licensed to conduct bingo relating to the use of bingo profits, advertising, reporting to DORL, supervision and management of bingo games and the use of premises on which bingo is played.

3. Statutorily allows any qualified organization that conducts activities solely within this state (instead of only a qualified organization whose activities are conducted on less than a statewide basis) to obtain a license to conduct a raffle.

4. Eliminates the distinction between regular, special and monthly raffles, allows an organization licensed to conduct raffles to conduct up to 200 raffles during a year and changes the initial and renewal fees for a raffle license.

5. Allows licensed organizations to conduct one calendar raffle each year. A calendar raffle is a raffle for which up to 12 monthly calendars, instead of raffle tickets, are sold and for which drawings are held and prizes awarded on the dates specified in the calendars.

6. Specifies several additional types of information that must be printed on raffle tickets and calendars and changes certain reporting requirements for organizations licensed to conduct raffles.

Act 172 *(SB-276)* clarifies the exception to the prohibition on lottery retailer contracts or major lottery procurement contracts with an organization that has a criminal record or has entered a plea of guilty or no contest to a violation of the lottery law.

Act 196 *(AB-927)* authorizes the Governor to enter into compacts on behalf of this state that have been negotiated under the federal Indian Gaming Regulatory Act.

Act 314 *(SB-471)* requires a person who wins a wager at a racetrack to claim the winnings within 90 days after the end of the last day that racing is conducted at the racetrack in that year, and changes the deadlines by which a person who sponsors a race must pay to the Racing Board pari-mutuel taxes and certain other payments that are based on amounts wagered at the racetrack.

Health and Social Services

HEALTH

Act 6 *(SB-6)* increases funding under the medical assistance program for the 1989-90 fiscal year to increase payment for nursing home direct care wages, fringe benefits or hours of registered nurses, licensed practical nurses and nurses' assistants. The act specifies circumstances under which a nursing home's increased medical assistance payment may be recovered by DHSS. The act also increases medical assistance payments for providing active treatment to developmentally disabled persons in intermediate care facilities for the mentally retarded and for reducing operating deficits of municipally-owned nursing homes. Lastly, the act increases funding for fiscal year 1988-89 for services to eligible persons under the community options program.

Act 9 *(AB-291)* provides that the eligibility for medical assistance of a pregnant woman who meets AFDC or medical assistance medically needy income and resource limits begins

3 months before the month she applies for medical assistance and continues until the last day of the month in which the 60th day after the last day of the pregnancy falls. Formerly, such eligibility began on the date of application and ended 60 days after the last day of the pregnancy.

Act 18 *(SB-48)* permits DHSS to assess monetary forfeitures against hospitals and ambulatory surgery centers for failure to provide required information to the Office of Health Care Information, establishes procedures for the assessments and expands the scope of individual protection from identification in data released by the Office of Health Care Information.

Act 31 *(SB-31)* makes numerous changes in the health laws. The act:

1. Establishes requirements for operation of nursing homes that are certified providers of medical assistance (see *HIGHLIGHTS*).

2. Requires a nurse's assistant employed by a hospital or nursing home and a home health aide employed by a home health agency to complete training and an examination. The act allows a nurse's assistant or home health aide to be so employed for fewer than 120 days without having completed training and an examination. The training and examination programs must be reviewed and approved by DHSS (see also *Acts 84 and 336*).

3. Requires DHSS to review, investigate and, if requested, hold hearings on allegations relating to the neglect, abuse or misappropriation of property of a nursing home resident or hospital or home health agency patient by a nurse's assistant or home health aide. The act also requires DHSS to maintain a registry of nurses' assistants and home health aides that lists those who have completed required training and examinations and those about whom allegations and findings have been made concerning neglect, abuse or misappropriation of property of patients or residents.

4. Establishes a DHSS-administered loan program for nonprofit rural hospitals, and cooperatives composed of hospitals with fewer than 100 beds, to assist in altering services to meet changing medical needs of the hospitals' patient service areas.

5. Modifies the long-term support community options program, which assesses persons residing in or seeking residence in nursing homes or centers for the developmentally disabled and provides alternative home- or community-based services. The act permits counties to use for administrative or staff costs community options program funds carried over from the previous year, prohibits the providing of solely state-funded community options program services to persons who are eligible for, offered and decline community options services that are state- and federally-funded under a Medicaid waiver; directs DHSS to encourage counties to use available public health service nurses to conduct community options program service assessments; requires counties to act as fiscal agents for community options program clients, for the purpose of paying unemployment taxes for service providers; and clarifies that a person who meets requirements for care in an institution for mental diseases is eligible for solely state-funded community options program services. The act also authorizes funding in the 1989-90 fiscal year for pilot projects for home and community-based long-term support services.

6. Modifies the conditions under which DHSS may place a monitor in or petition for appointment of a receiver for a nursing home and requires that DHSS promulgate rules for temporary management of a nursing home during closure or transfer of residents or while a nursing home attempts to meet federal Medicaid nursing home requirements.

The act also makes several changes relating to the medical assistance program. The act:

1. Establishes provisions for the protection of income and resources of an individual whose spouse is in a nursing home and receiving medical assistance (referred to as spousal impoverishment provisions). Under the act, the noninstitutionalized spouse may retain $1,500 per month from the couple's income. At the time of application for medical assistance, the amount of resources considered to be available to an institutionalized spouse equals the value of the couple's resources minus the greater of $15,000 or 1/2 of the value of the couple's resources, but not more than $60,000 (see also *Act 81*).

2. Increases the income limits for medical assistance medically needy coverage of children under one year of age and pregnant women (known as Healthy Start) from 120% of the federal poverty line to 130% of the federal poverty line and, on July 1, 1990, to 135% of the federal poverty line, and eliminates the asset test for that coverage (see also *Act 351*).

3. Provides 12 months of medical assistance coverage for a family that becomes ineligible for AFDC because of employment.

4. Modifies the provisions concerning the eligibility of persons who dispose of resources at less than fair market value before applying for medical assistance, as required by federal law. Under the act, these divestment provisions apply only to institutionalized persons.

5. Provides medical assistance coverage of mental health and rehabilitative services provided by a community support program if the county pays the share of the costs not paid by the federal government. The act also requires DHSS to award grants to enable community support programs to become certified providers under the medical assistance program.

6. Permits a prospective medical assistance payment increase for nursing home services of up to 5.1% in 1989-90 and up to 4.1% in 1990-91, excluding payments for persons diagnosed with developmental disability or mental illness who require active treatment and excluding payments for preadmission screenings and annual reviews, as required under federal Medicaid laws (see also *Act 6*).

Act 53 *(AB-619)* requires DHSS to pay to the Racine Community Care Corporation the state portion of medical assistance reimbursement for providing nursing home care to medical assistance recipients, for a period of time beginning on the date a nursing home license is transferred to the corporation. Payment must end on specified dates if this licensee fails DHSS-conducted inspection surveys. The act authorizes payment of additional moneys for services and resident relocation, under specified circumstances.

Act 81 *(AB-191)* increases the amount of resources protected for an individual whose spouse is in a nursing home and receiving medical assistance by changing the amount of resources considered to be available to the institutionalized spouse at the time of application for medical assistance from the amount determined under Act 31 to the value of the couple's resources minus $60,000.

Act 84 *(SB-325)* makes less stringent and revises the implementation date for instructional and length of practice requirements that nurse's assistants and home health aides must satisfy for employment by a hospital, nursing home or home health agency (see also *Acts 31 and 336*).

Act 109 *(AB-321)* requires owners of public buildings constructed before May 22, 1978, to install and maintain smoke detectors in the buildings.

Act 120 *(Oct. 1989 Spec. Sess. SB-13)* clarifies that the immunization requirements for measles, mumps and rubella apply to the Milwaukee school district and permits DHSS to

suspend, revoke or refuse to renew a day care center license for failure to comply with the immunization requirements (see also *Act 264*).

Act 201 *(AB-400)* permits testing for the presence of the virus that causes AIDS of persons who are adjudicated incompetent, of minors under age 14 and of persons who are unable to communicate due to a medical condition, without their consent, if other specified persons consent on their behalf. The act also permits testing of the blood of a patient that is drawn for another purpose, under limited circumstances and without consent, if a health care provider is significantly exposed to the patient while delivering medical care.

The act prohibits home health agencies, specified health care facilities and health care providers from refusing to treat, providing care at a lesser standard, subjecting to indignity or unnecessarily isolating persons with AIDS virus infections or illnesses.

The act prohibits the sale of tests or test kits to detect the presence of the AIDS-causing virus that are not approved by the state epidemiologist (see also *Insurance*).

Act 264 *(AB-900)* requires that an adult student or parents of a minor student attending a school, day care center or nursery school be notified twice after admittance of the immunization or immunization waiver requirements, the reason for the requirements and how and where to obtain immunizations, and that the district attorney of the county of an unimmunized student be notified within 60 days after admittance.

The act also provides that under certain circumstances a child must be excluded from a school, day care center or nursery school for failure to complete required immunizations or submit a written statement objecting to the immunizations for reasons of health, religion or personal conviction. Under former law, only a first-time admittee to a school, day care center or nursery school could be excluded for such failure, and exclusion was not required.

Act 298 *(AB-550)* makes various changes in the laws regulating the donation of a person's body part after death to another for medical purposes. The act:

1. Requires that a person making an anatomical gift be at least age 18.

2. Permits the making of a document of refusal to make an anatomical gift and permits the revoking of this document.

3. Eliminates a requirement that a document of gift be signed by 2 witnesses.

4. Clarifies that a document of gift is valid without concurrence by another after the donor's death.

5. Permits a coroner or medical examiner to remove organs after death, under specified circumstances, in the absence of a document of gift.

6. Requires hospitals to contact a patient's next-of-kin for consent to donation only if there is no medical record that the patient made or refused to make an anatomical gift. The act specifies that hospitals are not required to do so if the patient is not a medically suitable donor or the patient or relative has a cultural or religious objection to donation.

7. Requires law enforcement officers, fire fighters, emergency medical personnel and hospitals to reasonably search for, and notify a hospital about, information concerning an anatomical gift.

8. Requires hospitals to enter into agreements or affiliations for the coordination of procurement and use of body parts (see also *Drivers' Licenses*).

Act 310 *(SB-391)* deletes the prohibition against medical assistance reimbursement for a hospital's education costs that DHSS finds are indirectly related to patient care.

Act 318 *(SB-394)* directs DHSS to award grants to establish and maintain injury prevention campaigns to promote and evaluate the promotion of injury prevention

activities, including pedestrian safety; the use of bicycle helmets, infant and child car restraints and smoke detectors; and the prevention of burns, poisonings, injuries and drownings.

Act 333 *(SB-397)* provides medical assistance coverage of podiatrists services.

Act 336 *(SB-542)* makes numerous changes in the health laws. The act:

1. Applies the training and examination requirements for employment of nurses' assistants and home health aides to employment by intermediate care facilities for the mentally retarded and services provided under contract as well as under employment; permits specified expanded employment of nurses' assistants or home health aides; and clarifies that certain requirements apply only to certified providers of medical assistance services.

2. Requires that a nursing home, community-based residential facility, child welfare agency or treatment facility report to DHSS within 24 hours concerning specified types of deaths that occur in these facilities or in or on the way to hospitals. The act requires DHSS to investigate each reported death no later than 14 days after it occurs.

3. Authorizes funding, on a 25% matching basis, for grants to specified public health agencies to provide primary health care services.

4. Provides medical assistance eligibility for certain individuals who are age 65 or older, have liquid assets in excess of the usual medical assistance limits and are beneficiaries of long-term care insurance policies that meet standards established by DHSS, if federal approval is received.

5. Provides funding for the 1990-91 fiscal year, on a 100% matching basis, to establish a statewide program of community-based clinical trials of investigational new drugs for management of persons infected with the virus that causes AIDS.

6. Allocates funding for the 1990-91 fiscal year for grants to public health agencies in 12 specified counties with high incidence of breast cancer to provide, on a sliding-scale fee basis, mammograms for low-income women residing in those counties who are age 40 or older.

Act 351 *(AB-644)* extends medical assistance categorically needy coverage to children under 6 years of age and pregnant women with incomes up to 133% of the federal poverty line, as required by federal law. The act eliminates the asset test for that coverage. The act expands medical assistance medically needy coverage to children under 6 years of age and pregnant women with incomes up to 165% of the federal poverty line. The act also provides medically needy recipients of medical assistance with the same benefits received by categorically needy recipients.

MENTAL HEALTH

Act 31 *(SB-31)* makes a number of changes in the mental health laws. The act:

1. Permits DHSS to develop and implement preadmission screening and resident review requirements, to be performed by counties for specified developmentally disabled or mentally ill persons, for residents of or persons seeking admission to a nursing home. After March 31, 1990, the act prohibits payment to a nursing home, under the medical assistance program, for developmentally disabled or mentally ill persons, except those who need active treatment and have resided in the nursing home for 30 months or who have medical care needs. The act also requires DHSS to establish a hearing and appeals procedure for persons for whom admission to a nursing home was denied or who were relocated from a nursing home.

2. Permits the entity designated by the governor as the protection and advocacy agency to have immediate access to any mentally ill or developmentally disabled person who has requested services or for whom the agency has reasonable cause to believe that abuse, neglect or a violation of rights has occurred.

3. Authorizes funding directly or in the form of grants for the 1989-91 fiscal biennium to create numerous programs relating to alcohol and other drug abuse for: training of minorities for career development as alcohol and other drug abuse counselors; hearing-impaired individuals; combating alcohol and other drug abuse problems in specified inner-city areas; high-risk youth; drug abuse resistance education; an adolescent alcohol and other drug abuse treatment center; housing for recovering drug addicts or alcoholics; expanding intravenous drug abuse prevention, outreach and treatment activities; alcohol and other drug abuse research and evaluation; and conducting a mass media communication campaign on the effects of alcohol and other drug abuse. The act also establishes a revolving fund for loans to provide housing in halfway houses for recovering drug addicts and alcoholics. The act authorizes funding for the 1990-91 fiscal year in up to 8 counties that provide 9.89% matching funds, to participate in a pilot program to implement and coordinate alcohol and other drug abuse programs and services relating to primary prevention (see also *Act 122*).

4. Authorizes funding for grants to counties for community services, at 60% of the daily medical assistance nursing home payment rate, for mentally ill individuals who are determined to be in need of active treatment, who are relocated from nursing homes because federal Medicaid law prohibits nursing home payment or residence and who meet specified other requirements.

Act 122 *(Oct. 1989 Spec. Sess. AB-12)* establishes programs and modifies the law relating to alcohol and other drug abuse. The act:

1. Authorizes funding directly or in the form of grants to applying entities to create new programs or to expand preexisting programs that provide training to provide services to, identification of or testing, counseling, treatment, prevention, education, referral or other services for individuals with problems directly or indirectly related to alcohol and other drug abuse. These programs expire on June 30, 1993.

2. Requires DHSS to acquire and distribute to county clerks, for distribution to marriage license applicants, pamphlets that describe the dangers to a fetus of the mother's drug use during pregnancy.

3. Permits the referral by specified persons to a physician for testing, with a parent's consent, of an infant for whom the physician determines that there is a serious risk of controlled substances (dangerous drugs) in bodily fluids resulting from ingestion of controlled substances by the infant's mother during pregnancy. The act requires that positive test results be reported to a county department of social services for services and treatment.

4. Requires that, if state, federal and county funding for alcohol and other drug abuse treatment services provided to eligible persons by a county department of community programs are insufficient to meet the needs of all eligible persons, first priority for services be given to pregnant women who suffer from alcoholism or alcohol abuse or are drug dependent.

5. Requires the Secretary of Health and Social Services to establish a 19-member task force to develop and report to the Legislature on plans to address problems of perinatal addiction to controlled substances and problems related to services necessary to combat

substance abuse among women who are pregnant or have young children. Authority for the task force terminates on June 30, 1993.

Act 336 *(SB-542)* permits transfer, between July 1, 1990, and June 30, 1991, of up to $585,400 appropriated for the medical assistance program for expenditure by a county that receives a Robert Wood Johnson Foundation grant for severely emotionally disturbed youths. The funding must, under the act, be expended for inpatient mental health care and treatment and for community-based mental health services for specified severely emotionally disturbed children.

WELFARE

Act 31 *(SB-31)* requires DHSS to establish a job opportunities and basic skills program for recipients of AFDC, as required by federal law. The act requires DHSS to pay the child care costs of AFDC recipients participating in certain employment or training activities and of persons who lose AFDC eligibility because of employment. The act increases the amount of an AFDC recipient's earned income that is disregarded in determining the AFDC benefit amount, as required by federal law.

The act requires DHSS to establish a benefit schedule for low income energy assistance based on household energy costs, as well as household income and family size. The act also eliminates automatic payment of low income energy assistance payments for households that receive supplemental security income.

Act 239 *(AB-349)* increases the maximum state reimbursement to counties for the funeral and burial expenses of certain public assistance recipients to $1,000.

Act 336 *(SB-542)* requires DHSS to allocate funds to counties to provide case management services to improve the school attendance and achievement of AFDC recipients who are 13 to 19 years of age and are required to attend school under the program known as learnfare. The act also creates exceptions to the learnfare school attendance requirement for the mother of a child if a physician has determined that she is not ready to return to school after giving birth and for an individual who is on a waiting list for a children-at-risk program.

OTHER HEALTH AND SOCIAL SERVICES

Act 31 *(SB-31)* changes various health and social services laws. The act:

1. Provides funding for transitional housing for homeless individuals.

2. Requires DHSS to award grants to public agencies or private nonprofit organizations to start food pantries, soup kitchens or food banks. The act also requires DHSS to provide funds to assist food distribution agencies to store, transport and distribute food received under the federal Hunger Prevention Act.

3. Requires DHSS to provide funds to community action agencies for job creation and development for individuals with low incomes.

4. Establishes a fee schedule for the review by DHSS of plans for construction or alterations of swimming pools and prohibits maintenance, management or operation of swimming pools constructed or altered after January 1, 1990, that are not in conformity with an approved plan.

5. Eliminates the expiration, scheduled to occur on January 1, 1990, of the grandparent liability laws, which make the parent of a dependent minor liable for the support of the dependent minor's child.

Act 37 *(SB-73)* makes various changes in laws regulating hospitals. The act:

1. Requires a privately accredited hospital, subject to suspension or revocation of its state certificate of approval, to submit to DHSS its summary accreditation recommendation and, if DHSS so requires, correspondence related to accreditation.

2. Subjects the Milwaukee County Mental Health Complex to laws regulating hospitals.

3. Permits DHSS, in the event of certain emergencies and under specified procedures, to suspend new admissions to a hospital.

4. Requires DHSS to notify a hospital's accrediting organization and the board of governors of the patients compensation fund if DHSS has suspended or revoked approval for the hospital, issued an order or suspended admissions to the hospital or recommended decertification for the hospital from the federal Medicare or Medicaid programs.

Act 83 *(SB-139)* requires DHSS to report to the Legislature by April 1, 1991, 1992 and 1993, on activities that are undertaken and planned to maximize reimbursement of nursing home costs under the federal Medicare program.

Act 102 *(AB-429)* makes various changes in laws relating to emergency medical services. The act:

1. Revises requirements for licensure and licensure categories for emergency medical technicians.

2. Provides money for training and examination of certain emergency medical services personnel and, under a funding formula based in part on population, for support and improvement of local ambulance services.

3. Creates a 14-member Emergency Medical Services Assistance Board to advise DHSS concerning funding for emergency medical services.

4. Provides immunity from civil liability to medical directors who review emergency medical services and prohibits disclosure of information acquired in the review.

Act 122 *(Oct. 1989 Spec. Sess. AB-12)* requires DHSS to allocate funds to counties under the community aids program for alcohol and other drug abuse treatment programs.

Act 136 *(AB-351)* revises one of the 4 exemptions to the laws licensing and otherwise regulating community-based residential facilities and clarifies that a lodged individual in a place so exempted must be able to exit the place without assistance in an emergency.

Act 173 *(SB-292)* makes various technical and minor substantive changes in the laws relating to health and social services.

Act 183 *(SB-322)* changes from under 7 years to under 18 years the age of a child for whom a name change may be made on the child's birth certificate after marriage of the child's parents or acknowledgment of paternity. The act also permits, under specified circumstances, one birth certificate name change for a child under the age of one year.

Act 194 *(AB-452)* directs the state Registrar to accept and register valid vital records submitted by tribal courts, consistent with the manner in which vital records submitted by local units of government are handled, and to take specified action on a tribally related vital record if so ordered by a tribal court in Wisconsin.

Act 199 *(AB-229)* requires that hospices be licensed by DHSS, establishes requirements for licensure and license fees, authorizes the inspection and other regulation of hospices by DHSS and prohibits unlicensed operation of hospices. The act imposes civil forfeitures for violations of the provisions regulating hospices.

Act 200 *(AB-305)* creates a power of attorney for health care (see *HIGHLIGHTS*).

Act 202 *(AB-456)* creates a 14-member Council on Physical Disabilities, attached to DHSS, to develop and modify a state plan for services to physically disabled persons, encourage public understanding of the needs of such persons and perform various other functions relating to services for such persons.

Act 262 *(AB-539)* establishes a state planning process for the delivery of services to persons with developmental disabilities and requires DHSS annually to submit to the governor and the Legislature a 5-year state developmentally disabled services plan. The act also requires a county department of developmental disabilities services or human services to establish a specific agency to provide information on developmental disabilities services.

Act 294 *(AB-347)* concerns voluntary acceptance of assignment of federal Medicare Part B benefits by physicians (see *HIGHLIGHTS*).

Act 311 *(SB-393)* provides funding for the cost of administering the drug recombinant human erythropoietin to patients with chronic renal disease.

Act 354 *(SB-396)* expands the regulation of bed and breakfast establishments by changing the definition of that term with respect to permitted numbers of lodgers, rooms for rent, original building structural purpose and building structural additions. The act also subjects an occupied 3rd floor of a bed and breakfast establishment to the uniform dwelling laws.

Insurance

Act 23 *(SB-143)* makes numerous changes to the laws relating to the financial condition of health maintenance organizations (HMOs) and the insurance security fund, which, using money collected from insurers, pays claims when an insurer is liquidated. The act:

1. Increases the amount of capital required to begin operating an HMO and the amount of surplus that the HMO must maintain to continue operating.

2. In certain circumstances, prevents a health care provider from billing an HMO enrollee or policyholder for services covered by the HMO, even if the HMO is insolvent or for some other reason fails to pay the provider.

3. Creates a separate account in the insurance security fund for HMOs so that beginning in 1991 the fund may assess HMOs only to make payments resulting from the liquidation of an HMO.

4. Requires HMOs to annually deposit money with the state to pay an insurance security fund assessment or to pay claimants and creditors if the HMO is liquidated.

5. Allows persons insured under a group health policy issued by an insurer that is liquidated to obtain coverage under another group policy that was offered earlier to the group members.

Act 31 *(SB-31)* makes various changes to the insurance laws. The act:

1. Regulates the sale and terms of long-term care insurance policies (LTC policies) by subjecting LTC policies to many restrictions that apply to medicare supplement and replacement policies. The act also limits the period during which a LTC policy or medicare supplement or replacement policy may exclude a medical condition identified in an application for insurance; extends the "free-look" period during which the buyer of a LTC policy or medicare supplement or replacement policy may return the policy for a full refund; and requires the Commissioner of Insurance to promulgate rules requiring insurers to renew an individual LTC policy if the premiums are paid.

2. Makes permanent a requirement that HMOs and cooperative sickness care plans provide an annual 30-day period during which any pharmacist may elect to participate in the HMO or plan, if the HMO or plan covers pharmaceutical services provided by pharmacists who are not full-time salaried employes of the HMO or plan (see also *Act 215*).

3. Prohibits health insurance policies from denying coverage to a child of a person insured under the policy solely because the person does not claim the child as an exemption for income tax purposes, if the person is required by court order to pay the child's health care expenses.

4. Eliminates a deductible for health insurance claims paid by the insurance security fund, which pays policyholder claims when an insurer is in liquidation.

5. Prohibits insurers from canceling a motor vehicle liability insurance policy or renewing the policy on less favorable terms because of an on-the-job accident, unless the policy actually provides liability coverage for on-the-job accidents.

Act 121 *(Oct. 1989 Spec. Sess. AB-9)* requires HMOs to cover alcohol, drug and mental health treatment provided to a dependent child while he or she is attending a college or other postsecondary school that is located in Wisconsin but outside the HMO's service area. Formerly, HMOs did not generally cover nonemergency services unless performed by selected providers within the geographical service area of the HMO.

Act 129 *(AB-116)* requires health insurance policies to cover an annual mammogram for women age 50 or older and to cover 2 mammograms performed when a woman is age 45 to 49. A mammogram is an x-ray examination used to detect breast cancer.

Act 164 *(AB-531)* expands the choice of addresses to which the Commissioner of Insurance or Secretary of State may send legal papers that are delivered to the Commissioner of Insurance or Secretary of State for purposes of serving process on an insurance company or agent.

Act 187 *(AB-277)* makes numerous changes to the laws relating to medical malpractice insurance; the patients compensation fund (fund), which uses money collected from health care providers to pay medical malpractice claims that exceed insurance limits; and the Wisconsin health care liability insurance plan (WHCLIP), which offers medical malpractice insurance to health care providers. The act:

1. Eliminates a provision allowing public employes and facilities to petition for fund coverage.

2. Eliminates the authority of physicians in residency or other training programs to petition for an exemption from requirements that physicians maintain minimum levels of medical malpractice insurance coverage and participate in the fund.

3. Modifies the listing of health care providers eligible for fund and WHCLIP coverage.

4. Eliminates a provision allowing health care providers to file a cash or surety bond in lieu of purchasing medical malpractice insurance or self-insuring.

5. Establishes various reporting requirements for health care providers that self-insure.

Act 201 *(AB-400)* requires health insurance policies that cover prescription medication, including state and local government self-insured plans, to cover drugs prescribed to treat an AIDS-related condition, including certain investigational drugs approved by the federal Food and Drug Administration for treatment use. The act also codifies the practice of the Office of the Commissioner of Insurance of prohibiting accident and health insurance

policies from excluding or limiting coverage of AIDS-related conditions, unless the exclusion or limitation applies generally to other conditions covered by the policy (see also *Health*).

Act 215 *(SB-386)* requires limited service health organizations (LSHOs) and preferred provider plans to provide an annual 30-day period during which any pharmacist may elect to participate in the LSHO or plan, if the LSHO or plan covers pharmaceutical services provided by pharmacists who are not full-time salaried employes of the LSHO or plan.

Act 332 *(SB-381)* makes various changes in the insurance laws. With respect to laws governing the renewal and cancellation of insurance policies, the act:

1. Provides that, with few exceptions, if an insurer fails to give notice before renewing a policy at higher premiums or on other less favorable terms, the policyholder may renew the policy at the same premiums and upon the same terms as the expiring policy.

2. Requires a notice of cancellation or nonrenewal to state the facts on which the action is based.

With respect to the health insurance risk sharing plan, which offers health care coverage to persons unable to obtain coverage in the private market because of a health condition, the act:

1. Allows a person who tests positive for AIDS to obtain coverage without submitting proof of rejection or cancellation from an insurer.

2. Includes as covered benefits disposable medical supplies and services for the chronically mentally ill in community support programs.

The act also prohibits medicare supplement or replacement policies from imposing a prior hospitalization requirement on the mandatory coverage of skilled nursing care.

Act 336 *(SB-542)* requires health insurance policies, including state and local government self-insured plans, that cover dependent children to cover adopted children and, under certain circumstances, children who an insured is planning to adopt. The act prohibits these policies from excluding coverage of preexisting conditions of an adopted child or child that an insured is planning to adopt.

The act creates a program to subsidize group health insurance premiums for low-income persons who have AIDS and must quit working or reduce their working hours because of an illness related to AIDS.

The act allows fraternal benefit societies that provide insurance for their members to also provide insurance for their employes.

Act 347 *(SB-413)* requires an insurer to withhold a portion of the insurance settlement on property, other than certain one- and 2-family residences, that is severely damaged by fire or explosion and that is located in the city of Milwaukee. Unless the property is repaired by the insured, the act allows the city of Milwaukee to obtain the withheld funds for purposes of paying for the costs of cleaning up the property.

Local Law

Act 3 *(AB-6)* allows a burial site on land owned by a municipality to be disturbed only after issuance of a permit from the Historical Society.

Act 31 *(SB-31)* makes various changes in the law governing fire dues, which are generated from a 2% state assessment on fire insurance premiums and paid to municipalities. The act:

1. Reestimates fire dues distribution.

2. Changes fire fighter training and record keeping requirements that are used to determine a municipality's eligibility to receive fire dues.

Act 48 *(SB-3)* prohibits a county board from using the provision of food to county jail prisoners as a basis for any portion of a sheriff's salary.

Act 89 *(AB-403)* extends to all cities certain authority in the areas of housing condemnation, redevelopment authorities, blighted properties and the issuance of bonds.

Act 112 *(AB-566)* authorizes the Milwaukee County Board, together with a private or public organization, to establish, finance and govern an entity to operate a health-related service.

Act 121 *(Oct. 1989 Spec. Sess. AB-9)* authorizes counties to enact and enforce ordinances to prohibit the possession of 25 grams or less of marijuana, with certain exceptions. The act also adds marijuana to the list of noxious weeds that must be destroyed.

Act 197 *(AB-4)* authorizes a town board that has established a municipal court to adopt an ordinance imposing a civil forfeiture for contributing to truancy.

Act 221 *(AB-424)* authorizes a county board to select a deputy sheriff from a list that contains all persons with the 3 highest examination scores. Formerly, a deputy sheriff may have been selected from a list of 3 persons with the highest scores from among what may have been a greater number of persons with those scores.

Act 233 *(SB-328)* requires local governmental units and their agencies to pay interest to contractors on late order and contract payments, with some exceptions, and to notify contractors when an improperly completed invoice is received. The act also requires contractors to pay interest to subcontractors and subcontractors to pay interest to lower tier subcontractors on late contract payments, with some exceptions.

Act 241 *(AB-634)* changes residency requirements for local public offices that are either elective or appointive. If a position is elective, the incumbent must be a resident of the municipality or area from which he or she is elected but need not reside within the area where the duties of the office are performed. If a position is appointive, the incumbent may be required by the local governmental unit to live in the municipality or area where the duties are discharged.

Act 260 *(AB-487)* removes the Corporation Counsel in Milwaukee County from the classified service and formalizes the informal position of Deputy Corporation Counsel.

Act 265 *(SB-279)* permits Milwaukee County to participate in a research and technology park and to fund nonprofit agencies organized to engage in industrial development activities.

Act 266 *(SB-366)* changes the dates on which certain budget procedures must be completed by the mayor and common council in the city of Milwaukee.

Act 268 *(SB-433)* provides that the medical examiner in Milwaukee County is appointed by, and may be removed by, the county executive, with the concurrence of the county board. Formerly, the medical examiner was appointed, demoted and removed by the county board according to Milwaukee County civil service rules.

Act 272 *(AB-293)* excludes town public contracts with an estimated cost of more than $5,000 but not more than $10,000 from competitive bidding requirements.

Act 273 *(AB-391)* grants to electors in villages the authority to enact legislation by referendum.

Act 276 *(AB-755)* authorizes towns to prohibit by ordinance and impose forfeitures for certain conduct that is prohibited by statute in the areas of public peace, children, public health and safety, property, sexual morality, gambling, and government and its administration.

Act 301 *(AB-749)* authorizes cities, villages and counties to regulate retail sales by transient merchants.

Act 319 *(SB-473)* permits the Milwaukee County Board to maintain and fund, jointly with a corporation, educational programs offering degrees in nursing and allied fields.

Act 322 *(AB-465)* restricts the authority of towns and town sanitary districts to levy special assessments on certain farmland in agricultural use for the construction of a sewerage or water system.

Act 336 *(SB-542)* makes various changes in the tax incremental finance law. The act:

1. Requires inclusion of the value of certain municipally-owned property in the base value.

2. Lessens restrictions on the creation and length of existence of a tax incremental district (TID).

3. Requires a city or village proposing to create a TID to provide the Joint Review Board (a body consisting of representatives of all local taxing jurisdictions) with specific information such as information about the TID's project costs, projected tax increments and the benefits to be received by property owners in overlying taxing jurisdictions.

Act 337 *(AB-517)* authorizes metropolitan sewerage districts to collect monetary forfeitures for violations of their rules and orders by initiating civil lawsuits.

Act 339 *(AB-727)* temporarily raises, until July 1, 1996, the fees charged by a register of deeds to record instruments. The increased fees are used to fund the state Land Information Board and county land information modernization projects.

Act 347 *(SB-413)* makes changes in the procedures for notice, orders and site restoration used by cities, villages and certain towns for the immediate condemnation or razing of buildings, and changes the procedures used in certain cities for granting variances to building codes (see also *Insurance*).

Act 356 *(AB-665)* expands the authority of a metropolitan sewerage district to prohibit or restrict the discharge of substances into its sewage system if the discharge would interfere with the district's ability to comply with pollution permits or market treated sewage sludge.

Military Law

Act 19 *(SB-59)* requires the governor, when a vacancy occurs in the position of adjutant general, to appoint a successor for a 5-year term regardless of the time remaining in the previous term at the time the vacancy occurs.

Act 31 *(SB-31)* makes various changes related to military law. The act:

1. Modifies the National Guard tuition grant program eligibility requirements and reduces the amount of the grant to the lesser of 25% of the tuition or 25% of the cost of a comparable academic load at UW-Madison.

2. Increases the veterans economic assistance loan eligibility income limit.

3. Creates a veterans business loan program to loan up to $10,000 to veterans who meet certain eligibility criteria for the purchase of a business or business-related property.

4. Makes various changes in the county veterans' service officer grant program.

5. Establishes a veterans retraining grant program to provide up to $3,000 to veterans who meet established eligibility criteria.

6. Increases the veterans part-time study grant program maximum reimbursements and makes other changes in the program.

7. Modifies the veterans subsistence aid grant program to authorize grants for a longer period of time if need requirements are met.

8. Allows DVA to disclose to consumer agencies relevant information pertaining to DVA loans with the cost charged to those agencies.

9. Provides funds for help in acquiring, constructing or developing facilities for the G.A.R. Memorial Museum and the central office of DVA and deletes references to that museum being housed in the State Capitol.

The act also modifies the veterans housing loan programs by:

1. Increasing the eligible income limit in 2 steps up to $39,000.

2. Allowing an applicant for a mortgage home improvement loan to have a primary mortgage loan outstanding.

3. Authorizing county veterans' service officers to take and process applications under the primary mortgage home improvement loan program.

4. Deleting home improvements, purchases (except mobile homes) and construction from second mortgage loan eligibility.

5. Expanding the definition of disabled veterans for purposes of eligibility for housing loans and increasing the eligible income limit for those disabled veterans.

6. Modifying the home improvement loan program by specifying the maximum amount of a loan and limiting the use of home improvement loans.

Act 36 *(AB-439)* designates the duties of the Council on Veterans Programs and adds a representative of the Federation of Minority Veterans, Inc. and of the U.S. Submarine Veterans of World War II to the council, removes the United Spanish War Veterans representative from the council and changes the National Association of Concerned Veterans representative to a Wisconsin Association of Concerned Veteran Organizations representative.

Act 55 *(AB-227)* adds the acquisition of land as an eligible cost under the veterans memorial grant program.

Act 101 *(AB-310)* adds to those persons eligible for grants under the Vietnam and post-Vietnam era veterans educational grant program those Vietnam and post-Vietnam veterans who have been Wisconsin residents for at least 5 years immediately preceding their application for a grant.

Natural Resources

Boating and Navigable Waters

Act 11 *(SB-5)* increases the membership on the Milwaukee River Revitalization Council from 9 members to 11 members.

Act 31 *(SB-31)* creates a Lower Wisconsin State Riverway (see *HIGHLIGHTS*).

The act also requires DNR to prepare a report for the Legislature on whether an introduced bill or amendment that conveys a portion of a lake bed serves a public trust purpose. A public trust purpose is a purpose that furthers the rights of the public in navigable waters as established under Article IX of the Wisconsin Constitution. DNR must submit the report within 15 days of the introduction of the legislation.

The act deletes the requirement that DNR reimburse all the costs incurred by municipalities and counties for the operation and maintenance of water safety patrol units. Instead, the act requires DNR to promulgate rules to be used in determining the type of costs to be reimbursable.

The act changes the allocation of state funding for recreational boating facilities as follows: Forty percent, rather than 30%, of the total funding is allocated for projects on the Great Lakes; 40%, rather than 30%, is allocated for projects on inland lakes; and 20%, rather than 40%, is allocated for projects without regard to location. The act expands the entities allowed to apply for this state funding to include the Milwaukee River Revitalization Council and the Lower Wisconsin State Riverway Board.

Act 42 *(SB-136)* requires that the current owner or tenant of certain land adjacent to Lake Michigan in the city of Milwaukee provide access to the lakeshore to allow the handicapped and elderly to use the lakeshore.

Act 128 *(AB-16)* sets a fee schedule for certificates of titles for boats and for boat title searches.

Act 145 *(SB-21)* increases the penalties for failure to render aid in a boating accident and bases the severity of the fine or sentence on the degree of injury resulting from the accident.

Act 159 *(AB-705)* makes various changes in the laws governing public inland lake protection and rehabilitation districts, including:

1. Allowing a district to adopt local regulations governing certain activities on a given lake if the governing bodies of the municipalities or counties in which the lake is located authorize the district to adopt these local regulations. The types of local regulations a district may adopt include provisions governing boating safety and the use of vehicles on icebound lakes.

2. Specifically authorizing a district to hold special meetings in addition to its annual meeting and establishing procedures to be used at these meetings.

3. Authorizing a district that has local regulations governing boating equipment, use and safety to charge recreational boating fees, including fees for operating water safety patrol units and public boat launching facilities.

Act 217 *(SB-441)* affects certain wharves and piers that are the subjects of written easements recorded before December 31, 1986, that allow persons other than the owners of the riparian land to place and maintain wharves or piers. The act provides that these wharves and piers may not be considered unlawful structures in navigable waters on the grounds that they are not placed and maintained by the riparian owners.

Act 224 *(AB-555)* exempts sailboards from the requirement of having personal flotation devices (life jackets) on board.

Act 235 *(SB-429)* conveys a portion of the bed of Lake Michigan to the city of Racine to develop public lakeside facilities.

Act 324 *(AB-710)* creates a Dane County Watershed and Lakes Commission (see *HIGHLIGHTS*).

Act 336 *(SB-542)* designates portions of the Rock River in Jefferson County a scenic urban waterway.

Act 352 *(AB-723)* designates the Rock River from the point it enters the city of Janesville to the Illinois border as a scenic urban waterway. DNR is required to administer and oversee management programs for scenic urban waterways and is authorized to

acquire land along these waterways for recreational and conservation uses and to provide grants to local governmental bodies to do the same (see also *Act 336*).

Fish and Game

Act 31 *(SB-31)* prohibits DNR from using revenue from hunting and fishing licenses for enforcement of treaty-based, off-reservation rights to fish held by Indian tribes or bands.

The act creates a single set of provisions governing the procedures to be followed to remove wild animals that are nuisances or that are causing damage. The act defines "remove" to mean capture, shoot, set a trap for, relocate or otherwise destroy or dispose of. The act:

1. Establishes procedures for DNR to follow when it receives a complaint.

2. Exempts persons who authorize the removal of wild animals or their structures from liability for injuries to persons engaged in these removal efforts.

3. Specifies that if DNR allows wildlife to be removed, the property on which the damage occurred must be open for hunting and trapping for one year.

Act 73 *(AB-359)* gives preference in the issuance of wild turkey hunting permits to residents who unsuccessfully applied for a permit in the prior corresponding hunting season. The act also increases the percentage of permits to be issued to qualified resident landowners from not more than 20% to not more than 30% of all the permits issued in a given turkey hunting zone.

Act 190 *(AB-656)* subjects conduct that interferes with legal hunting, fishing or trapping to a forfeiture and also allows a person who is or may be adversely affected by such conduct to sue for enforcement of the law or recovery of damages or both.

Act 214 *(SB-288)* authorizes DNR to open land in state parks for deer and wild turkey hunting and requires DNR to designate the opened land by rule.

Act 216 *(SB-399)* exempts military personnel from the 3-day waiting period that is required for the issuance of a nonresident archer hunting license during the open season for hunting deer with a bow and arrow.

Act 336 *(SB-542)* provides $1,100,000 in general purposes revenue to supplement revenue from the $1 surcharge on most hunting licenses to pay claims submitted under the wildlife damage claim program for 1989.

Other Natural Resources

Act 5 *(AB-109)* increases spearfishing law enforcement aid to counties and municipalities by $129,100 for the 1988 spearfishing season and by $300,000 for the 1989 spearfishing season (see also *Acts 31, 62 and 336*).

Act 31 *(SB-31)* establishes a stewardship program (see *HIGHLIGHTS*).

The act also requires DNR to develop and administer a financial assistance program to provide aid to counties, municipalities and public inland lake protection and rehabilitation districts for dam maintenance, repair, modification, abandonment and removal. The act provides $2,500,000 in bonding for this program.

The act eliminates the fees assessed by DNR for its inspections of private and public dams.

The act authorizes conservation wardens to arrest persons for harassment if the victim of the harassment is intentionally selected because of his or her race.

The act increases spearfishing law enforcement aid to counties and municipalities by $400,000 for the 1989 spearfishing season, in addition to the $300,000 provided by Act 5 (see also *Acts 62 and 336*).

The act requires DNR to provide forestry aids to each county that has more than 40,000 acres within its boundaries that are entered on the county's tax roll as forest croplands or managed forest lands.

The act reduces the annual nonresident vehicle admission sticker fee for state parks and authorizes DNR to:

1. Charge certain additional fees for camping parties in state parks.

2. Issue limited-term vehicle admission stickers to allow the operation of vehicles in any or all of 8 state parks as determined by DNR for up to 3 hours per visit. This provision expires on December 31, 1990.

The act requires DNR to issue an annual vehicle admission sticker at 50% of the regular fee if the applicant or a member of his or her household owns a vehicle that has a current annual vehicle admission sticker.

Act 62 *(SB-286)* increases spearfishing law enforcement aid to counties and municipalities by $174,100 for the 1989 spearfishing season, in addition to the $700,000 provided by Acts 5 and 31 (see also *Act 336*).

Act 79 *(SB-157)* creates penalties for persons who are convicted more than once of violations of forestry laws, including illegal tree cutting, stealing cut timber and setting forest fires. The act also authorizes conservation wardens to arrest persons for the illegal use or possession of fireworks and revises certain laws governing the sale of timber from public forests to make these laws more uniform.

Act 213 *(SB-274)* is remedial legislation clarifying that the vehicle admission sticker that is required when entering a state park or state recreation area is waived if the driver of the vehicle, whether privately-owned or government-owned, is on government business.

Act 294 *(AB-347)* requires DNR annually to distribute to persons who are issued senior citizen recreation cards information on voluntary acceptance of assignment of federal Medicare Part B benefits by physicians and to report to the Legislature on the distribution (see also *HIGHLIGHTS, Health and Social Services)*.

Act 296 *(AB-497)* expands the activities subject to criminal or civil penalties that relate to endangered or threatened wild plants to include cutting, rooting up, severing, injuring and destroying these plants.

Act 336 *(SB-542)* increases spearfishing law enforcement aid to counties and municipalities by $1,100,000 for fiscal year 1989-90 and by $900,000 for fiscal year 1990-91. The act also increases the supplemental appropriation to the Joint Committee of Finance by $1,000,000 in fiscal year 1989-90 and in fiscal year 1990-91 to fund state agency costs and county and municipal law enforcement aids relating to spearfishing.

The act establishes a program of summer conservation work projects for American Indian youth who are members of a Wisconsin Chippewa tribe or band.

Act 350 *(SB-501)* provides state aid to the city of Milwaukee for a conservation project for land adjacent to the Menomonee river.

Occupational Regulation

Act 31 *(SB-31)* makes various changes relating to the regulation of occupations and professions by DORL. The act:

1. Requires acupuncturists to be certified by DORL and prescribes various requirements for the regulation of acupuncturists by DORL.

2. Allows a licensed optometrist to prescribe and administer certain therapeutic pharmaceutical agents and to remove superficial foreign bodies from an eye or an appendage to an eye if he or she is certified to do so by the Optometry Examining Board, and prescribes various requirements for certification and regulation of such practices.

3. Allows a licensed physical therapist to practice physical therapy upon a written referral from a chiropractor (in addition to a physician, dentist or podiatrist) and expands the conditions under which a written referral is not required.

4. Provides that the burden of proof in disciplinary proceedings before DORL or any examining board in DORL is a preponderance of the evidence.

5. Authorizes DORL to cancel a license, certificate, permit or registration issued by DORL if the required fee is paid with a bad check and prohibits DORL from reinstating it unless the holder pays, in addition to the applicable fee and any applicable penalties, a $30 reinstatement fee.

6. Allows DORL, by rule, to require holders of certain licenses issued by DORL to display the license in a conspicuous place in the holder's office or place of practice or to post a notice in a conspicuous place in the holder's office or place of practice describing the procedures for filing a complaint against the holder.

7. Allows DORL to establish the style, content and format of each license issued by DORL and to issue a wall certificate, signed by the Governor, upon request of the holder of a license and payment of a $10 fee.

Act 152 *(AB-584)* exempts from the requirement of carrying malpractice insurance certain podiatrists whose principal place of business is not in this state.

Act 229 *(SB-191)* requires respiratory care practitioners to be certified by the Medical Examining Board (MEB), creates a 5-member Respiratory Care Practitioners Examining Council to advise MEB in the regulation of respiratory care practitioners and prescribes various requirements for the regulation of respiratory care practitioners by MEB.

Act 243 *(AB-220)* makes various changes relating to the regulation of psychologists and private practice school psychologists by the Psychology Examining Board, including changing the examination requirements for licensure, establishing continuing education requirements for renewal of a license and changing the requirements for the temporary practice of psychology in this state by a nonresident psychologist who is licensed in another state.

Act 257 *(AB-58)* requires pawnbrokers, secondhand article dealers and secondhand jewelry dealers to be licensed. The act requires that licensed pawnbrokers and secondhand dealers obtain identification from a customer before engaging in a transaction with the customer, specifies the records that pawnbrokers and dealers must maintain and requires a holding period for articles or jewelry received by the pawnbroker or dealer.

Act 307 *(SB-252)* requires preneed sellers of cemetery merchandise and mausoleum spaces, owners or operators of cemeteries and cemetery salespersons to be registered with DORL and prescribes reporting, auditing and other requirements for the regulation of preneed sellers and cemeteries (see *HIGHLIGHTS, Other Business and Consumer Law*).

Act 316 *(AB-175)* changes the name of the Hearing Aid Dealers and Fitters Examining Board to the Hearing and Speech Examining Board (HSEB) and the term "hearing aid dealer or fitter" to "hearing instrument specialist," requires speech-language pathologists and audiologists to be registered with HSEB from December 1, 1990, to June 30, 1993, and

to be licensed by HSEB after June 30, 1993, prescribes various requirements for the regulation of speech-language pathologists and audiologists by HSEB and creates a 5-member Council on Speech-Language Pathology and Audiology to advise HSEB in the regulation of speech-language pathologists and audiologists.

Act 336 *(SB-542)* The regulation of auctioneers by cities, villages and towns. The act also makes certain changes relating to the regulation of acupuncturists by DORL and clarifies DORL's authority relating to various aspects of acupuncture regulation.

Act 340 *(AB-748)* establishes certification requirements and procedures for the regulation of real estate appraisers by DORL and creates a Real Estate Appraisers Board to assist DORL in such regulation. The act does not require a real estate appraiser to be certified, but prohibits a person from using the title "certified appraiser" or referring to his or her appraisal of real estate as "certified" unless the person is certified as a real estate appraiser by DORL.

Act 341 *(AB-764)* makes various changes relating to the regulation of real estate brokers and salespersons by DORL and the Real Estate Board, including changing certain requirements for licensure and establishing continuing education requirements for renewal of a broker's or salesperson's license and requiring DORL to publish and biennially revise a manual covering the information on which applicants for broker's or salesperson's licenses are examined, and creates a 7-member Council on Real Estate Curriculum and Examinations in DORL to advise DORL on educational and continuing educational requirements for brokers and salespersons and on preparing and revising the above-mentioned manual.

Act 348 *(SB-428)* requires DILHR to certify beginning electricians, journeymen electricians and electrical contractors.

Act 349 *(SB-447)* makes various changes relating to the regulation of dentists and dental hygienists by the Dentistry Examining Board, including clarifying the activities that require licensure, specifying limitations on practices, making it easier for out-of-state dentists and dental hygienists to become licensed in Wisconsin, prohibiting a licensee from contracting with a limited service health organization for purposes of indirectly abrogating the copayment provisions of an insurance contract and changing the name of the Wisconsin State Dental Society to the Wisconsin Dental Association.

Public Utilities

Act 40 *(SB-29)* creates customer service provisions relating to a customer's liability for failure to pay utility bills during a disconnection moratorium period, an owner's responsibility for utility service to a rental unit and a customer's responsibility to pay for utility service that is obtained after a customer interferes with measuring equipment.

Act 49 *(SB-28)* increases penalties related to the regulation of public utilities.

Act 143 *(AB-352)* prohibits interference by an owner or manager with a multiunit dwelling resident's access to cable television service.

Act 336 *(SB-542)* authorizes DOA to establish a telecommunications relay service (a service that assists speech or hearing-impaired persons to communicate) by January 1, 1992 (see *Taxation*).

Act 344 *(SB-282)* revises PSC regulation of small telecommunications utilities.

Real Estate

Act 34 *(AB-188)* requires that any real estate conveyance recorded in Milwaukee County include a reference to the real estate tax key number.

Act 231 *(SB-267)* gives priority status over other liens to mortgages that are given to a governmental unit, mortgage banker, insurer, licensed lender or an industrial revenue bond trustee. The act also permits trustees and general partners of limited partnerships to convey real property on behalf of the trust or partnership.

Shared Revenue

Act 31 *(SB-31)* makes certain changes in connection with shared revenue. The act:

1. Establishes a base value to be used to compute the public utility distribution of shared revenue payments. The public utility distribution to municipalities compensates the municipalities for costs incurred in providing services to the utilities.

2. Creates a proxy to substitute for municipal revenues that are lost when the cost of water for fire protection purposes is paid directly to the public utility by the customer rather than by the municipality.

3. Increases the total amount of shared revenue payments to be distributed to $835,580,000 in 1990 and to $869,000,000 in 1991 and thereafter.

Act 336 *(SB-542)* specifies that shared revenue payments to municipalities that are located in more than one county be computed using data for the entire municipality rather than using data for the portion of the municipality in each county. The act also creates a tax rate disparity payment. The payment is made to qualifying municipalities depending on the municipality's property tax rate, per capita property value and budget (see *HIGHLIGHTS*).

State Government

State Finance

Act 31 *(SB-31)* clarifies that all records of commissions paid by the Investment Board for purchases and sales of investments are open to public inspection.

The act permits the Investment Board, in investing state and local government moneys and moneys held in trust for public employes and retirees, to invest not more than 10% of the total moneys managed by the board in loans, securities or other investments not otherwise authorized by law, consistent with the board's statutory standard of responsibility.

The act changes the maximum amount of a claim against the state that may be paid by the Claims Board without specific legislative approval from $1,000 to the maximum amount that may be claimed in most civil lawsuits in small claims court (currently, $2,000).

The act specifically permits DOA to enter into a master lease, on behalf of one or more state agencies, for the current or future lease of goods. The act also permits DOA to appoint a bank or trust company to act as a fiscal agent for a master lease.

Claims Against the State

Act 57 *(SB-82)* directs expenditure of $119,095.50 from the general fund for payment of a claim made by Clipper Express Company of Chicago, Illinois, to compensate it in part for overpayment of income and franchise taxes for the years 1977 to 1982 as the result of an incorrect assessment by DOR.

Act 58 *(SB-83)* directs expenditure of $7,140 from the general fund for payment of a claim made by Walter Crisa of Minocqua, Wisconsin, to compensate him for the loss of mink kits on his mink farm as the result of a disturbance caused by Wisconsin National Guard helicopters operating over the farm in 1988.

Act 59 *(SB-86)* directs expenditure of $7,728 from the general fund for payment of a claim made by Francis Chartier, Lac du Flambeau, Wisconsin, to compensate him for the loss of mink kits on his mink farm as the result of a disturbance caused by Wisconsin National Guard helicopters operating over the farm in 1988.

Act 60 *(SB-86)* directs expenditure of $2,826.08 from moneys appropriated to DOA and DMA for payment of a claim made by the city of Beloit as reimbursement for fringe benefits and health insurance costs incurred for an individual working under its direction who was injured while providing assistance during a state of emergency declared by the Governor in 1987 and for overtime costs incurred to replace the injured individual.

Act 61 *(SB-223)* directs expenditure of $2,836.44 from moneys appropriated to DHSS for payment of a claim made by Raymond and Barbara Harling, Chippewa Falls, Wisconsin, to compensate them for the failure of employes of DHSS to timely inform them that their son was eligible to receive federal supplemental security income in 1988.

Act 148 *(SB-417)* directs expenditure of $21,954.29 from the general fund for payment of a claim made by Donald Strahota, Beaver Dam, Wisconsin, as reimbursement for attorney fees incurred in the defense of charges of ill-treatment of inmates at the Waupun correctional institution in 1987, of which he was found not guilty.

Act 149 *(SB-418)* directs expenditure of $34,648.97 from the general fund for payment of a claim made by Andrew Bath, Fox Lake, Wisconsin, as reimbursement for attorney fees incurred in the defense of charges of ill-treatment of inmates at the Waupun correctional institution in 1987, of which he was found not guilty.

Act 150 *(SB-431)* directs expenditure of $5,881.33 from moneys appropriated to DNR for payment of a claim made by Lloyd Sorenson, Stoughton, Wisconsin, to compensate him for the replacement cost of trees and vines and loss of income resulting from the application of herbicides by DNR on land adjacent to the claimant's property in 1988.

Act 151 *(SB-432)* directs expenditure of $27,848.45 from the general fund for payment of a claim made by Merle Strelow, Fair Water, Wisconsin, as reimbursement for attorney fees incurred in the defense of charges of ill-treatment of inmates at the Waupun correctional institution in 1987, of which he was found not guilty.

STATE BUILDING PROGRAM

Acts 31 and 122 *(SB-31 and Oct. 1989 Spec. Sess. AB-12)* authorize $312,356,900 in new or expanded state building projects excluding highway projects. This compares with $223,463,700 authorized in the previous fiscal biennium. The acts also authorize $235,147,100 in new general obligation bonding authority for the state building program.

Act 31 *(SB-31)* permits DOA to negotiate deductive changes in the lowest qualified bid on a state architectural, engineering or construction contract in any amount. Previously, such changes could not exceed 5% of the amount of the bid.

The act exempts construction undertaken by the state for the purpose of renovation of the state capitol building from all state laws, rules, codes and regulations and all zoning ordinances and regulations of the city of Madison governing such construction.

Act 3 *(AB-6)* allows a burial site on state-owned land to be disturbed only after issuance of a permit from the Historical Society.

Act 12 *(SB-27)* provides an additional $2,246,800 for fiscal year 1989-90 to the Public Defender Board to pay for the services of private attorneys acting as counsel for indigents. The act also limits indigent defendants' rights to free representation in misdemeanor cases to those cases where the defendants, if found guilty, are subject to punishment by imprisonment.

Act 31 *(SB-31)* makes various changes relating to district attorneys and the prosecution system (see *HIGHLIGHTS*).

The act creates a division of housing in DOA. The act authorizes DOA to make grants or loans to low and moderate income persons to defray housing costs and authorizes DOA to make grants to local housing organizations. The act also establishes a Housing Advisory Council.

The act creates a Land Information Board attached to DOA. The Land Information Board is authorized to coordinate the modernization of land records and land record information systems.

The act makes various changes relating to emergency administrative rule-making procedures for state agencies (see also *Act 175*). The act requires an agency that adopts an emergency rule to do all of the following:

1. Mail a copy of the rule to each member of the Legislature at the time that it is filed with the Secretary of State and Revisor of Statutes.

2. Prepare a plain language analysis of the rule and print the analysis with the rule when it is published in the Wisconsin Administrative Register.

3. Prepare a fiscal estimate of the rule and mail the fiscal estimate to each member of the Legislature within 10 days after the rule is published.

The act makes a special appropriation of $115,000 to provide financial assistance to the Badger State Games in 1989-90, contingent upon performance of an economic impact study of the games by the U of W.

The act provides for DOA to conduct a statewide census education program in an effort to obtain a complete and accurate federal decennial census in Wisconsin. The act also provides for DOA to make matching grants to local governments and local governmental associations to finance programs designed to promote complete census counts in their jurisdictions.

The act provides for DOA to coordinate the state fuel and utility management program, including purchase of fuels and determination of the method of operation of all state-owned or operated heating, cooling or power plants and review and approval of rates charged by state agencies for fuel and utility service. The act requires each state agency to utilize the most cost-effective means of procurement of fuel, electricity, heat and chilled water.

The act creates a State Board on the U.S.S. Wisconsin to maintain communications between this state and the U.S. Navy concerning the U.S.S. Wisconsin and to cooperate with the Historical Society in maintaining a permanent exhibit relating to the U.S.S. Wisconsin.

The act directs DOA to contract with one or more consultants to provide a comprehensive evaluation of the state's present and future data processing and telecommunications requirements.

Act 50 *(SB-70)* requires each state agency to annually report expenditures made by the agency from nonfederal gifts and grants and in-kind contributions received and used by the agency (see also *Business Associations*).

Act 56 *(AB-263)* is a revisor's correction act.

Act 65 *(Oct. 1989 Spec. Sess. AB-10)* establishes a state crime laboratory in Wausau.

Act 66 *(AB-673)* makes a special appropriation of $150,000 for promotion of a meeting of the National Conference of State Legislatures to be held in the city of Milwaukee in 1995, and for planning and conduct of the meeting.

Act 117 *(AB-628)* makes various changes relating to district attorneys and the prosecution system (see also *Acts 336* and *Fringe Benefits of Public Employes, Act 122*). The act:

1. Authorizes courts to appoint acting district attorneys in certain cases in which the district attorney is unable or unavailable to act.

2. Extends the deadline for complying with certain restrictions on district attorneys, deputy district attorneys and assistant district attorneys.

3. Provides for the Secretary of Administration, rather than the district attorneys, to set the initial salary of deputy and assistant district attorneys who are transferred to state employment, but at a rate not lower than the rate paid to the individuals on December 31, 1989.

4. Provides for increased pay for district attorneys who become full-time employes under Act 31.

5. Requires Milwaukee County to provide fully-paid health insurance benefits to former county employes who are transferred to state employment, if the employes so elect, for the duration of the employes' lives.

The act makes various changes in the law related to the January 1, 1990, transfer of district attorneys and other employes of the Office of District Attorney from county to state employment. The act:

1. Provides that part-time district attorneys begin serving on a full-time basis as state employes on January 1, 1990, and are compensated by the state based on the individual's salary rate on December 31, 1989, applied to a work week of 40 hours.

2. Allows district attorneys and their deputies and assistants holding a judicial office on January 1, 1990 to continue in that office until January 1, 1993.

3. Allows district attorneys and their deputies and assistants who have a contractual obligation on January 1, 1990, to provide legal services to continue to provide those services until January 1, 1993.

Act 124 *(SB-275)* permits the Secretary of Employment Relations the discretion to determine the type of departmental subunit that will be responsible for affirmative action functions and duties within DER. The act also permits JCOER to introduce, for legislative action, provisions of the state employe compensation plan in either a single bill in one house or in companion bills in both houses. Former law required use of companion bills.

Act 125 *(SB-278)* permits DOA to change the time at which it annually assesses state agencies for certain insurance, property and liability costs, and limits the circumstances under which state agencies are required to file reports with DOA concerning contractor performance. The act also changes the accounting treatment of certain estimated revenues that are appropriated to DOT.

Act 175 *(SB-500)* provides for the transfer of authority to review a proposed rule from a legislative committee that does not complete its review before the end of the biennial legislative session to the same subject matter committee of the next Legislature by requiring the presiding officer of the appropriate house of the next Legislature to refer the proposed rule to the same subject matter committee of that Legislature within 7 working days after the date on which that Legislature convenes. The act also provides for the period for review by the first legislative committee to continue with the same subject matter committee of the next Legislature.

Act 206 *(AB-822)* creates a pilot health care provider program that allows physicians, nurses and optometrists to provide free services to low-income individuals and be considered state employes for purposes of liability. If an action is brought against a state employe, the Wisconsin Attorney General may represent the employe, damages are limited and the state may pay any judgment.

Act 222 *(AB-435)* prohibits any portion of a building or structure located within one mile of the center of the state capitol building from exceeding the elevation of the base of the columns of the capitol dome. The restriction does not apply to buildings and structures erected prior to the act's effective date. The act also permits the city of Madison to grant exceptions to the restriction for flagpoles, communications towers, church spires, elevator penthouses, screened air conditioning equipment or chimneys.

Act 248 *(SB-189)* changes the reporting period for state agencies to submit reports to the Public Records and Forms Board concerning records and forms management, permits the board to shorten the retention period for records of the Milwaukee Metropolitan Sewerage District, shortens and permits the Public Records and Forms Board to further shorten the period for retention of certain sheriffs' records, and makes other changes relating to public records and forms.

Act 329 *(SB-190)* authorizes the Wisconsin Conservation Corps to conduct projects that promote the social well-being of children, the elderly, persons with physical or developmental disabilities or persons with low incomes.

Act 336 *(SB-542)* advances $175,000 to DATCP of the moneys that will eventually be received by DATCP from the Racing Board to provide state aids to county and district fairs for the payment of fair premiums.

The act provides an additional $4,796,600 for fiscal year 1989-90 and $8,207,200 for 1990-91 to the Public Defender Board for various purposes including the following:

1. Payment for the services of private attorneys acting as counsel for indigents.
2. Additional staff attorney positions and related support positions.

The act makes various changes relating to district attorneys and the prosecution system. The act:

1. Specifies that the state is financially responsible for salaries and fringe benefits for district attorneys, deputy district attorneys and assistant district attorneys and certain other costs. Counties are responsible for all other costs of offices of district attorneys.

2. Provides that the Milwaukee County District Attorney or a Milwaukee County deputy or assistant district attorney who does not have vested benefit rights under the Milwaukee County Retirement System may elect to have all employer contributions that have been made on his or her behalf to the Milwaukee County Retirement System (with accumulated interest) transferred to WRS and to be credited with the amount of creditable service (service credited under WRS) that can be fully funded by such contributions.

$20 as a tax deductible contribution to a license plate scholarship program (see also *Act 302* and *University of Wisconsin System*).

3. Authorizes DOT to issue annual and consecutive month overweight permits for vehicles that transport fruit or vegetables from fields to storage or processing facilities and to issue annual and consecutive month overweight or oversize permits for certain vehicles that transport wood and paper products (see also *Act 305*).

4. Creates a $25 reinstatement fee for certain suspended and revoked vehicle registrations or titles and authorizes DOT to accept payment by credit card for vehicle registrations, titles, permits, motor vehicle dealer licenses and motor carrier authorities.

Act 32 *(AB-84)* raises from $35,000 to $60,000 the deposit of cash or securities required as proof of financial responsibility for accident-related liability damages.

Act 35 *(AB-231)* authorizes DOT to issue annual and consecutive month permits for the transportation of iron ore concentrates and alloyed iron in oversize or overweight vehicles.

Act 54 *(AB-206)* permits holders of unexpired amateur radio station licenses to obtain special registration plates that display the call letters assigned by the Federal Communications Commission.

Act 70 *(AB-297)* allows a vehicle or combination of vehicles transporting only livestock to exceed certain weight limitations.

Act 87 *(AB-363)* authorizes DOT to issue an instruction permit for moped and motor bicycle operation and permits a person with a driver's license endorsed for the operation of motorcycles to operate mopeds or motor bicycles.

Act 130 *(AB-132)* authorizes DOT to issue annual and consecutive month permits for certain 3-vehicle combinations of a towing vehicle, a mobile home or camping trailer and a boat trailer.

Act 137 *(AB-358)* increases the registration fees of special interest vehicles owned by collectors and the processing fee for original special registration plates for such vehicles. The act also prohibits the operation of special interest vehicles with special registration plates during the winter months.

Act 167 *(AB-536)* authorizes local units of government to require the registration of motor bicycles.

Act 302 *(AB-768)* provides for the issuance of distinguishing registration plates to emergency medical technicians and retired members of the armed forces. The act also makes changes in the fees for the issuance, reissuance or replacement of distinguishing registration plates relating to UW system campuses.

Act 304 *(AB-835)* allows a physically disabled person to obtain a special registration plate for a motorcycle entitling the person to certain parking privileges. The act specifies a light blue background and white border for the special registration plates issued to physically disabled veterans.

Act 305 *(AB-862)* authorizes DOT to issue annual and consecutive month permits for certain overweight or oversize combinations of vehicles transporting wood, paper products, pole length and pulpwood.

Act 312 *(SB-406)* provides for the issuance of distinguishing registration plates for retired members of the armed forces.

DRIVERS' LICENSES

Act 7 *(SB-11)* makes numerous technical and minor substantive changes in the laws relating to the administrative procedure for the suspension of the operating privileges of persons who operate a motor vehicle while having a blood alcohol concentration of 0.1% or more.

Act 31 *(SB-31)* authorizes driver education instructors in public, private and VTAE schools to administer written tests to applicants for a driver's license. The act clarifies that negligence is not an element of the offenses of injuring or causing death by the operation of a vehicle for purposes of mandatory revocation of operating privileges. The act also authorizes DOT to accept payment by credit card for drivers' licenses and identification cards.

Act 38 *(SB-77)* expands the eligibility for occupational licenses to include homemakers.

Act 72 *(AB-356)* makes various technical and minor substantive changes in the statutes pertaining to the suspension and revocation of motor vehicle operating privileges, such as requiring prior notice that conviction of certain traffic offenses will result in suspension or revocation.

Act 75 *(SB-134)* permits traffic offenses that occur on federal military installations to be used for the suspension or revocation of a person's operating privilege for repeated traffic law violations.

Act 105 *(AB-605)* implements the federal Commercial Motor Vehicle Safety Act of 1986 and establishes a classified driver license system (see *HIGHLIGHTS*).

Act 133 *(AB-288)* requires DOT to specify in its licensee records whether accidents occur in the course of employment as a law enforcement officer, fire fighter or emergency medical technician-advanced (paramedic).

Act 167 *(AB-536)* makes several changes in the laws relating to the compilation and distribution of the names and addresses of residents whose operating privileges were recently denied or otherwise adversely affected.

Act 176 *(AB-159)* requires that a conviction for simple reckless driving under a local ordinance be counted as a prior conviction for purposes of sentencing a person for a simple reckless driving violation.

Act 195 *(AB-453)* authorizes DOT to assess demerit points for convictions in a tribal court of a tribal traffic law if the tribal traffic law is in strict conformity with a state traffic law.

Act 244 *(AB-496)* requires DOT, effective April 1, 1992, to notify the driver license sponsor of an underage person if the underage person's operating privilege is revoked or suspended.

Act 298 *(AB-550)* permits specified driver's licenses and identification cards issued by DOT to serve as documents of anatomical gifts and as documents of refusal to make anatomical gifts (see also *Health*).

Act 336 *(SB-542)* makes minor technical changes pertaining to the operation of a motor vehicle after operating privilege revocation or suspension for failure to pay a fine or forfeiture.

HIGHWAYS AND LOCAL ASSISTANCE

Act 31 *(AB-31)* makes various changes in the state highway and local assistance programs. The act:

1. Enumerates 17 additional major highway construction projects. Unlike other highway construction projects undertaken by DOT, major highway projects require approval of the Legislature before they may be constructed.

2. Permits DOT to provide initial, temporary funding from the transportation fund for major highway projects or transportation administrative facilities that are to be financed by revenue bonds. The act requires that the initial financing be refunded to the transportation fund from bond proceeds.

3. Establishes an accelerated local bridge improvement program and permits DOT to enter into jurisdictional transfer agreements with local units of government for the maintenance and operation of certain intrastate and interstate bridges.

4. Requires specified local governments that are recipients of mass transit aid to provide matching funds, exclusive of user fees, equal to 20% of the mass transit operating assistance received from the state.

5. Provides a 3% increase in connecting highway per mile aids in 1990 and 1991.

6. Creates a program to provide loans for the cost of public utility and railroad modifications or relocations associated with highway improvement projects.

7. Establishes an Amtrak demonstration project to provide additional rail passenger service between Milwaukee and Chicago and authorizes DOT to administer a transit corridor study program.

Act 33 *(AB-101)* allows a town to assess certain costs, including attorney fees, incurred in providing access to a public highway.

Act 76 *(SB-168)* directs DOT to designate and mark a certain highway route as the Governor Nelson Dewey Memorial Highway.

Act 98 *(SB-151)* permits the erection of tourist-oriented directional highway signs on any highway except a freeway to identify and provide directional information for tourist-related businesses, services and activities (see *Act 315*).

Act 167 *(AB-536)* makes minor technical changes relating to highway-related cost data audits.

Act 171 *(SB-201)* permits a county board to establish by ordinance a term of service for its County Highway Commissioner.

Act 315 *(SB-506)* makes a number of minor technical and substantive changes relating to specific information highway signs and tourist-oriented directional highway signs. The act prohibits tourist-oriented directional highway signs within specified urban areas or the right-of-way of freeways or highways designated for specific information highway signs.

Act 343 *(AB-873)* directs DOT to designate and mark a certain highway route as a memorial to Wisconsin veterans of World War II and another highway route as a memorial to international peace.

Traffic and Parking Regulation

Act 22 *(SB-7)* revises the laws relating to safety belt use requirements (see *HIGHLIGHTS*).

Act 69 *(AB-88)* provides that police vehicles may be equipped with headlamps that alternately flash or pulsate.

Act 71 *(AB-355)* prohibits parking within 25 feet of the nearest rail at a railroad crossing.

Act 134 *(AB-298)* requires that amber lights be used on vehicles that are moving disabled vehicles at less than the average traffic speed and eliminates the weight, length and number of vehicles limitations on nonemergency towing operations.

Act 167 *(AB-536)* authorizes state motor vehicle inspectors to enforce laws relating to all-terrain vehicles.

Act 336 *(SB-542)* provides that mail delivery vehicles may be equipped with a flashing amber lamp or strobe light to warn other motorists to exercise caution when the vehicle is being used for mail delivery.

OTHER TRANSPORTATION

Act 51 *(SB-154)* provides that a snowmobile must travel in the same direction as the vehicular traffic on a nearby roadway unless it is at least 40 feet from the roadway or is separated from the roadway by a barrier that restricts the view that the users of the roadway have of the snowmobile's headlamps.

Act 75 *(SB-134)* treats any federal military installation located in this state as a jurisdiction similar to other states for purposes of motor vehicle and traffic laws.

Act 294 *(AB-347)* requires DOT annually to distribute to certain licensees and license applicants information on voluntary acceptance of assignment of federal Medicare Part B benefits by physicians and to report to the Legislature on the distribution (see *HIGHLIGHTS, Health and Social Services*).

Act 336 *(SB-542)* creates a procedure to permit a lessee of abandoned rail property to purchase that property at a fair market price.

Trusts and Estates; Probate

Act 96 *(SB-41)* provides that a claim against a decedent's estate that is not filed on or before the deadline set by a court for the filing of claims against the estate is not barred if the personal representative knew, or in the exercise of reasonable diligence should have known, of the existence of the claim, the personal representative did not notify the claimant of the deadline for filing the claim and the claimant did not have actual knowledge of the processing of the estate.

Act 138 *(SB-8)* expands the alternatives to guardianship that a court may use for a minor or incompetent entitled to possession of personal property to include investment in interest-bearing obligations of the United States and increases the value of personal property to which those alternatives apply to $10,000. The act also provides that those alternatives to guardianship may be used for a minor or incompetent entitled to personal property of a value of $5,000 or less from an estate in informal probate if the personal representative obtains specified approval.

Act 141 *(SB-273)* provides that in a proceeding to administer assets in Wisconsin that were owned by a deceased nonresident, the Register in Probate, rather than the Clerk of Court, must be appointed agent to receive service of process or notice of probate proceedings in order for a nonresident to act as personal representative or for the assets to be removed from Wisconsin (see also *Courts and Procedure*).

Act 234 *(SB-388)* increases to $30,000 the maximum value of an estate that may be settled using summary settlement or summary assignment and increases to $10,000 the maximum value of an estate that may be settled using transfer by affidavit.

Act 331 *(SB-337)* creates the uniform transfer on death security registration act. The act authorizes the owner of a security, if the person who registers the security consents, to

designate a beneficiary to whom ownership of the security will be transferred upon the owner's death. The act also provides that a provision for a nonprobate transfer on death in an insurance policy, mortgage, pension plan, trust, deed of gift, marital property agreement or other written instrument of a similar nature does not have to be executed with the same formalities as a will.

ABBREVIATIONS

AB ..... Assembly Bill
AFDC..... Aid to Families with Dependent Children
AIDS ..... Acquired immunodeficiency syndrome
DATCP ..... Department of Agriculture, Trade and Consumer Protection
DER ..... Department of Employment Relations
DETF ..... Department of Employe Trust Funds
DHSS ..... Department of Health and Social Services
DILHR..... Department of Industry, Labor and Human Relations
DNR..... Department of Natural Resources
DOA..... Department of Administration
DOC..... Department of Corrections
DOD..... Department of Development
DOJ ..... Department of Justice
DMA..... Department of Military Affairs
DOR..... Department of Revenue
DORL ..... Department of Regulation and Licensing
DOT ..... Department of Transportation
DPI..... Department of Public Instruction
HEAB..... Higher Educational Aids Board
JCF..... Joint Committee on Finance
JCOER ..... Joint Committee on Employment Relations
PSC..... Public Service Commission
SB ..... Senate Bill
Spec. Sess..... Special Session
UW..... University of Wisconsin
VTAE ..... Vocational, Technical and Adult Education
WHEDA ..... Wisconsin Housing and Economic Development Authority
WRS..... Wisconsin Retirement System
WSEU ..... Wisconsin State Employees Union

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