

1           **\*-0198/3.22\* SECTION 2544.** 281.69 (2) (title) of the statutes is amended to  
2 read:

3           281.69 (2) (title) AMOUNTS OF GRANTS AND CONTRACTS.

4           **\*-0198/3.23\* SECTION 2545.** 281.69 (2) (c) of the statutes is amended to read:

5           281.69 (2) (c) A ~~grant~~ contract for a lake classification technical assistance  
6 project may not exceed \$200,000.

7           **\*-0198/3.24\* SECTION 2546.** 281.69 (3) (a) of the statutes is amended to read:

8           281.69 (3) (a) A designation of eligible recipients, which shall include nonprofit  
9 conservation organizations, as defined in s. 23.0955 (1), counties, cities, towns,  
10 villages, qualified lake associations, as defined in s. 281.68 (1) (b), town sanitary  
11 districts, public inland lake protection and rehabilitation districts and other local  
12 governmental units, as defined in s. 66.299 (1) (a), that are established for the  
13 purpose of lake management.

14           **\*-0198/3.25\* SECTION 2547.** 281.69 (3) (b) 1. of the statutes is amended to read:

15           281.69 (3) (b) 1. The purchase of land or of a conservation easement, as defined  
16 in s. 700.40 (1) (a), if the eligible recipient enters into a contract under ~~sub. (4) s.~~  
17 281.71 and if the purchase will substantially contribute to the protection or  
18 improvement of a lake's water quality or its natural ecosystem.

19           **\*-0198/3.26\* SECTION 2548.** 281.69 (4) of the statutes is renumbered 281.71,  
20 and 281.71 (title), (1) (intro.) and (d), (2) (intro.) and (b), (3) and (5), as renumbered,  
21 are amended to read:

22           **281.71 (title) Lake management project grants; river protection grants;**  
23 **purchases. (1) (intro.)** In order to receive a grant for a purchase under ~~sub. s. 281.69~~  
24 (3) (b) 1. or 281.70 (5) (c) 1., the recipient shall enter into a contract with the  
25 department that contains all of the following provisions:

1 (d) A clause that any subsequent sale or transfer of the property to be acquired  
2 is subject to ~~pars. (b) and (c)~~ subs. (2) and (3).

3 (2) (intro.) The recipient of the grant used for a purchase under ~~sub. s. 281.69~~  
4 (3) (b) 1. or 281.70 (5) (c) 1. may subsequently sell or transfer the acquired property  
5 to a 3rd party other than a creditor of the recipient if all of the following apply:

6 (b) The party to whom the property is sold or transferred enters into a new  
7 contract with the department that contains the provisions under ~~par. (a)~~ sub. (1).

8 (3) The recipient of the grant used for a purchase under ~~sub. s. 281.69~~ (3) (b)  
9 1. or 281.70 (5) (c) 1. may subsequently sell or transfer the acquired property to  
10 satisfy a debt or other obligation if the department approves the sale or transfer.

11 (5) The instrument conveying the property to the recipient shall state the  
12 interest of the state under ~~par. (d)~~ sub. (4). The contract entered into under ~~par. (a)~~  
13 sub. (1) and the instrument of conveyance shall be recorded in the office of the  
14 register of deeds of each county in which the property is located.

15 **\*-0198/3.27\* SECTION 2549.** 281.69 (6) (a) of the statutes is repealed.

16 **\*-0198/3.28\* SECTION 2550.** 281.69 (6) (b) of the statutes is renumbered 281.69  
17 (6) and amended to read:

18 281.69 (6) LAKE CLASSIFICATION TECHNICAL ASSISTANCE GRANTS CONTRACTS. A  
19 nonprofit corporation receiving a lake classification technical assistance grant  
20 contract shall provide educational and technical assistance to local units of  
21 government and lake management organizations that will participate in a lake  
22 classification project.

23 **\*-0198/3.29\* SECTION 2551.** 281.70 of the statutes is created to read:

24 **281.70 River protection grants. (1) DEFINITION.** In this section, "river"  
25 includes a stream or a flowage.

1           **(2) TYPES OF PROJECTS.** The department shall develop and administer a  
2 financial assistance program to provide grants for planning projects and  
3 management projects.

4           **(3) AMOUNTS OF GRANTS.** (a) A grant for a planning project may be made for up  
5 to 75% of the cost of the project but may not exceed \$10,000 per grant.

6           (b) A grant for a management project may be made for up to 75% of the cost of  
7 the project but may not exceed \$50,000 per grant.

8           **(4) ELIGIBLE RECIPIENTS.** (a) All of the following shall be eligible for grants  
9 under this section:

- 10           1. Local governmental units, as defined in s. 66.299 (1) (a).
- 11           2. River management organizations that meet the qualifications under par. (b).
- 12           3. Nonprofit conservation organizations, as defined in s. 23.0955 (1).

13           (b) The department shall promulgate rules to establish the qualifications that  
14 a river management organization must meet to qualify for a grant under this section.

15           **(5) ELIGIBLE ACTIVITIES.** The department shall promulgate rules to do all of the  
16 following:

17           (a) Designate activities that are eligible for grants for planning projects.  
18 Eligible activities under the rules for these grants shall include all of the following:

- 19           1. Data collection.
- 20           2. Assessments of water quality and of fish and aquatic life and their habitat.
- 21           3. Assessments of the uses of a river and the uses of the land surrounding the  
22 river.
- 23           4. Nonpoint source pollution evaluation.
- 24           5. Informational or educational programs and materials as specified in par. (b).

1           6. Programs and materials to assist persons in forming river management  
2 organizations or other groups to protect or improve rivers and natural riverine  
3 ecosystems.

4           (b) For purposes of par. (a) 5., specify informational or educational materials  
5 that may be provided on any of the following:

- 6           1. Protecting or improving the ways in which rivers are used.
- 7           2. Protecting or improving the quality of water in rivers.
- 8           3. Protecting or improving the quality of natural riverine ecosystems.
- 9           4. Protecting or improving fish populations, aquatic life or fish habitat in rivers.

10          (c) Designate activities that are eligible for grants for management projects.  
11 Eligible activities under the rules for these grants shall include all of the following:

12          1. The purchase of land or of a conservation easement, as defined in s. 700.40  
13 (1) (a) if the recipient enters into a contract under s. 281.71 and if the purchase will  
14 substantially contribute to the protection or improvement of the river's water quality  
15 or its natural ecosystem.

16          2. The restoration of in-stream or shoreline habitat.

17          3. The development of local regulations or ordinances that will protect or  
18 improve the river's water quality or its natural ecosystem.

19          4. An activity that is approved by the department and that is needed to  
20 implement a recommendation made as a result of a plan to protect or improve the  
21 river's water quality or its natural ecosystem.

22          5. Installation of pollution control practices.

23          (6) ELIGIBILITY; TYPES OF RIVERS. The department shall promulgate rules  
24 establishing the types of natural riverine ecosystems that are eligible for grants  
25 under this section.

1           (7) **ELIGIBILITY; OTHER.** At the completion of a planning project, upon request  
2 of the recipient of the grant for the planning project, the department may approve  
3 as eligible activities for a management project grant the recommendations that were  
4 made as a result of the project.

5           **\*b0302/4.2\* SECTION 2551m.** 281.72 of the statutes is created to read:

6           **281.72 River protection; contracts with nonprofit organizations. (1)**

7           **DEFINITION.** In this section, “nonprofit conservation organization” means a river  
8 management organization that meets the qualifications under s. 281.70 (4) (b) or a  
9 nonprofit corporation, a charitable trust or other nonprofit association whose  
10 purposes include the protection of rivers and that is described in section 501 (c) (3)  
11 of the Internal Revenue Code and is exempt from federal income tax under section  
12 501 (a) of the Internal Revenue Code.

13           **(2) REQUIREMENTS TO RECEIVE CONTRACTS.** The department shall provide  
14 contracts to nonstock, nonprofit corporations that are described under section 501  
15 (c) (3) or (4) of the Internal Revenue Code and that are organized in this state. For  
16 a nonstock, profit corporation to qualify for a contract, the corporation shall meet all  
17 of the following requirements:

18           (a) The corporation is exempt from taxation under section 501 (a) of the  
19 Internal Revenue Code.

20           (b) The corporation provides support to nonprofit conservation organizations.

21           (c) The corporation has a board of directors that has a majority of members who  
22 are representatives of nonprofit conservation organizations.

23           (d) The corporation contributes, to be used with the contract, \$1 for every \$3  
24 it receives under the contract.

1           **(3) REQUIREMENTS UNDER CONTRACTS.** A corporation receiving a contract under  
2 this subsection shall do all of the following:

3           (a) Assist in the establishment of nonprofit conservation organizations.

4           (b). Provide technical assistance to nonprofit conservation organizations.

5           (c) Conduct conferences on topics for which technical assistance is provided  
6 under par. (b).

7           \*~~1164/5.49~~\* **SECTION 2554.** 285.01 (40) of the statutes is amended to read:

8           285.01 **(40)** "Solid waste" means any garbage, refuse, sludge from a waste  
9 treatment plant, water supply treatment plant or air pollution control facility and  
10 other discarded or salvageable materials, including solid, liquid, semisolid, or  
11 contained gaseous materials resulting from industrial, commercial, mining and  
12 agricultural operations, and from community activities, but does not include solids  
13 or dissolved material in domestic sewage, or solid or dissolved materials in irrigation  
14 return flows or industrial discharges which are point sources subject to permits  
15 under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear  
16 material, as defined in s. 254.31 (11), or by-product material, as defined in s. 254.31  
17 ~~(3)~~ **(1)**.

18           \***b0441/2.5**\* **SECTION 2554e.** 285.11 (18) of the statutes is created to read:

19           285.11 **(18)** Adopt and apply objective performance measurements, for the  
20 subunit of the department that administers this chapter, relating to the issuance of  
21 permits under subch. VII and to overall performance of the subunit.

22           \***b0439/1.1**\* **SECTION 2554f.** 285.17 (3) of the statutes is created to read:

23           285.17 **(3)** The department may not post on the Internet any information that  
24 is required to be reported to the department under this chapter and that relates to  
25 a facility's air emissions, including the nature and duration of specific emissions of

1 an air contaminant source and any results of monitoring the emissions of a  
2 contaminant source or the ambient air in the vicinity of a contaminant source, unless  
3 the department certifies that the information is accurate on the date on which the  
4 information is posted.

5 **\*b0441/2.6\* SECTION 2555n.** 285.69 (2) (a) 1. of the statutes is amended to  
6 read:

7 285.69 (2) (a) 1. That fees collected in a year before 2002 are based on actual  
8 emissions of all regulated pollutants and any other air contaminant specified by the  
9 department in the rules in the preceding year.

10 **\*b0441/2.6\* SECTION 2555q.** 285.69 (2) (a) 4. of the statutes is amended to  
11 read:

12 285.69 (2) (a) 4. That the fees collected in each year after 1994 and before 2002  
13 are calculated by increasing the fees collected in the preceding year by the percentage  
14 by which the consumer price index, as defined in 42 USC 7661a (b) (3) (B) (v),  
15 increased in the preceding year.

16 **\*b0441/2.6\* SECTION 2555s.** 285.69 (2) (a) 5. of the statutes is amended to read:

17 285.69 (2) (a) 5. That fees are not based on emissions by an air contaminant  
18 source in excess of ~~4,000~~ 5,000 tons per year of each regulated pollutant, except that,  
19 subject to par. (b), this limitation does not apply to a major utility, as defined in s.  
20 285.41 (1) (f), that owns or operates a phase I affected unit as listed in Table A of 42  
21 USC 7651c.

22 **\*b0441/2.6\* SECTION 2555u.** 285.69 (2) (a) 7. to 11. of the statutes are created  
23 to read:

24 285.69 (2) (a) 7. That the fees billed for a stationary source in each year after  
25 2001 are based on the fees billed for the stationary source in 2001.

1           8. That the fee billed for each stationary source in each year after 2001 is based  
2 on the actual emissions of all regulated pollutants, and any other air contaminant  
3 specified by the department in the rules, in the preceding 5 years, using a 5-year  
4 rolling average.

5           9. That fees billed in years after 2001 are determined using a  
6 performance-based approach that increases a stationary source's fees in proportion  
7 to increases in the amount of pollutants emitted by the stationary source, as  
8 determined under subd. 8., and decreases a stationary source's fees in proportion to  
9 decreases in the amount of pollutants emitted by the stationary source, as  
10 determined under subd. 8.

11           10. That no multiplier or similar mechanism is used that would increase a  
12 stationary source's fees to compensate for decreases in overall amounts of emissions.

13           11. That no provision is used that would increase the fee per unit of pollutant  
14 emitted in order to compensate for decreases in overall amounts of emissions.

15           **\*b0441/2.6\* SECTION 2555w.** 285.69 (2) (b) of the statutes is amended to read:

16           285.69 (2) (b) The department may not charge a major utility fees on emissions  
17 in excess of 4,000 5,000 tons per year of each regulated pollutant beyond the amount  
18 necessary to recover the fees that would have been charged for any phase I affected  
19 unit listed in Table A of 42 USC 7651c owned by that major utility if the prohibition  
20 in par. (a) 6. did not exist.

21           **\*-0236/2.4\* SECTION 2558.** 285.69 (3) of the statutes is amended to read:

22           285.69 (3) ASBESTOS INSPECTION FEES. The department may promulgate rules  
23 for the payment and collection of fees for inspecting nonresidential asbestos  
24 demolition and renovation projects regulated by the department. The fees under this  
25 subsection may not exceed \$200 \$210 per project. The fees collected under this



1 subsection shall be credited to the appropriation under s. 20.370 (2) (bi) for the direct  
2 and indirect costs of conducting inspections of nonresidential asbestos demolition  
3 and inspection projects regulated by the department.

4 **\*-0236/2.5\* SECTION 2559.** 285.86 of the statutes is created to read:

5 **285.86 Asbestos citations. (1)** The department may follow the procedures  
6 for the issuance of a citation under ss. 23.50 to 23.99 to collect a forfeiture from a  
7 person who commits a violation specified under sub. (2).

8 (2) The department shall promulgate rules that specify violations of rules  
9 relating to asbestos abatement and management that are promulgated under ss.  
10 285.11, 285.13, 285.17 and 285.27 to which sub. (1) applies. In a rule promulgated  
11 under this subsection, the department may limit the applicability of sub. (1) based  
12 on the frequency of violation and on health and environmental risks caused by the  
13 violation.

14 (3) The department shall submit any proposed rules under sub. (2) to the  
15 department of justice. The department may not promulgate a rule under sub. (2)  
16 unless the rule is approved by the department of justice.

17 **\*-1425/1.1\* SECTION 2560.** 287.11 (2) (dm) of the statutes is repealed.

18 **\*-1438/1.1\* SECTION 2561.** 287.23 (5) (c) 2. of the statutes is amended to read:

19 287.23 (5) (c) 2. Except as provided in subd. 5. 2m. or sub. (5e), for all other  
20 responsible units, the amount of the grant for 1993 through ~~2000~~ 2001 equals either  
21 66% of the difference between eligible expenses and avoided disposal costs or 33% of  
22 eligible expenses, whichever is greater.

23 2m. If the amount determined under subd. 2. is greater than \$8 times the  
24 population of the responsible unit, whichever is less the grant equals \$8 times the  
25 population of the responsible unit.

1           \*~~1438/1.2~~\* SECTION 2562. 287.23 (5) (c) 5. of the statutes is repealed.

2           \*~~1438/1.3~~\* SECTION 2563. 287.23 (5e) of the statutes is amended to read:

3           287.23 (5e) PRORATION. If available funds are insufficient, under sub. (5) (c) ~~2~~  
4           2m., to pay \$8 times the population of all of the responsible units that are entitled  
5           to that amount, the department shall distribute the funds so that each responsible  
6           unit that would be entitled to \$6 times its population if the per person amount in sub.  
7           (5) (c) ~~2~~ 2m. were \$6 receives \$6 times its population and shall prorate the remaining  
8           funds.

9           \*~~1437/2.3~~\* SECTION 2564. 287.23 (7) of the statutes is amended to read:

10          287.23 (7) SUNSET. No grant may be awarded under this section for any year  
11          after the year 2000 2001.

12          \*~~1164/5.50~~\* SECTION 2568. 289.01 (33) of the statutes is amended to read:

13          289.01 (~~33~~) "Solid waste" means any garbage, refuse, sludge from a waste  
14          treatment plant, water supply treatment plant or air pollution control facility and  
15          other discarded or salvageable materials, including solid, liquid, semisolid, or  
16          contained gaseous materials resulting from industrial, commercial, mining and  
17          agricultural operations, and from community activities, but does not include solids  
18          or dissolved material in domestic sewage, or solid or dissolved materials in irrigation  
19          return flows or industrial discharges which are point sources subject to permits  
20          under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear  
21          material, as defined in s. 254.31 (11), or by-product material, as defined in s. 254.31  
22          (~~3~~) (1).

23          \*~~b0443/3.1~~\* SECTION 2569h. 289.54 of the statutes is created to read:

24          **289.54 Disposal of certain dredged materials. (1)** In this section, "PCBs"  
25          has the meaning given in s. 299.45 (1) (a).

1           (2) The department may not approve a request by the operator of a solid waste  
2 disposal facility to accept dredged materials that contain PCBs or heavy metals in  
3 a concentration of less than 50 parts per million for disposal in the solid waste  
4 disposal facility until after the department holds a public meeting in the city, village  
5 or town in which the solid waste disposal facility is located. At the public meeting,  
6 the department shall describe the nature of the requested disposal and shall solicit  
7 public comment.

8           **\*b0437/2.2\* SECTION 2569n.** 289.67 (2) (b) 1. and 2. of the statutes are  
9 amended to read:

10           289.67 (2) (b) 1. A generator of hazardous waste shall pay a base fee of ~~\$125~~  
11 \$210 if the generator has generated more than zero pounds in that particular year,  
12 plus ~~\$12~~ \$20 per ton of hazardous waste generated during the reporting year.

13           2. No generator may pay a fee that is greater than ~~\$10,000~~ \$17,000.

14           **\*b0435/1.2\* SECTION 2569r.** 291.09 (3) of the statutes is created to read:

15           291.09 (3) The department shall study whether the list of hazardous wastes  
16 under s. 291.05 (2) should be revised as it relates to commercial chemical products.

17           **\*-0959/1.1\* SECTION 2570.** 292.11 (7) (d) 1m. of the statutes is created to read:

18           292.11 (7) (d) 1m. The department may negotiate and enter into an agreement  
19 containing a schedule for conducting nonemergency actions required under sub. (3)  
20 with a local governmental unit, as defined in sub. (9) (e) 1., that is acting on behalf  
21 of owners of contaminated property within one of the following:

22           a. A business improvement district, as defined in s. 66.608 (1) (b).

23           b. An area designated by the local governmental unit if the area consists of 2  
24 or more properties affected by a contiguous region of groundwater contamination or  
25 contains 2 or more properties that are brownfields, as defined in s. 560.60 (1v).

1           \*~~0959/1.2~~\* SECTION 2571. 292.11 (7) (d) 2. of the statutes is amended to read:  
2           292.11 (7) (d) 2. The department may charge fees, in accordance with rules that  
3           it promulgates, to offset the costs of negotiating and entering into an agreement  
4           under subd. 1. or 1m.

5           \*~~1419/2.1~~\* SECTION 2572. 292.11 (9) (e) 1. of the statutes is amended to read:  
6           292.11 (9) (e) 1. ~~Local~~ In this paragraph, "local governmental unit" means a  
7           municipality, a redevelopment authority created under s. 66.431, a public body  
8           designated by a municipality under s. 66.435 (4), a community development  
9           authority or a housing authority.

10          \*~~0257/4.1~~\* SECTION 2573. 292.11 (9) (e) 1m. (intro.) of the statutes is amended  
11          to read:

12          292.11 (9) (e) 1m. (intro.) ~~A~~ Except as provided in subs. 2., 4., 6. and 7., a local  
13          governmental unit is exempt from subs. (3), (4) and (7) (b) and (c) with respect to  
14          discharges of hazardous substances on or originating from property acquired by the  
15          local government unit before, on or after the effective date of this subdivision ....  
16          [revisor inserts date], if any of the following applies:

17          \*~~0257/4.2~~\* SECTION 2574. 292.11 (9) (e) 1m. b. of the statutes is amended to  
18          read:

19          292.11 (9) (e) 1m. b. The local governmental unit acquired the property from  
20          a local governmental unit that acquired is exempt under this subdivision with  
21          respect to the property under a method described in subd. 1m. a.

22          \*~~0257/4.3~~\* SECTION 2575. 292.11 (9) (e) 1m. e. of the statutes is created to  
23          read:

24          292.11 (9) (e) 1m. e. The local governmental unit acquired the property through  
25          escheat.

1           \***-1419/2.2\*** SECTION 2576. 292.11 (9) (e) 1m. f. of the statutes is created to read:  
2           292.11 (9) (e) 1m. f. The local governmental unit acquired the property using  
3 funds appropriated under s. 20.866 (2) (tz).

4           \***-0257/4.4\*** SECTION 2577. 292.11 (9) (e) 1s. of the statutes is amended to read:  
5           292.11 (9) (e) 1s. ~~An~~ Except as provided in subs. 2. and 4. to 6., an economic  
6 development corporation described in section 501 (c) of the Internal Revenue Code,  
7 as defined in s. 71.22 (4), that is exempt from federal taxation under section 501 (a)  
8 of the Internal Revenue Code, or an entity wholly owned and operated by such a  
9 corporation, is exempt from subs. (3), (4) and (7) (b) and (c) with respect to property  
10 acquired before, on or after October 14, 1997, if the property is acquired to further  
11 the economic development purposes that qualify the corporation as exempt from  
12 federal taxation.

13           \***-1419/2.3\*** SECTION 2578. 292.11 (9) (e) 3. of the statutes is repealed.

14           \***-0257/4.5\*** SECTION 2579. 292.11 (9) (e) 5. c. of the statutes is repealed.

15           \***-0257/4.6\*** SECTION 2580. 292.11 (9) (e) 6. of the statutes is created to read:  
16           292.11 (9) (e) 6. Subdivisions 1m. and 1s. only apply if the local governmental  
17 unit or the economic development corporation agrees to allow the department, any  
18 authorized representatives of the department, any party that possessed or controlled  
19 the hazardous substance or caused the discharge of the hazardous substance and any  
20 consultant or contractor of such a party to enter the property to take action to respond  
21 to the discharge.

22           \***-1419/2.4\*** SECTION 2581. 292.11 (9) (e) 7. of the statutes is created to read:  
23           292.11 (9) (e) 7. Subdivision 1m. does not apply to property described in subd.  
24 1m. f. unless the local governmental unit enters into an agreement with the  
25 department to ensure that the conditions in subs. 2. and 4. are satisfied.

1           **\*-1423/3.1\* SECTION 2582.** 292.15 (1) (a) of the statutes is created to read:  
2           292.15 (1) (a) “Enforcement standard” has the meaning given in s. 160.01 (2).

3           **\*-1423/3.2\* SECTION 2583.** 292.15 (1) (am) of the statutes is created to read:  
4           292.15 (1) (am) “Natural attenuation” means the reduction in the mass and  
5 concentration in groundwater of a substance, and the products into which the  
6 substance breaks down, due to naturally occurring physical, chemical and biological  
7 processes, without human intervention.

8           **\*-0929/5.1\* SECTION 2584.** 292.15 (1) (f) of the statutes is repealed and  
9 recreated to read:

10           292.15 (1) (f) “Voluntary party” means a person who submits an application to  
11 obtain an exemption under this section and pays any fees required under sub. (5).

12           **\*-0614/3.1\* SECTION 2585.** 292.15 (2) (a) (title) of the statutes is created to  
13 read:

14           292.15 (2) (a) (title) *General.*

15           **\*-0285/1.1\* SECTION 2586.** 292.15 (2) (a) (intro.) of the statutes is amended to  
16 read:

17           292.15 (2) (a) (intro.) Except as provided in sub. (6) or (7), a voluntary party is  
18 exempt from the provisions of ss. 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25  
19 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules  
20 promulgated under those provisions, with respect to ~~the existence~~ discharges of a  
21 hazardous ~~substance~~ substances on the or originating from a property, if the release  
22 of those hazardous substances occurred prior to the date on which the department  
23 approves the environmental investigation of the property under subd. 1. and if all  
24 of the following occur at any time before or after the date of acquisition:

25           **\*-1422/1.1\* SECTION 2587.** 292.15 (2) (a) 2. of the statutes is amended to read:

1           292.15 (2) (a) 2. Except as provided in sub. (4), the ~~property is cleaned up by~~  
2 ~~restoring the environment is restored~~ to the extent practicable with respect to the  
3 discharges and ~~minimizing the harmful effects from a discharge of the hazardous~~  
4 ~~substance~~ the discharges are minimized in accordance with rules promulgated by the  
5 department and any contract entered into under those rules.

6           \*~~1422/1.2~~\* SECTION 2588. 292.15 (2) (a) 3. of the statutes is amended to read:

7           292.15 (2) (a) 3. The voluntary party obtains a certificate of completion from  
8 the department that the ~~property environment~~ environment has been satisfactorily restored to the  
9 extent practicable with respect to the discharges and that the harmful effects from  
10 ~~a discharge of a hazardous substance~~ the discharges have been minimized.

11           \*~~0614/3.2~~\* SECTION 2589. 292.15 (2) (a) 6. of the statutes is amended to read:

12           292.15 (2) (a) 6. The voluntary party has not obtained the ~~certification under~~  
13 ~~subd. 3.~~ certificate of completion by fraud or misrepresentation, by the knowing  
14 failure to disclose material information or under circumstances in which the  
15 voluntary party knew or should have known about more discharges of hazardous  
16 substances than were revealed by the investigation conducted under subd. 1.

17           \*~~1423/3.3~~\* SECTION 2591. 292.15 (2) (ae) of the statutes is created to read:

18           292.15 (2) (ae) *Natural attenuation.* Except as provided in sub. (6) or (7), if  
19 there exists a hazardous substance in groundwater on or originating from a property  
20 in a concentration that exceeds an enforcement standard and the department  
21 determines that natural attenuation will restore groundwater quality in accordance  
22 with rules promulgated by the department, a voluntary party is exempt from ss.  
23 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11  
24 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules promulgated under those  
25 provisions, with respect to discharges of hazardous substances on or originating from

1 the property, if the release of those hazardous substances occurred prior to the date  
2 on which the department approves the environmental investigation of the property  
3 under subd. 1. and if all of the following occur at any time before or after the date of  
4 acquisition:

5 1. An environmental investigation of the property is conducted that is approved  
6 by the department.

7 2. The environment is restored to the extent practicable with respect to the  
8 discharges and the harmful effects from the discharges are minimized in accordance  
9 with rules promulgated by the department and any contract entered into under those  
10 rules, except that this requirement does not apply with respect to the hazardous  
11 substance in groundwater that the department has determined will be brought into  
12 compliance with rules promulgated by the department through natural attenuation.

13 3. The voluntary party obtains a certificate of completion from the department  
14 stating that the environment has been satisfactorily restored to the extent  
15 practicable with respect to the discharges and that the harmful effects from the  
16 discharges have been minimized, except with respect to the hazardous substance in  
17 groundwater that the department has determined will be brought into compliance  
18 with rules promulgated by the department through natural attenuation.

19 3m. If required by the department, the voluntary party obtains and maintains  
20 insurance to cover the costs of complying with s. 292.11 (3) with respect to the  
21 hazardous substance that the department has determined will be brought into  
22 compliance with rules promulgated by the department through natural attenuation,  
23 in case natural attenuation fails, and the insurance complies with rules promulgated  
24 by the department and names this state as the insured.



1           4. The voluntary party maintains and monitors the property as required under  
2 rules promulgated by the department and any contract entered into under those  
3 rules.

4           5. The voluntary party does not engage in activities that are inconsistent with  
5 the maintenance of the property.

6           6. The voluntary party has not obtained the certification under subd. 3. by  
7 fraud or misrepresentation, by the knowing failure to disclose material information  
8 or under circumstances in which the voluntary party knew or should have known  
9 about more discharges of hazardous substances than were revealed by the  
10 investigation conducted under subd. 1.

11           \*~~0614/3.3~~\* SECTION 2592. 292.15 (2) (ag) of the statutes is created to read:

12           292.15 (2) (ag) *Property affected by off-site discharge.* Except as provided in  
13 sub. (6) or (7), for a property on which there exists a hazardous substance for which  
14 a voluntary party is exempt from liability under s. 292.13 (1), a voluntary party is  
15 exempt from the provisions of ss. 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25  
16 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules  
17 promulgated under those provisions, with respect to discharges of hazardous  
18 substances on or originating from the property, if the release of those hazardous  
19 substances occurred prior to the date on which the department approves the  
20 environmental investigation of the property under par. (a) 1., if par. (a) 1. and 4. to  
21 6. apply and all of the following occur at any time before or after the date of  
22 acquisition:

23           1. The environment is restored to the extent practicable with respect to the  
24 discharges and the harmful effects from the discharges are minimized in accordance  
25 with rules promulgated by the department and any contract entered into under those

1 rules, except that this requirement does not apply with respect to the hazardous  
2 substance for which the voluntary party is exempt from liability under s. 292.13 (1).

3 2. The voluntary party obtains a certificate of completion from the department  
4 stating that the environment has been satisfactorily restored to the extent  
5 practicable with respect to the discharges and that the harmful effects from the  
6 discharges have been minimized, except with respect to the hazardous substance for  
7 which the voluntary party is exempt from liability under s. 292.13 (1).

8 3. The voluntary party obtains a written determination from the department  
9 under s. 292.13 (2) with respect to the hazardous substance for which the voluntary  
10 party is exempt from liability under s 292.13 (1).

11 4. The voluntary party continues to satisfy the conditions under s. 292.13 (1)  
12 (d) to (g).

13 **\*-0614/3.4\* SECTION 2593.** 292.15 (2) (am) (intro.) of the statutes is amended  
14 to read:

15 292.15 (2) (am) Partial cleanup. (intro.) The department may approve a  
16 partial cleanup and issue a certificate of completion as provided in par. (a), (ae) or (ag)  
17 that states that not all of the property has been satisfactorily restored or that not all  
18 of the harmful effects from a discharge of a hazardous substance have been  
19 minimized. Approval of a partial cleanup exempts a voluntary party from ss. 291.37  
20 (2) and 292.11 (3), (4) and (7) (b) and (c) with respect to the portion of the property  
21 or hazardous substances cleaned up under this paragraph. In addition to meeting  
22 the requirements of par. (a), (ae) or (ag), a certificate for a partial cleanup under this  
23 paragraph may be issued only if:

24 **\*-0614/3.5\* SECTION 2594.** 292.15 (2) (ar) (title) of the statutes is created to  
25 read:

1           292.15 (2) (ar) (title) *Condition.*

2           \***-0937/2.1\* SECTION 2595.** 292.15 (2) (at) of the statutes is created to read:

3           292.15 (2) (at) *Discharges discovered after environmental investigations.*

4           Except as provided in sub. (6) or (7), a voluntary party is exempt from ss. 289.05 (1),  
5           (2), (3) and (4), 289.42 (1), 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and  
6           (7) (b) and (c) and 292.31 (8), and rules promulgated under those provisions, with  
7           respect to a discharge of a hazardous substance on or originating from a property if  
8           the discharge occurred before the environmental investigation under subd. 1. is  
9           completed and if all of the following apply:

10           1. An environmental investigation of the property and of any discharges of  
11           hazardous substances originating from the property is conducted and is approved by  
12           the department.

13           2. If required by the department, the voluntary party enters into an agreement  
14           with the department under which the voluntary party agrees to conduct a cleanup  
15           approved by the department.

16           3. The voluntary party obtains and maintains insurance to cover the costs of  
17           complying with s. 292.11 (3) with respect to a hazardous substance discharges that  
18           occurred before the investigation under subd. 1. is completed and that are discovered  
19           in the course of conducting a cleanup of the property, the insurance complies with  
20           rules promulgated by the department and the insurance names the voluntary party  
21           and this state as insureds.

22           3m. If the department requires the voluntary party to enter into an agreement  
23           under subd. 2., the voluntary party conducts the agreed upon cleanup.

1           4. A hazardous substance discharge that occurred before the investigation  
2 under subd. 1. is completed is discovered after the investigation under subd. 1. is  
3 approved and before the cleanup is completed.

4           6. The voluntary party has not obtained approval of the investigation under  
5 subd. 1. or the agreement under subd. 2. by fraud or misrepresentation, by the  
6 knowing failure to disclose material information or under circumstances in which  
7 the voluntary party knew or should have known about more discharges of hazardous  
8 substances than were revealed by the investigation conducted under subd. 1.

9           \*~~0614/3.6~~\* SECTION 2596. 292.15 (2) (b) of the statutes is amended to read:

10           292.15 (2) (b) *Extent of exemptions.* The exemptions provided in pars. (a), (ae),  
11 (ag) and (am) continue to apply after the date of certification by the department  
12 under par. (a) 3., (ae) 3. or (ag) 2., or approval by the department under par. (am),  
13 notwithstanding the occurrence of any of the following:

14           1. Statutes, rules or regulations are created or amended that would impose  
15 greater responsibilities on the voluntary party than those imposed under par. (a) 2.,  
16 (ae) 2. or (ag) 1.

17           2. The voluntary party fully complies with the rules promulgated by the  
18 department and any contract entered into under those rules under par. (a) 2., (ae) 2.  
19 or (ag) 1. but it is discovered that the cleanup fails to fully restore the environment  
20 and minimize the effects from a discharge of a hazardous substance.

21           3. The contamination from a hazardous substance that is the subject of the  
22 cleanup under par. (a) 2., (ae) 2. or (ag) 1. is discovered to be more extensive than  
23 anticipated by the voluntary party and the department.

24           \*~~0614/3.7~~\* SECTION 2597. 292.15 (2) (c) (title) of the statutes is created to  
25 read:

1           292.15 (2) (c) (title) *Prohibition on action.*

2           \***-0937/2.2\* SECTION 2598.** 292.15 (2) (c) of the statutes is amended to read:

3           292.15 (2) (c) The department of justice may not commence an action under 42  
4           USC 9607 against any voluntary party meeting the criteria of this subsection to  
5           recover costs for which the voluntary party is exempt under pars. (a), (ac), (ag), (am),  
6           (at) and (b).

7           \***-0614/3.8\* SECTION 2599.** 292.15 (2) (d) (title) of the statutes is created to  
8           read:

9           292.15 (2) (d) (title) *Exception.*

10          \***-0929/5.3\* SECTION 2600.** 292.15 (2) (e) of the statutes is created to read:

11          292.15 (2) (e) *Contract with insurer.* If the department requires insurance  
12          under par. (ae) 3m. or (at) 3., the department may contract with an insurer to provide  
13          insurance required under par. (ae) 3m. or (at) 3. and may require voluntary parties  
14          to obtain coverage under the contract.

15          \***-0929/5.4\* SECTION 2601.** 292.15 (3) of the statutes is amended to read:

16          292.15 (3) SUCCESSORS AND ASSIGNS. The An exemption provided in sub. (2)  
17          applies to any successor or assignee of the voluntary party ~~who qualifies as a~~  
18          ~~voluntary party and who~~ if the successor or assignee complies with the provisions of  
19          sub. (2) (a) 4. and 5. ~~unless or (ae) 3m., 4. and 5. and, if applicable, sub. (2) (ag) 4. or~~  
20          (am) as though the successor or assignee were the voluntary party except that the  
21          exemption in sub. (2) does not apply if the successor or assignee knows that a  
22          certificate under sub. (2) (a) 3., (ae) 3., (ag) 12. or (am) was obtained by any of the  
23          means or under any of the circumstances specified in sub. (2) (a) 6.

24          \***-0257/4.7\* SECTION 2602.** 292.15 (4) (intro.) of the statutes is amended to  
25          read:

1           292.15 (4) LIMITED RESPONSIBILITY. (intro.) The responsibility of a voluntary  
2 party under sub. (2) (a) 2. may be monetarily limited by agreement between the  
3 voluntary party and the department if the voluntary party purchased the property  
4 from a local governmental unit that acquired the property in a way or for a purpose  
5 described in s. 292.11 (9) (e) 1m. ~~a., b., c. or d.~~ The agreement shall stipulate all of the  
6 following:

7           \*~~0929/5.5~~\* SECTION 2603. 292.15 (5m) of the statutes is repealed.

8           \*~~1423/3.4~~\* SECTION 2604. 292.15 (6) of the statutes is renumbered 292.15 (6)  
9 (a) and amended to read:

10           292.15 (6) (a) This section does not exempt property from any lien filed under  
11 s. 292.81 (3) for costs incurred by the department prior to the date that certification  
12 is issued under sub. (2) (a) 3., (ae) 3. or (ag) 2.

13           \*~~0937/2.3~~\* SECTION 2605. 292.15 (6) (b) of the statutes is created to read:

14           292.15 (6) (b) This section does not exempt property from any lien filed under  
15 s. 292.81 (3) for costs that are incurred by the department with respect to a hazardous  
16 substance discharge described in sub. (2) (at) 3. and that are not covered by insurance  
17 required by sub. (2) (at) 3.

18           \*~~0256/1.1~~\* SECTION 2606. 292.21 (1) (c) 1. b. of the statutes is repealed.

19           \*~~0256/1.2~~\* SECTION 2607. 292.21 (1) (c) 1. g. of the statutes is created to read:

20           292.21 (1) (c) 1. g. The lender agrees to allow the department, any authorized  
21 representatives of the department, any party that possessed or controlled the  
22 hazardous substance or caused the discharge of the hazardous substance and any  
23 consultant or contractor of such a party to enter the real property to take action to  
24 respond to the discharge.

25           \*~~0256/1.3~~\* SECTION 2608. 292.21 (1) (c) 1. h. of the statutes is created to read:

1           292.21 (1) (c) 1. h. The lender agrees to avoid any interference with action  
2 undertaken to respond to the discharge and to avoid actions that worsen the  
3 discharge.

4           \*~~0256/1.4~~\* **SECTION 2609.** 292.21 (1) (c) 1. i. of the statutes is created to read:

5           292.21 (1) (c) 1. i. The lender agrees to any other condition that the department  
6 determines is reasonable and necessary to ensure that the department or other  
7 person described in subd. 1. g. can adequately respond to the discharge.

8           \*~~1419/2.5~~\* **SECTION 2610.** 292.24 of the statutes is created to read:

9           **292.24 Responsibility of local governmental units; hazardous waste.**

10          (1) **DEFINITION.** In this section, “local governmental unit” has the meaning given in  
11 s. 292.11 (9) (e) 1.

12          (2) **EXEMPTION FROM LIABILITY.** Except as provided in sub. (3), a local  
13 governmental unit is exempt from ss. 291.25 (1) to (5), 291.29 and 291.37, and rules  
14 promulgated under those provisions, with respect to the existence of a hazardous  
15 waste discharge on property acquired in a way or for a purpose described in s. 292.11  
16 (9) (e) 1m., if all of the following occur at any time before or after the date of  
17 acquisition:

18           (a) An environmental investigation of the property is conducted that is  
19 approved by the department and that identifies any hazardous waste discharges  
20 that occurred on the property.

21           (b) The hazardous waste discharges identified by the investigation under par.  
22 (a) are cleaned up by restoring the environment to the extent practicable with respect  
23 to the discharges and minimizing the harmful effects from the discharges in  
24 accordance with rules promulgated by the department and any contract entered into  
25 under those rules.

1 (c) The local governmental unit obtains an approval from the department  
2 stating that the property has been satisfactorily restored to the extent practicable  
3 with respect to the hazardous waste discharges and that the harmful effects from the  
4 discharges have been minimized.

5 (d) The local governmental unit maintains and monitors the property as  
6 required under rules promulgated by the department and any contract entered into  
7 under those rules.

8 (e) The local governmental unit does not engage in activities that are  
9 inconsistent with the maintenance of the property.

10 (f) The local governmental unit has not obtained the certification under par. (c)  
11 by fraud or misrepresentation, by the knowing failure to disclose material  
12 information or under circumstances in which the local governmental unit knew or  
13 should have known about more discharges of hazardous waste than were revealed  
14 by the investigation conducted under par. (a).

15 (g) The local governmental unit did not cause the discharge of any hazardous  
16 waste identified on the property.

17 **(3) APPLICABILITY.** Subsection (2) does not apply to any of the following:

18 (a) A hazardous waste treatment, storage or disposal facility that first begins  
19 operation after the date on which the local governmental unit acquired the property.

20 (b) A licensed hazardous waste treatment, storage or disposal facility operated  
21 on the property before the date on which the local governmental unit acquired the  
22 property and that is operated after the date on which the local governmental unit  
23 acquired the property.



1 (c) Any hazardous waste disposal facility that has been issued a license under  
2 s. 144.441 (2), 1995 stats., or s. 289.41 (1m), or rules promulgated under those  
3 sections, for a period of long-term care following closure of the facility.

4 **\*-1421/2.1\* SECTION 2611.** 292.25 of the statutes is created to read:

5 **292.25 Report on impact of exemptions from liability.** (1) The  
6 department shall biennially determine all of the following:

7 (a) The number of sites for which a person is seeking to qualify for an exemption  
8 under s. 292.15.

9 (b) The number of sites for which a certificate of completion was issued under  
10 s. 292.15.

11 (c) The number of sites for which a certificate of completion was issued under  
12 s. 292.15 at which it is discovered that the cleanup failed or at which additional  
13 hazardous substances are found after the certificate of completion was issued.

14 (d) The number of sites described in par. (b) at which the department has  
15 determined that it is necessary to conduct remedial action using moneys from the  
16 environmental fund and the estimated costs of performing that remedial action.

17 (e) The number of sites for which a claim was made against an insurance policy  
18 required under s. 292.15.

19 (2) No later than September 15 of each even-numbered year, the department  
20 shall submit a report describing its determinations under sub. (1) to the legislature  
21 under s. 13.172 (2), to the governor and to the department of administration.

22 (3) The department may require a person to provide information necessary for  
23 the department to make the determinations under sub. (1).

24 **\*b0437/2.16\* SECTION 2611d.** 292.255 of the statutes is created to read:

1           **292.255 Report on brownfield efforts.** On or before June 30 annually, the  
2 department of natural resources, the department of administration, the department  
3 of commerce, the department of revenue and the department of transportation shall  
4 submit a report to the appropriate standing committees of the legislature under s.  
5 13.172 (3) and to the joint committee on finance evaluating the effectiveness of this  
6 state's efforts to remedy the contamination of, and to redevelop, brownfields, as  
7 defined in s. 560.60 (1v).

8           \*~~0958/1.1~~\* **SECTION 2612.** 292.33 of the statutes is created to read:

9           **292.33 Local government cost recovery cause of action. (1) DEFINITION.**

10          In this section "local governmental unit" has the meaning given in s. 292.11 (9) (e)

11          1.

12           **(2) CAUSE OF ACTION.** Except as provided in sub. (6), a local governmental unit  
13 may recover costs as provided in sub. (4) from a responsible person described in sub.  
14 (3) if the costs are incurred in connection with a property acquired as provided in s.  
15 292.11 (9) (e) 1m. on which a hazardous substance has been discharged.

16           **(3) RESPONSIBLE PERSONS. (a)** Except as provided in par. (b), a local  
17 governmental unit may recover costs in an action under this section from any of the  
18 following:

19           1. A person who, at the time that the local governmental unit acquired the  
20 property, possessed or controlled the hazardous substance that was discharged on  
21 the property.

22           2. A person who caused the discharge of the hazardous substance on the  
23 property.

24           (b) A local governmental unit may not recover costs in an action under sub. (2)  
25 from a person described in par. (a) if the person qualifies for an exemption under s.

1 292.11 (9) (e), 292.13, 292.15, 292.16, 292.19 or 292.21 with respect to the discharge  
2 that is the subject of the action.

3 (4) RECOVERABLE COSTS. (a) Except as provided in par. (b), in an action under  
4 this section a local governmental unit may recover the reasonable and necessary  
5 costs that it incurs for all of the following:

6 1. Investigating environmental contamination on the property and planning  
7 remedial activities described in subd. 2.

8 2. Conducting remedial activities to restore the property for its intended future  
9 use.

10 3. Administering the activities under subds. 1. and 2. and bringing the action  
11 under this section, including costs, disbursements and engineering fees but  
12 excluding attorney fees.

13 (b) The costs determined under par. (a) shall be reduced by the fair market  
14 value of the property after completion of the activities under par. (a) 2.

15 (c) Recoverable costs under this subsection may not be reduced by the amount  
16 of any state or federal moneys received by the local governmental unit for any of the  
17 activities under par. (a).

18 (d) 1. In an action under this section, the liability of a responsible person  
19 described in sub. (3) (a) 2. is limited to the amount that bears the same proportion  
20 to the total costs under par. (a), adjusted as provided in par. (b), as the amount of the  
21 environmental pollution on the property from the discharge caused by the  
22 responsible person bears to all of the environmental pollution on the property from  
23 discharges of hazardous substances.

24 2. In an action under this section, the liability of a responsible person described  
25 in sub. (3) (a) 1. is limited to the amount of the total costs under par. (a), adjusted as

1 provided in par. (b), that the local governmental unit is unable to recover from  
2 responsible parties described in sub. (3) (a) 2.

3 (5) REPAYING STATE ASSISTANCE. If a local governmental unit that recovers costs  
4 under this section received money from this state, other than under s. 292.11 (7) or  
5 292.31 (1), (3) or (7), for any of the activities under sub. (4) (a), the local governmental  
6 unit shall reimburse to the state an amount that bears the same proportion to the  
7 total amount recovered under this section as the amount received from the state,  
8 other than under s. 292.11 (7) or 292.31 (1), (3) or (7), bears to the total costs under  
9 sub. (4) (a) adjusted as provided in sub. (4) (b).

10 (6) EXCEPTION. A local governmental unit may not recover costs under this  
11 section for remedial activities conducted on a property or portion of a property with  
12 respect to a discharge after the department of natural resources, the department of  
13 commerce or the department of agriculture, trade and consumer protection has  
14 indicated that no further remedial activities are necessary on the property or portion  
15 of the property with respect to the discharge.

16 (7) LIMITATION OF ACTION. An action under this section shall be commenced  
17 within 6 years after the date that the local governmental unit completes the  
18 activities under sub. (4) (a) 2. or be barred.

19 **\*-1670/1.1\* SECTION 2613.** 292.57 of the statutes is created to read:

20 **292.57 Database of properties on which groundwater standards are**  
21 **exceeded.** (1) In this section, "groundwater standard" means an enforcement  
22 standard, as defined in s. 160.01 (2), or a preventive action limit, as defined in s.  
23 160.01 (6).

1           (2) (a) The department may promulgate a rule specifying a fee for placing  
2 information concerning a property on which a groundwater standard is exceeded into  
3 a database.

4           (b) Any moneys collected under this subsection shall be credited to the  
5 appropriation account under s. 20.370 (2) (mi).

6           **\*-1490/2.2\* SECTION 2614.** 292.65 (1) (d) 9. of the statutes is created to read:  
7 292.65 (1) (d) 9. A formal wear rental firm.

8           **\*b0456/1.2\* SECTION 2614e.** 292.65 (1) (ek) of the statutes is created to read:  
9 292.65 (1) (ek) "Formal wear" includes tuxedos, suits and dresses, but does not  
10 include costumes, table linens and household fabrics.

11           **\*b0456/1.2\* SECTION 2614g.** 292.65 (1) (em) of the statutes is created to read:  
12 292.65 (1) (em) "Formal wear rental firm" means a facility that rents formal  
13 wear to the general public and dry cleans only the formal wear that it rents to the  
14 general public.

15           **\*-1484/2.1\* SECTION 2615.** 292.65 (1) (h) 3. of the statutes is created to read:  
16 292.65 (1) (h) 3. A person who operated a dry cleaning facility that ceased  
17 operating before October 14, 1997.

18           **\*-1484/2.2\* SECTION 2616.** 292.65 (1) (i) 1. of the statutes is renumbered  
19 292.65 (1) (i) 1. (intro.) and amended to read:

20           292.65 (1) (i) 1. (intro.) A person who owns, or has possession or control of, a  
21 ~~dry cleaning facility, or~~ and who receives or received direct or indirect consideration  
22 from the operation of ~~a dry cleaning facility regardless of whether the dry cleaning~~  
23 ~~facility remains in operation and regardless of whether the person owns or receives~~  
24 ~~consideration at the time that environmental pollution occurs., any of the following:~~

25           **\*-1484/2.3\* SECTION 2617.** 292.65 (1) (i) 1. a. of the statutes is created to read:

1 292.65 (1) (i) 1. a. A dry cleaning facility that is licensed under s. 77.9961 (2).

2 **\*-1484/2.4\* SECTION 2618.** 292.65 (1) (i) 1. b. of the statutes is created to read:

3 292.65 (1) (i) 1. b. A dry cleaning facility that has ceased operation but that,  
4 if it ceased operation on or after October 14, 1997, was licensed under s. 77.9961 (2)  
5 before it ceased operation.

6 **\*-1484/2.5\* SECTION 2619.** 292.65 (1) (i) 3. of the statutes is created to read:

7 292.65 (1) (i) 3. A person who owns the property on which one of the following  
8 is located:

9 a. A dry cleaning facility that is licensed under s. 77.9961 (2).

10 b. A dry cleaning facility that has ceased operation but that was licensed under  
11 s. 77.9961 (2) before it ceased operation.

12 **\*-1482/1.1\* SECTION 2620.** 292.65 (1) (L) of the statutes is amended to read:

13 292.65 (1) (L) "Service provider" means a consultant, testing laboratory,  
14 monitoring well installer, soil boring contractor, other contractor, ~~lender~~ or any other  
15 person who provides a product or service for which an application for reimbursement  
16 has been or will be filed under this section, or a subcontractor of such a person.

17 **\*-0433/1.1\* SECTION 2621.** 292.65 (3) (am) 2. of the statutes is amended to  
18 read:

19 292.65 (3) (am) 2. The department shall pay an award for immediate action  
20 activities. ~~For the purposes of this subdivision, removal of contaminated soils and~~  
21 ~~recovery of free dry cleaning solvent are not considered immediate action activities.~~

22 **\*-0434/1.1\* SECTION 2622.** 292.65 (3) (am) 3. of the statutes is repealed and  
23 recreated to read:

1           292.65 (3) (am) 3. After paying awards for immediate action activities, the  
2 department shall do the following with the remaining funds available for awards  
3 under this section:

4           a. In the program year that begins on July 1, 1999, provide 75% to pay awards  
5 for eligible costs incurred before October 14, 1997, and provide 25% to pay awards  
6 for eligible costs incurred on or after October 14, 1997.

7           b. In the program year that begins on July 1, 2000, provide 50% to pay awards  
8 for eligible costs incurred before October 14, 1997, and provide 50% to pay awards  
9 for eligible costs incurred on or after October 14, 1997.

10          c. In the program year that begins on July 1, 2001, and every program year  
11 thereafter, provide at least 70% as awards to pay eligible costs incurred on or after  
12 October 14, 1997.

13           \***-1488/1.2\*** SECTION 2627. 292.65 (4) (m) of the statutes is created to read:

14           292.65 (4) (m) *Notification of insurance claims and receipt of proceeds.* An  
15 owner or operator shall notify the department of any insurance claim made to cover  
16 eligible costs, the status of the claim, and, if the owner or operator has received any  
17 insurance proceeds arising from the claim, the amount of the proceeds.

18           \***-1488/1.3\*** SECTION 2628. 292.65 (4) (n) of the statutes is created to read:

19           292.65 (4) (n) *Notification of intent to file suit.* An owner or operator shall  
20 notify the department of the owner's or operator's intent to file suit against an  
21 insurance company for the purpose of recovering the proceeds of an insurance policy  
22 intended to cover any eligible costs.

23           \***-1485/1.1\*** SECTION 2629. 292.65 (6) of the statutes is repealed.

24           \***-1482/1.2\*** SECTION 2631. 292.65 (7) (a) 16. of the statutes is repealed.

25           \***-1482/1.3\*** SECTION 2632. 292.65 (7) (b) of the statutes is repealed.

1           \***-1482/1.4**\* SECTION 2634. 292.65 (7) (c) 6. of the statutes is created to read:  
2           292.65 (7) (c) 6. Costs of financing eligible activities.

3           \***-1488/1.4**\* SECTION 2636. 292.65 (8) (a) 4m. of the statutes is created to read:  
4           292.65 (8) (a) 4m. If the owner or operator receives any proceeds arising from  
5           an insurance claim for any eligible costs, a record of the payment.

6           \***b0435/1.3**\* SECTION 2636g. 292.65 (8) (d) 8. of the statutes is amended to  
7           read:

8           292.65 (8) (d) 8. The dry cleaning solvent discharge was caused by a person who  
9           provided services or products to the owner or operator or to a prior owner or operator  
10          of the dry cleaning facility, including a person who provided perchloroethylene to the  
11          owner or operator or prior owner or operator of a dry cleaning facility using a system  
12          other than a closed, direct-coupled delivery system.

13          \***-1485/1.2**\* SECTION 2637. 292.65 (8) (e) 3a. of the statutes is repealed and  
14          recreated to read:

15          292.65 (8) (e) 3a. If eligible costs are \$200,000 or less, \$10,000.

16          \***-1485/1.3**\* SECTION 2638. 292.65 (8) (e) 3am. of the statutes is created to read:  
17          292.65 (8) (e) 3am. If eligible costs exceed \$200,000 but do not exceed \$400,000,  
18          \$10,000 plus 8% of the amount by which eligible costs exceed \$200,000.

19          \***-1485/1.4**\* SECTION 2639. 292.65 (8) (e) 3ar. of the statutes is created to read:  
20          292.65 (8) (e) 3ar. If eligible costs exceed \$400,000, \$26,000 plus 10% of the  
21          amount by which eligible costs exceed \$400,000.

22          \***-1485/1.5**\* SECTION 2640. 292.65 (8) (e) 3b. of the statutes is amended to read:  
23          292.65 (8) (e) 3b. ~~For each year in which the owner or operator has not paid the~~  
24          ~~annual license fee under s. 77.9961 (1) for the dry cleaning facility, an~~ An amount



1 equal to 30 times the average annual license fee paid under s. 77.9961 (1) for ~~that the~~  
2 year in which an award is made.

3 **\*-1485/1.6\* SECTION 2641.** 292.65 (8) (e) 3c. of the statutes is amended to read:  
4 292.65 (8) (e) 3c. ~~For each year in which the dry cleaning solvents fee under s.~~  
5 ~~77.9962 was imposed and the dry cleaning facility was not in operation, an An~~  
6 amount equal to 30 times the total amount collected under s. 77.9962 for ~~that the~~  
7 year in which an award is made divided by the number of dry cleaning facilities in  
8 operation during that year.

9 **\*b0455/1.1\* SECTION 2641g.** 292.65 (8) (j) 4. of the statutes is created to read:  
10 292.65 (8) (j) 4. If, prior to receiving an award under this section, an owner or  
11 operator receives payment from an insurance company arising out of a claim for  
12 payment of any eligible costs, the department may not reimburse the owner or  
13 operator any amount that exceeds the difference between the amount of the award  
14 calculated under subd. 1. or 2. and pars. (e) and (f) and the amount by which the  
15 insurance payment exceeds the sum of the deductible and the amount by which the  
16 amount calculated under par. (e) exceeds the maximum award under par. (f).

17 **\*b0455/1.1\* SECTION 2641m.** 292.65 (8m) of the statutes is created to read:  
18 292.65 (8m) REIMBURSEMENT OF INSURANCE PROCEEDS. If, after the owner or  
19 operator receives an award under this section, the owner or operator receives  
20 payment from an insurance company arising out of a claim for payment of any  
21 eligible costs, the owner or operator shall pay to the department the amount by which  
22 the insurance payment exceeds the sum of the deductible and the amount by which  
23 the amount calculated under par. (e) exceeds the maximum award under par. (f), but  
24 not more than the amount of the award received.

25 **\*-1488/1.5\* SECTION 2642.** 292.65 (9m) of the statutes is created to read:

1           292.65 (9m) SUBROGATION. The department is subrogated to the rights of an  
2 applicant who obtains an award under this section or s. 292.66 in an amount equal  
3 to the award and may join in an action by an applicant against an insurance company  
4 to recover eligible costs. An applicant who receives an award under this section shall  
5 cooperate with the state in any action under this subsection. The amounts collected  
6 by the department under this subsection shall be deposited in the dry cleaner  
7 environmental response fund.

8           \***-1487/1.3\*** SECTION 2643. 292.65 (11) of the statutes is created to read:

9           292.65 (11) ENVIRONMENTAL FUND REIMBURSEMENT. If the department expends  
10 funds from the environmental fund under s. 292.11 (7) (a) or 292.31 (3) (b) because  
11 of a discharge of dry cleaning solvent at a dry cleaning facility, the department shall  
12 transfer from the appropriation account under s. 20.370 (6) (eq) to the environmental  
13 fund an amount equal to the amount expended under s. 292.11 (7) (a) or 292.31 (3)  
14 (b). The department shall make transfers under this subsection when the  
15 department determines that sufficient funds are available in the appropriation  
16 account under s. 20.370 (6) (eq).

17           \***-1387/1.1\*** SECTION 2644. 292.65 (12m) of the statutes is created to read:

18           292.65 (12m) PROHIBITION. No person may knowingly make or cause to be made  
19 a false or misleading statement in any document submitted to the department under  
20 this section.

21           \***b0435/1.4\*** SECTION 2645m. 292.66 (2) (e) of the statutes is repealed.

22           \***b0435/1.4\*** SECTION 2645p. 292.66 (2) (g) of the statutes is created to read:

23           292.66 (2) (g) The owner or operator of a dry cleaning facility that is operating  
24 at the time that the owner or operator applies for assistance under this section

1 certifies that any perchloroethylene delivered to the dry cleaning facility is delivered  
2 using a closed, direct-coupled delivery system.

3 **\*-0432/1.1\* SECTION 2646.** 292.66 (3) of the statutes is amended to read:

4 292.66 (3) An award under this section ~~may not exceed \$15,000, of which not~~  
5 ~~more than \$2,500 may be~~ shall equal 50% of the eligible costs, except that an award  
6 may not exceed \$20,000. Of the total award, the reimbursement for the preliminary  
7 site screening shall equal 50% of the cost of conducting the preliminary site  
8 screening, except that the reimbursement for the preliminary site screening may not  
9 exceed \$3,000.

10 **\*-1387/1.2\* SECTION 2647.** 292.66 (5) of the statutes is created to read:

11 292.66 (5) No person may knowingly make or cause to be made a false or  
12 misleading statement in any document submitted to the department under this  
13 section.

14 **\*-1420/2.3\* SECTION 2649.** 292.75 of the statutes is created to read:

15 **292.75 Brownfield site assessment grants.** (1) DEFINITIONS. In this  
16 section:

17 (a) "Eligible site or facility" means an abandoned, idle or underused industrial  
18 or commercial facility or site, the expansion or redevelopment of which is adversely  
19 affected by actual or perceived environmental contamination.

20 (b) "Local governmental unit" means a city, village, town, county,  
21 redevelopment authority created under s. 66.431, community development  
22 authority created under s. 66.4325, or housing authority.

23 (c) "Petroleum product" has the meaning given in s. 101.143 (1) (f).

24 (d) "Underground hazardous substance storage tank system" means an  
25 underground storage tank used for storing a hazardous substance other than a

1 petroleum product together with any on-site integral piping or dispensing system  
2 with at least 10% of its total volume below the surface of the ground.

3 (e) “Underground petroleum product storage tank” has the meaning given in  
4 s. 101.143 (1) (i).

5 **(2) DUTIES OF THE DEPARTMENT.** (a) The department shall administer a  
6 program to award brownfield site assessment grants from the appropriation under  
7 s. 20.370 (6) (et) to local governmental units for the purposes of conducting any of the  
8 eligible activities under sub. (3).

9 (b) The department may not award a grant to a local governmental unit under  
10 this section if that local governmental unit caused the environmental contamination  
11 that is the basis for the grant request.

12 (c) The department may only award grants under this section if the person that  
13 caused the environmental contamination that is the basis for the grant request is  
14 unknown, cannot be located or is financially unable to pay the cost of the eligible  
15 activities.

16 (d) The department shall promulgate rules as necessary to administer the  
17 program. Rules promulgated by the department under this paragraph may limit the  
18 total amount of funds that may be used to cover the costs of each category of eligible  
19 activity described in sub. (3).

20 **(3) ELIGIBLE ACTIVITIES.** The department may award grants to local  
21 governmental units to cover the costs of the following activities:

22 (a) The investigation of environmental contamination on an eligible site or  
23 facility for the purposes of reducing or eliminating environmental contamination.

24 (b) The demolition of any structures, buildings or other improvements located  
25 on an eligible site or facility.

1 (c) The removal of abandoned containers, as defined in s. 292.41 (1), from an  
2 eligible site or facility.

3 (d) Asbestos abatement activities, as defined in s. 254.11 (2), conducted on an  
4 eligible site or facility.

5 (e) The removal of underground hazardous substance storage tank systems.

6 (f) The removal of underground petroleum product storage tank systems.

7 **(4) APPLICATION FOR GRANT.** The applicant shall submit an application on a form  
8 prescribed by the department and shall include any information that the department  
9 finds necessary to calculate the amount of a grant.

10 **(5) GRANT CRITERIA.** The department shall consider the following criteria when  
11 determining whether to award a grant:

12 (a) The local governmental unit's demonstrated commitment to performing and  
13 completing necessary environmental remediation activities on the eligible site,  
14 including the local governmental unit's financial commitment.

15 (b) The degree to which the project will have a positive impact on public health  
16 and the environment.

17 (c) Other criteria that the department finds necessary to calculate the amount  
18 of a grant.

19 **(6) LIMITATION OF GRANT.** The total amount of all grants awarded to a local  
20 governmental unit in a fiscal year under this section shall be limited to an amount  
21 equal to 15% of the available funds appropriated under s. 20.370 (6) (et) for the fiscal  
22 year.

23 **(7) MATCHING FUNDS.** The department may not distribute a grant unless the  
24 applicant contributes matching funds equal to 20% of the grant. Matching funds  
25 may be in the form of cash or in-kind contribution or both.

1           **\*b0438/2.15\* SECTION 2649h.** 292.77 of the statutes is created to read:

2           **292.77 Sustainable urban development zone program.** (1) In this  
3 section, “brownfields” has the meaning given in s. 560.13 (1) (a).

4           (2) The department shall develop and, beginning no later than January 1,  
5 2001, administer a pilot program in the city of Green Bay, the city of La Crosse, the  
6 city of Milwaukee and the city of Oshkosh that promotes the use of financial  
7 incentives to clean up and redevelop brownfields. Funds provided under the  
8 program may be used to investigate environmental contamination and to conduct  
9 cleanups of brownfields in those cities.

10           (3) In developing and administering the pilot program under sub. (2), the  
11 department shall consult and coordinate with the department of administration, the  
12 department of commerce, the department of health and family services, the  
13 department of revenue, the department of transportation and the cities specified in  
14 sub. (2).

15           (4) During the 1999–2001 fiscal biennium, the department shall make the  
16 following amounts available through the pilot program under sub. (2):

- 17           (a) To the city of Green Bay, \$500,000.  
18           (b) To the city of La Crosse, \$500,000.  
19           (c) To the city of Milwaukee, \$1,000,000.  
20           (d) To the city of Oshkosh, \$250,000.

21           (5) (a) The department of commerce shall certify a person conducting a project  
22 under the pilot program as eligible to claim a tax credit under s. 71.07 (2dy), 71.28  
23 (1dy) or 71.47 (1dy) while the person is conducting the project.

1 (b) Within 3 months after a person is certified under par. (a), the department  
2 of commerce shall estimate the amount of tax benefits that the person will claim  
3 while conducting the project.

4 (c) The department of commerce shall provide a person certified under par. (a)  
5 and the department of revenue with a copy of the certification. The certification shall  
6 include all of the following:

- 7 1. The name and address of the person's business.
- 8 2. The location and description of the project.
- 9 3. The appropriate Wisconsin tax identification number of the person.
- 10 4. The names and addresses of other locations where the person conducts  
11 business and a description of the business activities conducted at those locations.
- 12 5. Other information required by the department of natural resources or the  
13 department of revenue.

14 (d) The department of commerce shall promulgate rules that further define a  
15 person's eligibility to claim the tax credit.

16 **\*-1387/1.3\* SECTION 2650.** 292.99 (1) of the statutes is amended to read:

17 292.99 (1) Any Except as provided under sub. (1m), any person who violates  
18 this chapter or any rule promulgated or any plan approval, license or special order  
19 issued under this chapter shall forfeit not less than \$10 nor more than \$5,000 for each  
20 violation. Each day of continued violation is a separate offense. While an order is  
21 suspended, stayed or enjoined, this penalty does not accrue.

22 **\*-1387/1.4\* SECTION 2651.** 292.99 (1m) of the statutes is created to read:

23 292.99 (1m) Any person who violates s. 292.65 (12m) or 292.66 (5) shall forfeit  
24 not less than \$10 nor more than \$10,000.

25 **\*-1387/1.5\* SECTION 2652.** 292.99 (2) of the statutes is amended to read:

1           292.99 (2) In addition to the penalties provided under ~~sub.~~ subs. (1) and (1m),  
2 the court may award the department of justice the reasonable and necessary  
3 expenses of the investigation and prosecution of the violation, including attorney  
4 fees. The department of justice shall deposit in the state treasury for deposit into the  
5 general fund all moneys that the court awards to the department or the state under  
6 this subsection. Ten percent of the money deposited in the general fund that was  
7 awarded under this subsection for the costs of investigation and the expenses of  
8 prosecution, including attorney fees, shall be credited to the appropriation account  
9 under s. 20.455 (1) (gh).

10           **\*b0445/1.1\* SECTION 2652j.** 293.41 (2) (g) of the statutes is amended to read:

11           293.41 (2) (g) A provision for the amendment of the agreement. The agreement  
12 shall provide that the agreement is subject to amendment at the request of either  
13 party if additional information relevant to the issues addressed in the agreement is  
14 obtained after the agreement takes effect but before the hearing under s. 293.43.

15           **\*b0445/1.1\* SECTION 2652k.** 293.41 (6) of the statutes is created to read:

16           293.41 (6) If an agreement takes effect before the effective date of this  
17 subsection .... [revisor inserts date], with respect to a mining permit application for  
18 which the department has not issued or denied a mining permit on the effective date  
19 of this subsection .... [revisor inserts date], the county, town, village, city or tribal  
20 government that entered into the agreement may request the operator to engage in  
21 negotiations regarding an amendment to the agreement based on additional  
22 information that is relevant to the issues addressed in the agreement and that is first  
23 obtained after the agreement takes effect but before the hearing under s. 293.43.

24           **\*b0445/1.1\* SECTION 2652L.** 293.49 (2) (g) of the statutes is created to read:



1           293.49 (2) (g) That the applicant failed to negotiate with a county, town, village,  
2 city or tribal government under s. 293.41 (6).

3           \***-1164/5.51\*** SECTION 2653. 295.11 (10) of the statutes is amended to read:

4           295.11 (10) "Solid waste" means any garbage, refuse, sludge from a waste  
5 treatment plant, water supply treatment plant or air pollution control facility and  
6 other discarded or salvageable materials, including solid, liquid, semisolid, or  
7 contained gaseous materials resulting from industrial, commercial, mining and  
8 agricultural operations, and from community activities, but does not include solids  
9 or dissolved material in domestic sewage, or solid or dissolved materials in irrigation  
10 return flows or industrial discharges which are point sources subject to permits  
11 under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear  
12 material, as defined in s. 254.31 (11), or by-product material, as defined in s. 254.31  
13 ~~(3)~~ (1).

14           \***b0444/1.1\*** SECTION 2653d. 295.16 (1) (c) of the statutes is created to read:

15           295.16 (1) (c) The requirements for a nonmetallic mining reclamation plan  
16 under s. 295.12 (3) (c), for public notice and an opportunity for a public informational  
17 hearing under s. 295.12 (3) (d) and for proof of financial responsibility under s. 295.12  
18 (3) (ds) do not apply to nonmetallic mining to obtain stone, soil, sand or gravel for the  
19 construction, maintenance or repair of a highway, railroad, airport facility, or any  
20 other transportation facility, conducted under contract with a municipality, as  
21 defined in s. 299.01 (8), if the contract requires the nonmetallic mining site to be  
22 reclaimed in accordance with the requirements of the department of transportation  
23 concerning the restoration of nonmetallic mining sites.

24           \***-0240/1.2\*** SECTION 2670. 299.13 (title) of the statutes is amended to read:

25           **299.13** (title) **Hazardous pollution Pollution prevention.**

1           \***-0240/1.3\*** SECTION 2671. 299.13 (1) (be) of the statutes is created to read:  
2           299.13 (1) (be) “Center” means the solid and hazardous waste education center  
3 under s. 36.25 (30).

4           \***-0240/1.4\*** SECTION 2672. 299.13 (1) (c) of the statutes is repealed.

5           \***-0240/1.5\*** SECTION 2673. 299.13 (1) (dm) of the statutes is created to read:  
6           299.13 (1) (dm) 1. “Pollution prevention” means an action that does any of the  
7 following:

8           a. Prevents waste from being created.

9           b. Reduces the amount of waste that is created.

10          c. Changes the nature of waste being created in a way that reduces the hazards  
11 to public health or the environment posed by the waste.

12          2. “Pollution prevention” does not include incineration, recycling or treatment  
13 of a waste, changes in the manner of disposal of a waste or any practice that changes  
14 the characteristics or volume of a waste if the practice is not part of the process that  
15 produces a product or provides a service.

16          \***-0240/1.6\*** SECTION 2674. 299.13 (1) (e) of the statutes is repealed.

17          \***-0240/1.7\*** SECTION 2675. 299.13 (1m) (intro.) of the statutes is amended to  
18 read:

19          299.13 (1m) PROMOTION OF HAZARDOUS POLLUTION PREVENTION. (intro.) In  
20 carrying out the duties under this section and ss. 36.25 (30) and 560.19, the  
21 department, the department of commerce and the ~~program center~~ shall promote all  
22 of the following techniques for hazardous pollution prevention:

23          \***-0240/1.8\*** SECTION 2676. 299.13 (1m) (f) of the statutes is created to read:  
24          299.13 (1m) (f) Reducing energy use.

25          \***-0240/1.9\*** SECTION 2677. 299.13 (1m) (g) of the statutes is created to read:

1 299.13 (1m) (g) Training employes to minimize waste.

2 **\*-0240/1.10\* SECTION 2678.** 299.13 (2) (a) of the statutes is amended to read:

3 299.13 (2) (a) Designate an employe of the department to serve as ~~hazardous~~  
4 pollution prevention coordinator and to do all of the following:

5 2. Recommend educational priorities to the university of Wisconsin—extension  
6 for the ~~program~~ center, considering volume and toxicity of hazardous substances,  
7 toxic pollutants and hazardous waste produced, lack of compliance with  
8 environmental standards, potential for ~~hazardous~~ pollution prevention and  
9 projected shortfalls in hazardous waste treatment or disposal facilities under the  
10 capacity assurance plan.

11 3. Coordinate the department's ~~hazardous~~ pollution prevention efforts with  
12 those of other governmental agencies and private groups.

13 4. Provide training concerning ~~hazardous~~ pollution prevention to employes of  
14 the department.

15 **\*-0240/1.11\* SECTION 2679.** 299.13 (2) (b) of the statutes is amended to read:

16 299.13 (2) (b) Identify all department requirements for reporting on ~~hazardous~~  
17 pollution prevention and, to the extent possible and practical, standardize,  
18 coordinate and consolidate the reporting in order to minimize duplication and  
19 provide useful information on ~~hazardous~~ pollution prevention to the legislature and  
20 the public.

21 **\*-0240/1.12\* SECTION 2680.** 299.13 (2) (d) of the statutes is amended to read:

22 299.13 (2) (d) Seek federal funding to promote ~~hazardous~~ pollution prevention.

23 **\*b0301/1.1\* SECTION 2680v.** 299.15 (3) (cm) 1. of the statutes is created to read:

24 299.15 (3) (cm) 1. In fiscal year 1999–2000, the department may not charge  
25 total fees under par. (am) that exceed \$7,450,000.

1           \***-1283/1.1**\* SECTION 2681. 299.15 (3) (cm) 2. of the statutes is amended to read:  
2           299.15 (3) (cm) 2. In any fiscal year after fiscal year 1999–2000, the department  
3 may not charge total fees under par. (am) that exceed ~~\$7,450,000~~ \$7,925,000.

4           \***b0301/1.3**\* SECTION 2681e. 299.15 (3) (e) of the statutes is created to read:  
5           299.15 (3) (e) In the rules under par. (am) 3. for fees required to be paid in fiscal  
6 years beginning with fiscal year 2000–01, the department shall do all of the  
7 following:

8           1. Use the fees paid by a person in fiscal year 1999–2000 as the basis for the  
9 person’s fees.

10          2. Determine the fee for each person based on the number of units of pollutants  
11 discharged by the person, using a 5–year rolling average.

12          3. Use a performance–based approach that increases a person’s fees in  
13 proportion to increases in the number of units of pollutants discharged by the person,  
14 as determined under subd. 2., and decreases a person’s fees in proportion to  
15 decreases in the number of units of pollutants discharged by the person, as  
16 determined under subd. 2.

17          4. Omit any multiplier or similar mechanism that would increase a person’s  
18 fees in order to compensate for decreases in overall amounts of discharges.

19          5. Omit any provision that would increase the fee per unit of pollutant  
20 discharged in order to compensate for decreases in overall amounts of discharges.

21           \***b0435/1.5**\* SECTION 2681k. 299.47 of the statutes is created to read:

22           **299.47 Sale and delivery of dry cleaning solvent.** (1) In this section:

23           (a) “Dry cleaning facility” has the meaning given in s. 292.65 (1) (d).

24           (b) “Dry cleaning solvent” has the meaning given in s. 292.65 (1) (e).

1 (c) "Owner" means a person who owns, or has possession or control of, a dry  
2 cleaning facility, or who receives direct or indirect consideration from the operation  
3 of a dry cleaning facility.

4 (2) A supplier of dry cleaning solvent may not sell or deliver to the owner or  
5 operator of a dry cleaning facility any dry cleaning solvent unless the dry cleaning  
6 facility is licensed under s. 77.9961 (2).

7 (3) Any person who violates sub. (2) may be required to forfeit not more than  
8 \$500 for each violation.

9 **\*-0236/2.6\* SECTION 2682.** 299.95 of the statutes is amended to read:

10 **299.95 Enforcement; duty of department of justice; expenses.** The  
11 attorney general shall enforce chs. 281 to 285 and 289 to 295 and this chapter, except  
12 ss. 281.48, 285.57, 285.59 and 299.64, and all rules, special orders, licenses, plan  
13 approvals and permits of the department, except those promulgated or issued under  
14 ss. 281.48, 285.57, 285.59 and 299.64 and except as provided in s. 285.86. The circuit  
15 court for Dane county or for any other county where a violation occurred in whole or  
16 in part has jurisdiction to enforce chs. 281 to 285 and 289 to 295 or this chapter or  
17 the rule, special order, license, plan approval or permit by injunctive and other  
18 relief appropriate for enforcement. For purposes of this proceeding where chs. 281  
19 to 285 and 289 to 295 or this chapter or the rule, special order, license, plan approval  
20 or permit prohibits in whole or in part any pollution, a violation is considered a public  
21 nuisance. The department of natural resources may enter into agreements with the  
22 department of justice to assist with the administration of chs. 281 to 285 and 289 to  
23 295 and this chapter. Any funds paid to the department of justice under these  
24 agreements shall be credited to the appropriation account under s. 20.455 (1) (k).

25 **\*b0435/1.6\* SECTION 2682m.** 299.97 (1) of the statutes is amended to read:

1           299.97 (1) Any person who violates this chapter, except s. 299.15 (1), 299.47  
2           (2), 299.51 (4) (b), 299.53 (2) (a) or (3), 299.62 (2) or 299.64 (2), or any rule  
3           promulgated or any plan approval, license or special order issued under this chapter,  
4           except under those sections, shall forfeit not less than \$10 nor more than \$5,000, for  
5           each violation. Each day of continued violation is a separate offense. While the order  
6           is suspended, stayed or enjoined, this penalty does not accrue.

7           \*1978/2.1\* SECTION 2689. 301.029 of the statutes is created to read:

8           **301.029 Contracts requiring prisoner access to personal information.**

9           (1) In this section, “financial transaction card” has the meaning given in s. 943.41  
10          (1) (em).

11          (2) (a) The department may not enter into any contract or other agreement if,  
12          in the performance of the contract or agreement, a prisoner would perform data entry  
13          or telemarketing services and have access to an individual’s financial transaction  
14          card numbers, checking or savings account numbers or social security number.

15          (b) The department may not enter into any contract or other agreement if, in  
16          the performance of the contract or agreement, a prisoner would perform data entry  
17          services or telemarketing services and have access to any information that may serve  
18          to identify a minor.

19          \*b0587/2.5\* SECTION 2689m. 301.03 (3c) of the statutes is amended to read:

20          301.03 (3c) If requested by the department of health and family services,  
21          contract with that department to supervise and provide services to persons who are  
22          conditionally transferred or discharged under s. 51.37 (9), conditionally released  
23          under s. 971.17 (3) or placed on supervised release under s. 980.06 (2), 1997 stats.,  
24          or s. 980.08.

1           **\*b0468/1.1\* SECTION 2692e.** 301.048 (2) of the statutes is renumbered 301.048  
2 (2) (am), and 301.048 (2) (am) (intro.) and 2., as renumbered, are amended to read:

3           301.048 (2) (am) (intro.) ~~A Except as provided in par. (bm), a person enters the~~  
4 intensive sanctions program only if he or she has been convicted of a felony and only  
5 under one of the following circumstances:

6           2. He or she is a prisoner serving a felony sentence not punishable by life  
7 imprisonment and the department directs him or her to participate in the program.  
8 This ~~paragraph~~ subdivision does not apply to a prisoner serving a bifurcated  
9 sentence imposed under s. 973.01.

10           **\*b0468/1.1\* SECTION 2692m.** 301.048 (2) (bm) of the statutes is created to read:

11           301.048 (2) (bm) 1. In this paragraph, “violent offense” means:

12           a. A crime specified in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09,  
13 940.10, 940.19 (3), (4) or (5), 940.195 (3), (4) or (5), 940.20, 940.201, 940.203, 940.21,  
14 940.225 (1) to (3), 940.23, 940.285 (2) (a) 1. or 2., 940.29, 940.295 (3) (b) 1g., 1m., 1r.,  
15 2. or 3., 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20 (2) or (3), 941.26, 941.30,  
16 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06, 943.10 (2), 943.23  
17 (1g), (1m) or (1r), 943.30, 943.32, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03,  
18 948.04, 948.05, 948.06, 948.07, 948.08 or 948.30.

19           b. A crime under federal law, the law of any other state or, prior to the effective  
20 date of this subdivision 1. b. .... [revisor inserts date], the law of this state that is  
21 comparable to a crime specified in subd. 1. a.

22           2. A person who has at any time been convicted, adjudicated delinquent or  
23 found not guilty or not responsible by reason of insanity or mental disease, defect or  
24 illness of or for a violent offense is not eligible for the intensive sanctions program.

25           **\*b0468/1.1\* SECTION 2692s.** 301.048 (4) (a) of the statutes is amended to read:

1           301.048 (4) (a) A participant is in the custody and under the control of the  
2 department, subject to its rules and discipline. A participant entering the program  
3 under sub. (2) ~~(a) or (b)~~ (am) 1. or 2. is a prisoner. A participant entering the program  
4 under sub. (2) ~~(e)~~ (am) 3. is a prisoner, except that he or she is a parolee for purposes  
5 of revocation. A participant entering the program under sub. (2) ~~(em)~~ (am) 3m. is a  
6 prisoner, except that he or she remains a person on extended supervision for  
7 purposes of revocation. A participant entering the program under sub. (2) ~~(d)~~ (am)  
8 4. is a prisoner, except that he or she remains a probationer, parolee or person on  
9 extended supervision, whichever is applicable, for purposes of revocation.

10           **SECTION 2695m.** 301.16 (1q) of the statutes is created to read:

11           301.16 (1q) The department shall establish probation and parole holding  
12 facilities, one of which shall be the probation and parole holding and alcohol and  
13 other drug abuse treatment facility in the city of Milwaukee, as enumerated in 1997  
14 Wisconsin Act 27, section 9107 (1) (b) 1.

15           \***-2565/P5.4**\* **SECTION 2698g.** 301.16 (1v) of the statutes is created to read:

16           301.16 (1v) In addition to the institutions under sub. (1), the department shall  
17 establish a medium security correctional institution in Chippewa Falls.

18           \***-2565/P5.5**\* **SECTION 2698m.** 301.18 (1) (c) of the statutes is created to read:

19           301.18 (1) (c) Provide the facilities necessary for the correctional institution  
20 under s. 301.16 (1v) using the Highview building located at the Northern Wisconsin  
21 Center for the Developmentally Disabled and converted to a correctional facility  
22 under 1999 Wisconsin Act .... (this act), section 9107 (1) (b) 1.

23           \***b0523/3.6**\* **SECTION 2698s.** 301.18 (1g) of the statutes is created to read:

24           301.18 (1g) The department of administration may acquire or lease  
25 correctional facilities under 1999 Wisconsin Act .... (this act), section 9111(4xt) (b).



1           **\*b0523/3.6\* SECTION 2698w.** 301.19 of the statutes is created to read:

2           **301.19 Construction of correctional facilities by private persons. (1)**

3           In this section:

4           (a) "Authorized jurisdiction" means a county, a group of counties acting under  
5           s. 302.44, the United States or a federally recognized American Indian tribe or band  
6           in this state.

7           (b) "Correctional facility" means a prison, jail, house of correction or lockup  
8           facility but does not include an institution or facility or a portion of an institution or  
9           facility that is used solely to confine juveniles alleged or found to be delinquent under  
10          ch. 48, 1993 stats., or ch. 938.

11          **(2)** No private person may commence construction of a correctional facility or  
12          commence conversion of an existing building, structure or facility into a correctional  
13          facility unless all of the following requirements are met:

14          (a) The building commission has authorized the lease or acquisition of the  
15          building, structure or facility by the state upon the completion of the construction or  
16          conversion.

17          (b) The building, structure or facility is enumerated in the authorized state  
18          building program.

19          (c) The private person agrees to comply with s. 20.924 (1) (i) 1., 2. and 3.

20          **(3)** Subsection (2) does not apply to buildings, structures or facilities that are  
21          constructed or converted under a contract with and for use by an authorized  
22          jurisdiction.

23          **\*b0523/3.7\* SECTION 2699m.** 301.235 (2) (e) of the statutes is amended to read:

1           301.235 (2) (e) All laws, except s. 20.924 (1) (i) and ch. 150, conflicting with this  
2 section are, insofar as they conflict with this section and no further, superseded by  
3 this section.

4           \*~~2105/1.54~~\* SECTION 2700. 301.26 (4) (c) of the statutes is amended to read:

5           301.26 (4) (c) Notwithstanding pars. (a), (b) and (bm), the department of  
6 corrections shall pay, from the appropriation ~~account~~ under s. 20.410 (3) (hm), (ho)  
7 or (hr), the costs of care, services and supplies provided for each person receiving  
8 services under s. 46.057, 48.366, 51.35 (3), 938.183 or 938.34 who was under the  
9 guardianship of the department of health and family services pursuant to an order  
10 under ch. 48 at the time that the person was adjudicated delinquent.

11           \*~~b0590/3.4~~\* SECTION 2703d. 301.26 (4) (d) 2. of the statutes is amended to  
12 read:

13           301.26 (4) (d) 2. Beginning on July 1, ~~1997~~ 1999, and ending on  
14 December 31, ~~1997~~ 1999, the per person daily cost assessment to counties shall be  
15 ~~\$150.44~~ \$153.01 for care in a Type 1 secured correctional facility, as defined in s.  
16 938.02 (19), ~~\$150.44~~ \$153.01 for care for juveniles transferred from a juvenile  
17 correctional institution under s. 51.35 (3), ~~\$160.22~~ \$183.72 for care in a child caring  
18 institution, including a secured child caring institution, ~~\$111.16~~ \$118.93 for care in  
19 a group home for children, ~~\$24.78~~ \$26.17 for care in a foster home, ~~\$71.35~~ \$75.37 for  
20 care in a treatment foster home, ~~\$88.19~~ \$72.66 for departmental corrective sanctions  
21 services and ~~\$16.98~~ \$19.76 for departmental aftercare services.

22           \*~~b0590/3.4~~\* SECTION 2703e. 301.26 (4) (d) 3. of the statutes is amended to read:

23           301.26 (4) (d) 3. In calendar year ~~1998~~ 2000, the per person daily cost  
24 assessment to counties shall be ~~\$154.94~~ \$153.55 for care in a Type 1 secured  
25 correctional facility, as defined in s. 938.02 (19), ~~\$154.94~~ \$153.55 for care for juveniles

1 transferred from a juvenile correctional institution under s. 51.35 (3), ~~\$161.79~~  
2 \$187.21 for care in a child caring institution, including a secured child caring  
3 institution, ~~\$112.25~~ \$121.19 for care in a group home for children, ~~\$25.02~~ \$26.67 for  
4 care in a foster home, ~~\$72.05~~ \$76.80 for care in a treatment foster home, ~~\$80.41~~  
5 \$74.68 for departmental corrective sanctions services and ~~\$17.18~~ \$19.15 for  
6 departmental aftercare services.

7 \*b0590/3.4\* SECTION 2703f. 301.26 (4) (d) 4. of the statutes is amended to read:

8 301.26 (4) (d) 4. Beginning on January 1, ~~1999~~ 2001, and ending on June 30,  
9 ~~1999~~ 2001, the per person daily cost assessment to counties shall be ~~\$159.46~~ \$154.08  
10 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~\$159.46~~  
11 \$154.08 for care for juveniles transferred from a juvenile correctional institution  
12 under s. 51.35 (3), ~~\$163.36~~ \$190.70 for care in a child caring institution, including  
13 a secured child caring institution, ~~\$113.34~~ \$123.45 for care in a group home for  
14 children, ~~\$25.26~~ \$27.16 for care in a foster home, ~~\$72.75~~ \$78.23 for care in a  
15 treatment foster home, ~~\$74.35~~ \$76.71 for departmental corrective sanctions services  
16 and ~~\$17.39~~ \$18.62 for departmental aftercare services.

17 \*~~0280/2.2~~\* SECTION 2709. 301.26 (4) (g) of the statutes is amended to read:

18 301.26 (4) (g) For juvenile field and institutional aftercare services under ch.  
19 938 and for the office of juvenile offender review, all payments and deductions made  
20 under this subsection and uniform fee collections under s. 301.03 (18) shall be  
21 ~~deposited in the general fund and shall be treated as a nonappropriated receipt~~  
22 credited to the appropriation account under s. 20.410 (3) (hm).

23 \*b0590/3.5\* SECTION 2709g. 301.26 (7) (intro.) of the statutes is amended to  
24 read:

1           301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability  
2 of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the  
3 department shall allocate funds for community youth and family aids for the period  
4 beginning on July 1, ~~1997~~ 1999, and ending on June 30, ~~1999~~ 2001, as provided in  
5 this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

6           **\*b0590/3.5\* SECTION 2709h.** 301.26 (7) (a) of the statutes is renumbered  
7 301.26 (7) (a) (intro.) and amended to read:

8           301.26 (7) (a) (intro.) For community youth and family aids under this section,  
9 amounts not to exceed ~~\$41,649,700~~ \$42,091,800 for the last 6 months of ~~1997~~,  
10 ~~\$82,741,700~~ 1999, ~~\$85,183,700~~ for ~~1998~~ 2000 and ~~\$41,091,900~~ \$43,091,900 for the  
11 first 6 months of ~~1999~~. 2001. Of those amounts, the department shall allocate  
12 \$1,000,000 for the last 6 months of 1999, \$3,000,000 for 2000 and \$2,000,000 for the  
13 first 6 months of 2001 to counties based on each of the following factors weighted  
14 equally:

15           **\*b0590/3.5\* SECTION 2709i.** 301.26 (7) (a) 1. of the statutes is created to read:  
16 301.26 (7) (a) 1. Each county's proportion of the total statewide juvenile  
17 population for the most recent year for which that information is available.

18           **\*b0590/3.5\* SECTION 2709j.** 301.26 (7) (a) 2. of the statutes is created to read:  
19 301.26 (7) (a) 2. Each county's proportion of the total Part I juvenile arrests  
20 reported statewide under the uniform crime reporting system of the office of justice  
21 assistance during the most recent 3-year period for which that information is  
22 available.

23           **\*b0590/3.5\* SECTION 2709k.** 301.26 (7) (a) 3. of the statutes is created to read:  
24 301.26 (7) (a) 3. Each county's proportion of the number of juveniles statewide  
25 who are placed in a juvenile correctional institution or a secured child caring

1 institution, as defined in s. 938.02 (15g), during the most recent 3-year period for  
2 which that information is available.

3 **\*b0590/3.5\* SECTION 2709m.** 301.26 (7) (e) of the statutes is amended to read:

4 301.26 (7) (e) For emergencies related to community youth and family aids  
5 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~1997~~  
6 1999, \$250,000 for ~~1998~~ 2000 and \$125,000 for the first 6 months of ~~1999~~ 2001. A  
7 county is eligible for payments under this paragraph only if it has a population of not  
8 more than 45,000.

9 **\*b0590/3.5\* SECTION 2709n.** 301.26 (7) (h) of the statutes is amended to read:

10 301.26 (7) (h) For counties that are participating in the corrective sanctions  
11 program under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~1997~~ 1999,  
12 \$2,124,800 in ~~1998~~ 2000 and \$1,062,400 in the first 6 months of ~~1999~~ 2001 for the  
13 provision of corrective sanctions services for juveniles from that county. In  
14 distributing funds to counties under this paragraph, the department shall determine  
15 a county's distribution by dividing the amount allocated under this paragraph by the  
16 number of slots authorized for the program under s. 938.533 (2) and multiplying the  
17 quotient by the number of slots allocated to that county by agreement between the  
18 department and the county. The department may transfer funds among counties as  
19 necessary to distribute funds based on the number of slots allocated to each county.

20 **\*b0590/3.5\* SECTION 2709p.** 301.26 (8) of the statutes is amended to read:

21 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the  
22 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last  
23 6 months of ~~1997~~ 1999, \$1,333,400 in ~~1998~~ 2000 and \$666,700 in the first 6 months  
24 of ~~1999~~ 2001 for alcohol and other drug abuse treatment programs.

25 **\*b0590/3.5\* SECTION 2709r.** 301.263 (1) of the statutes is amended to read:

1           301.263 (1) From the appropriation under s. 20.410 (3) (f), the department shall  
2 distribute ~~\$3,750,000~~ \$5,000,000 in each year to counties for early intervention  
3 services for first offenders and for intensive community-based intervention services  
4 for seriously chronic offenders.

5           **\*b0461/4.21\* SECTION 2710m.** 301.265 (3) of the statutes is amended to read:

6           301.265 (3) From the appropriations under s. 20.410 (3) (d) and (kj), the  
7 department shall allocate \$150,000 in each fiscal year to enter into a contract with  
8 an organization to provide services in Racine County, \$150,000 in each fiscal year to  
9 enter into a contract with an organization to provide services in Kenosha County,  
10 \$150,000 in each fiscal year to enter into a contract with an organization that is  
11 located in ward 1 in the city of Racine to provide services in Racine County and  
12 ~~\$75,000~~ \$150,000 in each fiscal year to enter into a contract with an organization to  
13 provide services in Brown County, for the diversion of youths from gang activities  
14 into productive activities, including placement in appropriate educational,  
15 recreational and employment programs, and for alcohol or other drug abuse  
16 education and treatment services for participants in that organization's youth  
17 diversion program. The organization that is located in ward 1 in the city of Racine  
18 shall have a recreational facility, shall offer programs to divert youths from gang  
19 activities, may not be affiliated with any national or state association and may not  
20 have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s.  
21 16.75, the department may enter into a contract under this subsection without  
22 soliciting bids or proposals and without accepting the lowest responsible bid or offer.

23           **\*-0337/1.1\* SECTION 2711.** 301.27 (2) of the statutes is amended to read:

24           301.27 (2) VENDING STANDS. The department shall establish and maintain a  
25 revolving fund not exceeding ~~\$60,000~~ \$100,000 in any of the state institutions

1 administered by the department, for the education, recreation and convenience of  
2 the patients, inmates and employes, to be used for the operation of vending stands,  
3 canteen operations, reading clubs, musical organizations, religious programs,  
4 athletics and similar projects. The funds are exempt from s. 20.906, but are subject  
5 to audit by the department and the legislative audit bureau in its discretion.

6 **\*b0587/2.6\* SECTION 2717j.** 301.45 (3) (a) 3r. of the statutes is amended to  
7 read:

8 301.45 (3) (a) 3r. If the person has been committed under ch. 980, he or she is  
9 subject to this subsection upon being placed on supervised release under s. 980.06  
10 (2), 1997 stats., or s. 980.08 or, if he or she was not placed on supervised release,  
11 before being discharged under s. 980.09 or 980.10.

12 **SECTION 2718.** 302.01 of the statutes is amended to read:

13 **302.01 State prisons named and defined.** The penitentiary at Waupun is  
14 named "Waupun Correctional Institution". The correctional treatment center at  
15 Waupun is named "Dodge Correctional Institution". The penitentiary at Green Bay  
16 is named "Green Bay Correctional Institution". The medium/maximum penitentiary  
17 at Portage is named "Columbia Correctional Institution". The medium security  
18 institution at Oshkosh is named "Oshkosh Correctional Institution". The medium  
19 security penitentiary near Fox Lake is named "Fox Lake Correctional Institution".  
20 The penitentiary at Taycheedah is named "Taycheedah Correctional Institution".  
21 The medium security penitentiary at Plymouth is named "Kettle Moraine  
22 Correctional Institution". The penitentiary at the village of Sturtevant in Racine  
23 county is named "Racine Correctional Institution". The medium security  
24 penitentiary at Racine is named "Racine Youthful Offender Correctional Facility".  
25 The resource facility at Oshkosh is named "Wisconsin Resource Center". The

1 institutions named in this section, the correctional ~~institution~~ institutions  
2 authorized under s. 301.16 (1n) and (1v), correctional institution authorized under  
3 1997 Wisconsin Act 4, section 4 (1) (a), correctional institution authorized under s.  
4 301.046 (1), correctional institution authorized under s. 301.048 (4) (b), minimum  
5 security correctional institutions authorized under s. 301.13, the probation and  
6 parole holding facilities authorized under s. 301.16 (1q) and state-local shared  
7 correctional facilities when established under s. 301.14, are state prisons.

8 **\*b0469/4.4\* SECTION 2718e.** 303.01 (2) (em) of the statutes is amended to read:

9 303.01 (2) (em) Lease space, with or without equipment, within the precincts  
10 of state prisons, as specified in s. 302.02, or within the confines of correctional  
11 institutions operated by the department for holding in secure custody persons  
12 adjudged delinquent, to not more than 6 private businesses to employ prison inmates  
13 and institution residents to manufacture products or components or to provide  
14 services for sale on the open market. The department shall comply with s. 16.75 in  
15 selecting businesses under this paragraph. The department may enter into a  
16 contract under this paragraph only with the approval of the joint committee on  
17 finance. The department may not enter into or amend a contract under this  
18 paragraph unless the contract or amendment specifies each state prison or juvenile  
19 correctional institution at which the private business will employ inmates or  
20 institution residents. The private business may not employ inmates or institution  
21 residents at a state prison or juvenile correctional institution not specified in the  
22 contract without the approval of the joint committee on finance. The department  
23 shall consult with appropriate trade organizations and labor unions prior to issuing  
24 requests for proposals and prior to selecting proposals under this paragraph. Each  
25 such private business may conduct its operations as a private business, subject to the



1 wage standards under sub. (4), the disposition of earnings under sub. (8), the  
2 provisions regarding displacement in sub. (11), the requirements for notification and  
3 hearing under sub. (1) (c), the requirement for prison industries board approval  
4 under s. 303.015 (1) (b) and the authority of the department to maintain security and  
5 control in its institutions. The private business and its operations are not a prison  
6 industry. Inmates employed by the private business are not subject to the  
7 requirements of inmates participating in prison industries, except as provided in this  
8 paragraph;

9 \*b0469/4.4\* SECTION 2718em. 303.01 (2) (em) of the statutes, as affected by  
10 1999 Wisconsin Act .... (this act), is repealed.

11 \*b0469/4.4\* SECTION 2718g. 303.01 (8) (b) of the statutes is amended to read:  
12 303.01 (8) (b) The department shall distribute earnings of an inmate or  
13 resident, ~~other than an inmate or resident employed under sub. (2) (em)~~, for the crime  
14 victim and witness assistance surcharge under s. 973.045 (4), for the delinquency  
15 victim and witness assistance surcharge under s. 938.34 (8d) (c), for the  
16 deoxyribonucleic acid analysis surcharge under s. 973.046 (4) and for compliance  
17 with s. 303.06 (2) and may distribute earnings for the support of the inmate's or  
18 resident's dependents and for other obligations either acknowledged by the inmate  
19 or resident in writing or which have been reduced to judgment that may be satisfied  
20 according to law.

21 \*b0469/4.4\* SECTION 2718h. 303.01 (8) (c) of the statutes is repealed.

22 \*b0469/4.4\* SECTION 2718L. 303.01 (8) (d) of the statutes is repealed.

23 \*b0469/4.4\* SECTION 2718p. 303.01 (8) (e) of the statutes is repealed.

24 \*b0469/4.4\* SECTION 2718q. 303.01 (11) of the statutes is created to read:

25 303.01 (11) DISPLACEMENT. (a) In this subsection:

1           1. “Displace an employe” means to lay off an employe in this state as a direct  
2 result of work being performed in a state prison or juvenile correctional institution  
3 under a prison contract or to permanently transfer an employe in this state to  
4 another job that reduces the employe’s base pay, excluding overtime, differentials  
5 and bonuses, by more than 25% as a direct result of work being performed in a state  
6 prison or juvenile correctional institution under a prison contract.

7           2. “Prison contract” means a contract entered into by the department under  
8 sub. (2) (em).

9           3. “Private employer” means a private business that is a party to a prison  
10 contract.

11           (b) A private employer may not displace an employe or cause another private  
12 business to displace an employe.

13           (c) A private employer may not employ inmates or institution residents under  
14 a prison contract if any of the following applies:

15           1. The inmates or institution residents are to be employed in a skill, craft or  
16 trade in which there is a surplus of available labor in the locality of the private  
17 employer.

18           2. The employment of the inmates or institution residents will impair the  
19 performance of other contracts to which the private employer is a party.

20           3. The inmates or institution residents will replace employes who are on strike  
21 against the private employer or locked out of work.

22           (d) A private employer shall post in all of its workplaces a notice provided by  
23 the department containing a description of the nature of the prison contract and an  
24 explanation of what it means for an employe of a private employer to be displaced  
25 under this subsection and identifying a person at the department whom an employe

1 of a private employer may contact if the employe believes that he or she may have  
2 been displaced by a prison contract.

3 \*b0469/4.4\* SECTION 2718qm. 303.01 (11) of the statutes, as created by 1999  
4 Wisconsin Act .... (this act), is repealed.

5 \*b0469/4.4\* SECTION 2718v. 303.06 (3) of the statutes is repealed.

6 \*b0471/1.1\* SECTION 2718w. 303.08 (1) (cn) of the statutes is created to read:  
7 303.08 (1) (cn) Attending court proceedings to which the person is a party or  
8 for which the person has been subpoenaed as a witness;

9 \*b0469/4.4\* SECTION 2718y. 303.21 (1) (b) of the statutes is amended to read:  
10 303.21 (1) (b) Inmates are included under par. (a) if they are participating in  
11 a structured work program away from the institution grounds under s. 302.15 or a  
12 secure work program under s. 303.063. Inmates are not included under par. (a) if  
13 they are employed in a prison industry under s. 303.06 (2), participating in a work  
14 release program under s. 303.065 (2), ~~participating in employment with a private~~  
15 ~~business under s. 303.01 (2) (em)~~ or participating in the transitional employment  
16 program, but they are eligible for worker's compensation benefits under ch. 102.  
17 Residents subject to s. 303.01 (1) (b) are not included under par. (a) but they are  
18 eligible for worker's compensation benefits under ch. 102.

19 \*b0368/2.2\* SECTION 2718yn. 304.137 of the statutes is renumbered 304.137  
20 (1) and amended to read:

21 304.137 (1) PERSONS RELEASED OR PLACED ON PROBATION BEFORE JANUARY 1, 2000.  
22 If the department accepts supervision of a probationer, person on extended  
23 supervision or parolee from another state under s. 304.13 or 304.135 and the person  
24 was placed on probation or released on parole or extended supervision before  
25 January 1, 2000, the department shall determine whether the violation of law for

1 which the person is on probation, extended supervision or parole is comparable to a  
2 violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025. If the department  
3 determines that a person on probation, extended supervision or parole from another  
4 state who is subject to this subsection violated a law that is comparable to a violation  
5 of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025, the department shall direct the  
6 probationer, person on extended supervision or parolee to provide a biological  
7 specimen under s. 165.76.

8 **\*b0368/2.2\* SECTION 2718z.** 304.137 (2) of the statutes is created to read:

9 304.137 (2) PERSONS RELEASED OR PLACED ON PROBATION ON OR AFTER JANUARY 1,  
10 2000. If the department accepts supervision of a probationer, person on extended  
11 supervision or parolee from another state under s. 304.13 or 304.135 and the person  
12 was placed on probation or released on parole or extended supervision on or after  
13 January 1, 2000, the department shall determine whether the violation of law for  
14 which the person is on probation, extended supervision or parole would constitute  
15 a felony if committed by an adult in this state. If the department determines that  
16 a person on probation, extended supervision or parole from another state who is  
17 subject to this subsection violated a law that would constitute a felony if committed  
18 by an adult in this state, the department shall direct the probationer, person on  
19 extended supervision or parolee to provide a biological specimen under s. 165.76.

20 **\*b0238/4.11\* SECTION 2720dd.** 340.01 (11) (intro.) of the statutes is amended  
21 to read:

22 340.01 (11) (intro.) “Dealer” means a person who, for a commission or other  
23 thing of value, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale  
24 or exchange of an interest in motor vehicles, ~~mobile homes~~ recreational vehicles,  
25 trailers or semitrailers, or who is engaged wholly or in part in the business of selling

1 motor vehicles, ~~mobile homes~~ recreational vehicles, trailers or semitrailers, whether  
2 or not such vehicles are owned by that person, but not including:

3 **\*b0238/4.11\* SECTION 2720dh.** 340.01 (14) of the statutes is amended to read:

4 340.01 (14) "Distributor" means a person who in whole or in part sells or  
5 distributes motor vehicles, ~~mobile homes~~ recreational vehicles, trailers or  
6 semitrailers to dealers, or who maintains distributor representatives.

7 **\*b0238/4.11\* SECTION 2720dp.** 340.01 (28) of the statutes is amended to read:

8 340.01 (28) "Manufacturer" means a person who manufactures or assembles  
9 motor vehicles, ~~mobile homes~~ recreational vehicles, trailers or semitrailers, or who  
10 manufactures or installs on previously assembled truck chassis special bodies or  
11 equipment which when installed form an integral part of the motor vehicle and  
12 which constitutes a major manufacturing alteration.

13 **\*b0238/4.11\* SECTION 2720dt.** 340.01 (29) of the statutes is amended to read:

14 340.01 (29) "Mobile home" means a vehicle designed to be towed as a single unit  
15 or in sections upon a highway by a motor vehicle and equipped and used or intended  
16 to be used, primarily for human habitation, with walls of rigid uncollapsible  
17 construction. ~~A mobile home exceeding statutory size under s. 348.07 (2) shall be~~  
18 ~~considered a primary housing unit. A mobile home not exceeding the statutory size~~  
19 ~~under s. 348.07 (2) shall be considered a touring or recreational unit.~~

20 **\*b0288/1.1\* SECTION 2720du.** 340.01 (29m) (a) of the statutes is amended to  
21 read:

22 340.01 (29m) (a) A bicycle-type vehicle with fully operative pedals for  
23 propulsion by human power and an engine certified by the manufacturer at not more  
24 than ~~50~~ 130 cubic centimeters or an equivalent power unit.

25 **\*b0238/4.11\* SECTION 2720hd.** 340.01 (48r) of the statutes is created to read:

1           340.01 (48r) “Recreational vehicle” means a mobile home that does not exceed  
2 the statutory size under s. 348.07 (2).

3           **\*b0238/4.11\* SECTION 2720hh.** 340.01 (72) (a) of the statutes is amended to  
4 read:

5           340.01 (72) (a) A person engaged in this state in the business of transporting  
6 and delivering motor vehicles, trailers, semitrailers or ~~mobile homes~~ recreational  
7 vehicles in tow on their own wheels or under their own power from the manufacturer  
8 to the distributor, dealer or branch of the manufacturer, or from the distributor or  
9 dealer to another distributor or dealer, the manufacturer or branch of the  
10 manufacturer or from the branch of the manufacturer to the distributor, dealer or  
11 manufacturer.

12           **\*b0238/4.11\* SECTION 2720hp.** 341.04 (1) (intro.) of the statutes is amended  
13 to read:

14           341.04 (1) (intro.) It is unlawful for any person to operate or for an owner to  
15 consent to being operated on any highway of this state any motor vehicle, ~~mobile~~  
16 ~~home~~ recreational vehicle, trailer or semitrailer or any other vehicle for which a  
17 registration fee is specifically prescribed unless at the time of operation the vehicle  
18 in question either is registered in this state, or, except for registration under s. 341.30  
19 or 341.305, a complete application for registration, including evidence of any  
20 inspection under s. 110.20 when required, accompanied by the required fee has been  
21 delivered to the department, submitted to a dealer under s. 341.09 (2m) for  
22 transmittal to the department or deposited in the mail properly addressed with  
23 postage prepaid and, if the vehicle is an automobile, station wagon or motor truck  
24 having a registered weight of 8,000 pounds or less, the vehicle displays a temporary  
25 operation plate issued for the vehicle unless the operator or owner of the vehicle

1 produces proof that operation of the vehicle is within 2 business days of the vehicle's  
2 sale or transfer, or the vehicle in question is exempt from registration.

3 **\*b0238/4.11\* SECTION 2720ht.** 341.12 (1) of the statutes is amended to read:

4 341.12 (1) The department upon registering a vehicle pursuant to s. 341.25 or  
5 341.30 shall issue and deliver prepaid to the applicant 2 registration plates for an  
6 automobile, motor truck, motor bus, school bus, self-propelled ~~mobile home~~  
7 recreational vehicle or dual purpose motor home and one plate for other vehicles.  
8 The department upon registering a vehicle pursuant to any other section shall issue  
9 one plate unless the department determines that 2 plates will better serve the  
10 interests of law enforcement.

11 **\*-1452/1.1\* SECTION 2721.** 341.135 (1) of the statutes is amended to read:

12 341.135 (1) DESIGN. The Not later than July 1, 2000, and every 6th year  
13 thereafter, the department shall establish new designs of registration plates to be  
14 issued under ss. 341.14 (1a), (1m), (1q), (2), (2m), (6m) or (6r), 341.25 (1) (a), (c), (h)  
15 and (j) and (2) (a), (b) and (c) and 341.26 (2) and (3) (a) 1. and (am). The Any design  
16 for registration plates issued for automobiles and for vehicles registered on the basis  
17 of gross weight shall comply with the applicable design requirements of ss. 341.12  
18 (3), 341.13 and 341.14 (6r) (c). The designs for registration plates specified in this  
19 subsection shall be as similar in appearance as practicable during each 6-year  
20 design interval. Each registration plate issued under s. 341.14 (1a), (1m), (1q), (2),  
21 (2m), (6m) or (6r), 341.25 (1) (a), (c), (h) or (j) or (2) (a), (b) or (c) or 341.26 (2) or (3)  
22 (a) 1. or (am) during each 6-year design interval shall be of the design established  
23 under this subsection. The department may not redesign registration plates for the  
24 special groups under s. 341.14 (6r) (f) 53. and 54. until January 1, 2005.

1           \*~~1452/1.2~~\* SECTION 2722. 341.135 (2) (a) of the statutes is renumbered  
2 341.135 (2) (a) 1. and amended to read:

3           341.135 (2) (a) 1. Beginning with registrations initially effective on  
4 July 1, 2000, upon receipt of a completed application to initially register a vehicle  
5 under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m) or (6r), except s. 341.14 (6r) (f) ~~52- 53.~~  
6 and 54., or s. 341.25 (1) (a), (c), (h) ~~and or (j) and or~~ (2) (a), (b) ~~and or~~ (c) or 341.26 (2)  
7 ~~and or~~ (3) (a) 1. ~~and or~~ (am), the department shall issue and deliver prepaid to the  
8 applicant 2 new registration plates of the design established under sub. (1).

9           (am) Notwithstanding ss. 341.13 (3) and (3m), beginning with registrations  
10 initially effective on July 1, 2000, upon receipt of a completed application to renew  
11 the registration of a vehicle registered under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m)  
12 or (6r), except s. 341.14 (6r) (f) ~~52- 53. and 54.~~, or s. 341.25 (1) (a), (c), (h) ~~and or (j)~~  
13 ~~and or~~ (2) (a), (b) ~~and or~~ (c) for which a registration plate of the design established  
14 under sub. (1) has not been issued, the department may issue and deliver prepaid to  
15 the applicant 2 new registration plates of the design established under sub. (1). This  
16 paragraph does not apply to registration plates issued under s. 341.14 (6r) (f) 52..  
17 1997 stats. This paragraph does not apply after June 30, 2005.

18           \*~~1452/1.3~~\* SECTION 2723. 341.135 (2) (a) 2. of the statutes is created to read:  
19           341.135 (2) (a) 2. Notwithstanding s. 341.13 (3), beginning with registrations  
20 initially effective on July 1, 2005, upon receipt of a completed application to initially  
21 register a vehicle under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m) or (6r), or s. 341.25  
22 (1) (a), (c), (h) or (j) or (2) (a), (b) or (c) or 341.26 (2) or (3) (a) 1. or (am), or to renew  
23 the registration of a vehicle under those sections for which a registration plate has  
24 not been issued during the previous 6 years, the department shall issue and deliver



1 prepaid to the applicant 2 new registration plates of the design established for that  
2 6-year period under sub. (1).

3 **\*-1452/1.4\* SECTION 2724.** 341.135 (2) (e) of the statutes is amended to read:

4 341.135 (2) (e) The department shall issue new registration plates of the design  
5 established under sub. (1) for every vehicle registered under ss. s. 341.14 (1a), (1m),  
6 (1q), (2), (2m), (6m) or (6r), 341.25 (1) (a), (c), (h) ~~and or~~ (j) ~~and or~~ (2) (a), (b) ~~and or~~  
7 (c) ~~and or~~ 341.26 (2) ~~and or~~ (3) (a) 1. ~~and or~~ (am) by July 1, 2003 within 5 years after  
8 the date specified in sub. (1), except that the department may not issue registration  
9 plates of a new design for a vehicle registered under s. 341.14 (6r) (f) 53. or 54. until  
10 January 1, 2005.

11 **\*-1452/1.5\* SECTION 2725.** 341.135 (3) of the statutes is repealed.

12 **\*-1452/1.6\* SECTION 2726.** 341.14 (6m) (a) of the statutes is amended to read:

13 341.14 (6m) (a) Upon application to register an automobile, station wagon or  
14 motor truck which has a gross weight of not more than 8,000 pounds by any person  
15 who is a resident of this state and a member or retired member of the national guard,  
16 the department shall issue to the person special plates whose colors and design shall  
17 be determined by the department, ~~after consultation with the adjutant general,~~ and  
18 which have the words "Wisconsin guard member" placed on the plates in the manner  
19 designated by the department. The department shall consult with or obtain the  
20 approval of the adjutant general with respect to any word or symbol used to identify  
21 the national guard. An additional fee of \$10 shall be charged for the issuance of the  
22 plates. Registration plates issued under this subsection shall expire annually.

23 **\*b0292/2.10\* SECTION 2726g.** 341.14 (6r) (b) 1. of the statutes is amended to  
24 read:

1           341.14 (6r) (b) 1. Upon application to register an automobile, station wagon or  
2 motor home, or a motor truck, dual purpose motor home or dual purpose farm truck  
3 which has a gross weight of not more than 8,000 pounds, or a farm truck which has  
4 a gross weight of not more than 12,000 pounds, by any person who is a resident of  
5 this state and a member of an authorized special group, the department shall issue  
6 to the person special plates whose colors and design shall indicate that the vehicle  
7 is owned by a person who is a member of the applicable special group. The  
8 department may not issue any special group plates under par. (f) 54. until 6 months  
9 after the department has received information sufficient for the department to  
10 determine that any approvals required for use of any logo, trademark, trade name  
11 or other commercial symbol designating the professional football team have been  
12 obtained.

13           **\*b0292/2.10\* SECTION 2726m.** 341.14 (6r) (b) 3. of the statutes is amended to  
14 read:

15           341.14 (6r) (b) 3. An additional fee of \$15 shall be charged for the issuance or  
16 reissuance of a plate issued on an annual basis for a special group specified under  
17 par. (f) 35. to 47. ~~or~~, 53. or 54. or designated by the department under par. (fm). An  
18 additional fee of \$15 shall be charged for the issuance or reissuance of a plate issued  
19 on a biennial basis for a special group specified under par. (f) 35. to 47. ~~or~~, 53. or 54.  
20 or designated by the department under par. (fm) if the plate is issued during the first  
21 year of the biennial registration period or \$15 for the issuance or reissuance if the  
22 plate is issued during the 2nd year of the biennial registration period. The  
23 department shall deposit in the general fund and credit to the appropriation account  
24 under s. 20.395 (5) (c) all fees collected under this subdivision for the issuance or

1 reissuance of a plate for a special group designated by the department under par.  
2 (fm).

3 **\*b0292/2.10\* SECTION 2726r.** 341.14 (6r) (b) 7. of the statutes is created to read:

4 341.14 (6r) (b) 7. An additional fee of \$25 that is in addition to the fee under  
5 subd. 3. shall be charged for the issuance or renewal of a plate issued on an annual  
6 basis for the special group specified under par. (f) 54. An additional fee of \$50 that  
7 is in addition to the fee under subd. 3. shall be charged for the issuance or renewal  
8 of a plate issued on the biennial basis for the special group specified under par. (f) 54.  
9 if the plate is issued or renewed during the first year of the biennial registration  
10 period or \$25 for the issuance or renewal if the plate is issued or renewed during the  
11 2nd year of the biennial registration period. To the extent permitted under ch. 71,  
12 the fee under this subdivision is deductible as a charitable contribution for purposes  
13 of the taxes under ch. 71. All moneys received under this subdivision in excess of the  
14 initial costs of data processing for the special group plate under par. (f) 54. or \$35,000,  
15 whichever is less, shall be deposited in the general fund and credited as follows:

16 a. An amount equal to the costs of licensing fees under par. (h) shall be credited  
17 to the appropriation account under s. 20.395 (5) (cL).

18 b. The remainder after crediting the appropriation as provided in subd. 7. a.  
19 shall be credited to the appropriation account under s. 20.505 (3) (j).

20 **\*-1452/1.7\* SECTION 2727.** 341.14 (6r) (c) of the statutes is amended to read:

21 341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the  
22 name of the applicable authorized special group, a symbol representing the special  
23 group, not exceeding one position, and identifying letters or numbers or both, not  
24 exceeding 6 positions and not less than one position. The department shall specify  
25 the design for special group plates, but the department shall consult the president

1 of the ~~university~~ University of Wisconsin system ~~System~~ before specifying the design  
2 ~~for word or symbol used to identify the special group plates~~ groups under par. (f) 35.  
3 to 47., the secretary of natural resources before specifying the ~~design for word or~~  
4 ~~symbol used to identify the special group plate~~ group under par. (f) 50. ~~and,~~ the child  
5 abuse and neglect prevention board before specifying the design ~~for word or symbol~~  
6 ~~used to identify the special group plate~~ under par. (f) 53. ~~and the chief executive~~  
7 ~~officer of the Green Bay Packers professional football team and an authorized~~  
8 ~~representative of the National Football League before specifying the word or symbol~~  
9 ~~used to identify the special group under par. (f) 54.~~ Special group plates under par.  
10 (f) 50. shall be as similar as possible to regular registration plates in color and design.

11 \*~~1452/1.8~~\* **SECTION 2728.** 341.14 (6r) (e) of the statutes is amended to read:

12 341.14 (6r) (e) The department shall specify one combination of colors for  
13 special group plates for groups or organizations which are not military in nature and  
14 not special group plates under par. (f) 35. to 47. and 50. The department, ~~after~~  
15 ~~consulting the president of the university of Wisconsin system,~~ shall specify one  
16 combination of colors for special group plates under par. (f) 35. to 47. The department  
17 shall specify the word or words comprising the special group name and the symbol  
18 to be displayed upon special group plates for a group or organization which is not  
19 military in nature after consultation with the chief executive officer in this state of  
20 the group or organization, ~~except that the department may not specify the word or~~  
21 ~~words or the symbol for special group plates under par. (f) 35. to 47. unless the word~~  
22 ~~or words or symbol is approved in writing by the president of the university of~~  
23 ~~Wisconsin system or, with respect to endangered resources, specify the word or words~~  
24 ~~or the symbol for special group plates under par. (f) 50. unless the word or words or~~  
25 ~~symbol is approved in writing by the secretary of natural resources or, with respect~~

1 ~~to child abuse and neglect prevention, specify any word or words other than~~  
2 ~~“Children First” or the symbol for special group plates under par. (f) 53. unless the~~  
3 ~~word or words or symbol is approved in writing by the child abuse and neglect~~  
4 ~~prevention board. The president may not approve the word or words or symbol for~~  
5 ~~a university specified under par. (f) 35. to 47. unless the chancellor of the university~~  
6 ~~approves in writing the word or words or symbol. The department shall require that~~  
7 ~~the word or words and symbol for a university specified under par. (f) 35. to 47. be~~  
8 ~~a registration decal or tag and affixed to the special group plate and be of the colors~~  
9 ~~for a university specified under par. (f) 35. to 47. that the president of the university~~  
10 University of Wisconsin system System specifies.

11 \*~~0686/1.4~~\* SECTION 2729. 341.14 (6r) (f) 53. of the statutes is amended to  
12 read:

13 341.14 (6r) (f) 53. Persons interested in obtaining a plate with the words  
14 ~~“Children First”~~ “Celebrate Children” on it to show their support of the prevention  
15 of child abuse and neglect.

16 \*b0292/2.13\* SECTION 2729g. 341.14 (6r) (f) 54. of the statutes is created to  
17 read:

18 341.14 (6r) (f) 54. Persons interested in expressing their support of the Green  
19 Bay Packers professional football team.

20 \*b0292/2.13\* SECTION 2729m. 341.14 (6r) (fm) 7. of the statutes is amended  
21 to read:

22 341.14 (6r) (fm) 7. ~~After~~ Except for the authorized special group enumerated  
23 under par. (f) 54., after October 1, 1998, additional authorized special groups may  
24 only be special groups designated by the department under this paragraph. The  
25 authorized special groups enumerated in par. (f) shall be limited solely to those

1 special groups specified under par. (f) on October 1, 1998, except for the authorized  
2 special group enumerated under par. (f) 54.

3 **\*b0292/2.13\* SECTION 2729r.** 341.14 (6r) (h) of the statutes is created to read:  
4 341.14 (6r) (h) From the appropriation under s. 20.395 (5) (cL), the department  
5 shall pay reasonable licensing fees relating to the word or words or the symbol on  
6 special group plates under par. (f) 54.

7 **\*-0171/1.1\* SECTION 2730.** 341.19 (1) (b) of the statutes is amended to read:  
8 341.19 (1) (b) ~~Five~~ Ten dollars per vehicle as a late payment for fees received  
9 after the time period established by the department.

10 **\*b0238/4.12\* SECTION 2730m.** 341.25 (1) (intro.) of the statutes is amended to  
11 read:

12 341.25 (1) (intro.) Unless a different fee is prescribed for a particular vehicle  
13 by par. (b) or ss. 341.26 to 341.268, the following registration fees shall be paid to the  
14 department for the annual registration of each motor vehicle, ~~mobile-home~~  
15 recreational vehicle, trailer or semitrailer not exempted by s. 341.05 from  
16 registration in this state:

17 **\*-0127/1.1\* SECTION 2731.** 341.25 (1) (gd) of the statutes is amended to read:  
18 341.25 (1) (gd) For each trailer or semitrailer ~~or camping trailer~~ having a gross  
19 weight of 3,000 pounds or less and used for hire or rental, a fee which is one-half of  
20 the fee prescribed for a motor truck of the same maximum gross weight. The  
21 maximum gross weight shall be determined in the same manner as for a motor truck.  
22 A trailer under this paragraph which is part of a fleet of 100 or more trailers used  
23 for hire or rental may be registered under s. 341.308.

24 **\*-0127/1.2\* SECTION 2732.** 341.25 (1) (i) of the statutes is amended to read:

1           341.25 (1) (i) For each mobile home, and for each camping trailer ~~having a gross~~  
2 ~~weight of more than 3,000 pounds~~, a fee of \$15.

3           **\*b0238/4.13\* SECTION 2732d.** 341.25 (1) (i) of the statutes, as affected by 1999  
4 Wisconsin Act .... (this act), is amended to read:

5           341.25 (1) (i) For each ~~mobile home~~ recreational vehicle, and for each camping  
6 trailer, a fee of \$15.

7           **\*b0286/8.46\* SECTION 2734b.** 341.26 (2g) of the statutes is repealed.

8           **\*b0238/4.14\* SECTION 2734dd.** 341.47 (1) (intro.) of the statutes is amended  
9 to read:

10           341.47 (1) (intro.) Except as provided in sub. (2), any motor vehicle, ~~mobile~~  
11 ~~home~~ recreational vehicle, trailer or semitrailer owned or repossessed by a dealer,  
12 distributor or manufacturer may be operated on the highways of this state for either  
13 private or business purposes without being registered if such vehicle has displayed  
14 upon it valid registration plates issued pursuant to s. 341.51 to the dealer, distributor  
15 or manufacturer who is the owner of the vehicle or holder of the repossessed vehicle  
16 and such vehicle:

17           **\*b0238/4.14\* SECTION 2734dh.** 341.51 (1) of the statutes is amended to read:

18           341.51 (1) The department shall register a person as a dealer, distributor or  
19 manufacturer of motor vehicles, trailers or semitrailers or as a transporter of  
20 vehicles upon receipt of a properly completed application form together with a fee of  
21 \$75 and upon being satisfied that the applicant is by law entitled to be registered.  
22 The department shall register a person as a dealer, distributor or manufacturer of  
23 ~~mobile homes~~ recreational vehicles upon receipt of a properly completed application  
24 form together with a fee of \$75 and upon being satisfied that the applicant is by law  
25 entitled to be so registered. The department shall assign to each person registered

1 under this section a distinctive registration number and shall issue a certificate of  
2 registration bearing the registration number assigned.

3 **\*b0238/4.14\* SECTION 2734dp.** 341.51 (2) of the statutes is amended to read:

4 341.51 (2) Upon registering a dealer, distributor, manufacturer or transporter  
5 the department also shall issue 2 registration plates. The department, upon  
6 receiving a fee of \$5 for each additional plate desired by a dealer, distributor or  
7 manufacturer of motor vehicles, trailers or semitrailers, \$5 for each additional plate  
8 desired by a dealer, distributor or manufacturer of ~~mobile homes~~ recreational  
9 vehicles and \$5 for each additional plate desired by a transporter, shall issue to the  
10 registered dealer, distributor, manufacturer or transporter the additional plates as  
11 ordered. The department may charge a fee of \$2 per plate for replacing lost, damaged  
12 or illegible plates issued under this subsection.

13 **\*b0238/4.14\* SECTION 2734dt.** 341.53 of the statutes is amended to read:

14 **341.53 Expiration of registration; transferability of plates.** Certificates  
15 of registration and registration plates issued to dealers, distributors, manufacturers  
16 or transporters shall be issued for the calendar year and are valid only during the  
17 calendar year for which issued. Registration plates are transferable from one motor  
18 vehicle, trailer or semitrailer to another motor vehicle, trailer or semitrailer and  
19 from one ~~mobile home~~ recreational vehicle to another.

20 **\*b0238/4.14\* SECTION 2734hd.** 341.62 of the statutes is amended to read:

21 **341.62 False evidence of registration.** Whoever operates or possesses a  
22 motor vehicle, ~~mobile home~~ recreational vehicle, trailer or semitrailer having  
23 attached thereto any plate or similar device fashioned in imitation or facsimile of or  
24 altered so as to resemble a registration plate issued by the department may be  
25 required to forfeit not more than \$500.



1           **\*b0293/1.1\* SECTION 2734hf.** 342.10 (1) (d) of the statutes is amended to read:  
2           342.10 (1) (d) A description of the vehicle, including make, model and  
3           identification number, except that if the vehicle was last registered in another  
4           jurisdiction the make and model contained in the certificate shall be the make and  
5           model contained in the last certificate of title issued by the other jurisdiction.

6           **\*b0446/1.1\* SECTION 2734hg.** 342.14 (1r) of the statutes is amended to read:  
7           342.14 (1r) Upon filing an application under sub. (1) or (3) before the first day  
8           of the 2nd month beginning after the effective date of this subsection .... [revisor  
9           inserts date], an environmental impact fee of \$5, by the person filing the application.  
10          Upon filing an application under sub. (1) or (3) on or after the first day of the 2nd  
11          month beginning after the effective date of this subsection .... [revisor inserts date].  
12          an environmental impact fee of \$6, by the person filing the application. All moneys  
13          collected under this subsection shall be credited to the environmental fund for  
14          environmental management. ~~This subsection does not apply after June 30, 2001.~~

15          **\*b0238/4.14\* SECTION 2734hh.** 342.18 (4) (a) of the statutes is amended to  
16          read:

17          342.18 (4) (a) Whenever application therefor accompanied by the required fee  
18          is made by a finance company licensed under s. 138.09 or 218.01, a bank organized  
19          under the laws of this state, or a national bank located in this state, and the vehicle  
20          in question is a used vehicle for which the department had issued a certificate of title  
21          to the previous owner or a vehicle previously registered in another jurisdiction or is  
22          a mobile home recreational vehicle.

23          **\*b0238/4.14\* SECTION 2734hp.** 342.18 (4) (b) of the statutes is amended to  
24          read:

1           342.18 (4) (b) Whenever application therefor accompanied by the required fee  
2 is made by any other person and the vehicle in question is a vehicle for which the  
3 department had issued a certificate of title to the previous owner or is a vehicle  
4 previously registered in another jurisdiction or is a ~~mobile home~~ recreational vehicle  
5 and the department is satisfied that the present owner has not operated or consented  
6 to the operation of the vehicle since it was transferred to that owner and that he or  
7 she understands that the certificate of title merely is evidence of ownership of the  
8 vehicle and does not authorize operation of the vehicle on the highways of this state.

9           **\*b0238/4.14\* SECTION 2734ht.** 342.22 (3) (a) of the statutes is amended to  
10 read:

11           342.22 (3) (a) For a ~~mobile home~~ recreational vehicle, 20 years.

12           **\*b0238/4.14\* SECTION 2734pd.** 342.30 (2) of the statutes is amended to read:

13           342.30 (2) An identification number assigned by the department to a ~~mobile~~  
14 ~~home~~ recreational vehicle, trailer or semitrailer shall be stamped upon the frame in  
15 a readily visible location. An identification number assigned to a motor vehicle  
16 manufactured prior to January 1, 1969, shall be permanently affixed to the left front  
17 pillar. The vehicle identification number for motor vehicles manufactured after  
18 January 1, 1969, shall be permanently affixed upon either a part of the vehicle that  
19 is not designed to be removed except for repair, or a separate plate which is  
20 permanently affixed to such part. The vehicle identification number shall be located  
21 inside the passenger compartment and shall be readable, without moving any part  
22 of the vehicle, through the vehicle glazing under daylight lighting conditions by an  
23 observer having 20/20 vision (Snellen) whose eyepoint is located outside the vehicle  
24 adjacent to the left windshield pillar. Identification numbers assigned for cycles  
25 shall be stamped on the left side, near the top of the engine casting just below the

1 cylinder barrel. Such stamping or affixing shall be done under the supervision of a  
2 dealer, distributor or manufacturer registered under s. 341.51 or under the  
3 supervision of a peace officer. The person supervising the stamping or affixing shall  
4 make a report thereof to the department.

5 \*b0238/4.14\* SECTION 2734pt. 343.055 (1) (d) of the statutes is amended to  
6 read:

7 343.055 (1) (d) *Recreational vehicle operators.* The operator of the commercial  
8 motor vehicle is a person operating a motor home, or a vehicle towing a 5th-wheel  
9 mobile home or single-unit ~~tearing mobile home not exceeding 45 feet in length~~  
10 recreational vehicle and the vehicle or combination, including both units of a  
11 combination towing vehicle and the 5th-wheel mobile home or ~~mobile home~~  
12 recreational vehicle, is both operated and controlled by the person and is  
13 transporting only members of the person's family, guests or their personal property.  
14 This paragraph does not apply to any transportation for hire or the transportation  
15 of any property connected to a commercial activity. In this paragraph, "controlled"  
16 means leased or owned.

17 \*-0444/1.1\* SECTION 2747. 343.21 (2) of the statutes is amended to read:

18 343.21 (2) (a) In addition to the fees set under sub. (1), any applicant whose  
19 application for a permit, license, upgrade or endorsement, taken together with the  
20 applicant's currently valid license, if any, requires the department to administer a  
21 driving skills test of the applicant's ability to exercise ordinary and reasonable  
22 control in the operation of a motor vehicle shall pay to the department an  
23 examination fee of \$20 for an examination in a commercial motor vehicle other than  
24 a school bus and ~~\$10~~ \$15 for an examination in any other vehicle. Payment of the  
25 examination fee entitles the applicant to not more than 3 tests of the applicant's

1 ability to exercise reasonable control in the operation of a motor vehicle. If the  
2 applicant does not qualify for issuance of a license, upgraded license or endorsement  
3 in 3 such tests, then a 2nd examination fee in the same amount shall be paid, which  
4 payment entitles the applicant to not more than 3 additional tests.

5 (b) The operator shall pay to the department an examination fee of ~~\$10~~ \$15 for  
6 conducting the special examination requested under s. 121.555 (2) (cm), except that  
7 if the examination is in a commercial motor vehicle other than a school bus the fee  
8 is \$20. Payment of the examination fee entitles the person to not more than 3 tests  
9 of the person's ability to safely operate the vehicle proposed to be used under s.  
10 121.555 (1) (a). If the applicant does not pass the examination for safe operation of  
11 the vehicle in 3 such tests, then a 2nd examination fee in the same amount shall be  
12 paid, which payment entitles the person to not more than 3 additional tests.

13 **\*-0120/1.2\* SECTION 2750.** 343.44 (2) (a) of the statutes, as affected by 1997  
14 Wisconsin Act 84, is amended to read:

15 343.44 (2) (a) Any person who violates sub. (1) (a) or a local ordinance in  
16 conformity therewith shall be required to forfeit not less than \$50 nor more than  
17 \$200.

18 **\*-0120/1.3\* SECTION 2751.** 343.44 (2) (am) of the statutes, as affected by 1997  
19 Wisconsin Act 84, is amended to read:

20 343.44 (2) (am) Any person who violates sub. (1) (b) before May 1, ~~1999~~ 2002,  
21 may be required to forfeit not more than \$600, except that, if the person has been  
22 convicted of a previous violation described in sub. (1) (b) within the preceding 5-year  
23 period, the penalty under par. (b) shall apply.

24 **\*-0435/1.1\* SECTION 2752.** 345.09 (2) of the statutes is amended to read:

1           345.09 (2) The secretary as attorney upon whom processes and notices may be  
2 served under this section shall, upon being served with such process or notice,  
3 forthwith mail by registered mail a copy thereof to such nonresident at the  
4 out-of-state nonresident address given in the papers so served. It is the duty of the  
5 party or the party's attorney to certify in the papers so served that the address given  
6 therein is the last-known out-of-state nonresident address of the party to be served.  
7 In all cases of service under this section there shall be served 2 authenticated copies  
8 for the secretary and such additional number of authenticated copies as there are  
9 defendants so served in the action. One of the secretary's copies shall be retained for  
10 the secretary's record of service and the other copy shall be returned with proper  
11 certificate of service attached for filing in court as proof of service of the copies by  
12 having mailed them by registered mail to the defendants named therein. The service  
13 fee shall be ~~\$15~~ \$25 for each defendant so served. The secretary shall keep a record  
14 of all such processes and notices, which record shall show the day and hour of service.

15           \*~~1265/7.30~~\* SECTION 2753. 345.26 (1)(b) 1. of the statutes is amended to read:

16           345.26 (1) (b) 1. If the person makes a deposit for a violation of a traffic  
17 regulation, the person need not appear in court at the time fixed in the citation, and  
18 the person will be deemed to have tendered a plea of no contest and submitted to a  
19 forfeiture and a penalty assessment, if required by s. ~~165.87~~ 757.05, a jail  
20 assessment, if required by s. 302.46 (1), a railroad crossing improvement  
21 assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and a crime laboratories  
22 and drug law enforcement assessment, if required by s. 165.755, plus any applicable  
23 fees prescribed in ch. 814, not to exceed the amount of the deposit that the court may  
24 accept as provided in s. 345.37; and

25           \*~~1265/7.31~~\* SECTION 2754. 345.37 (2) of the statutes is amended to read:

1           345.37 (2) If the defendant has made a deposit under s. 345.26, the citation may  
2           serve as the initial pleading and the defendant shall be deemed to have tendered a  
3           plea of no contest and submitted to a forfeiture and a penalty assessment, if required  
4           by s. ~~165.87~~ 757.05, a jail assessment, if required by s. 302.46 (1), a railroad crossing  
5           improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and a  
6           crime laboratories and drug law enforcement assessment, if required by s. 165.755,  
7           plus costs, including any applicable fees prescribed in ch. 814, not exceeding the  
8           amount of the deposit. The court may either accept the plea of no contest and enter  
9           judgment accordingly, or reject the plea and issue a summons under ch. 968. If the  
10          defendant fails to appear in response to the summons, the court shall issue a warrant  
11          under ch. 968. If the court accepts the plea of no contest, the defendant may move  
12          within 6 months after the date set for the appearance to withdraw the plea of no  
13          contest, open the judgment and enter a plea of not guilty upon a showing to the  
14          satisfaction of the court that the failure to appear was due to mistake, inadvertence,  
15          surprise or excusable neglect. If on reopening the defendant is found not guilty, the  
16          court shall immediately notify the department to delete the record of conviction  
17          based on the original proceeding and shall order the defendant's deposit returned.

18           \*~~1265/7.32~~\* **SECTION 2755.** 345.37 (5) of the statutes is amended to read:

19           345.37 (5) Within 5 working days after forfeiture of deposit or entry of default  
20          judgment, the official receiving the forfeiture, the penalty assessment, if required by  
21          s. ~~165.87~~ 757.05, the jail assessment, if required by s. 302.46 (1), the railroad crossing  
22          improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and the  
23          crime laboratories and drug law enforcement assessment, if required by s. 165.755,  
24          shall forward to the department a certification of the entry of default judgment or a  
25          judgment of forfeiture.