

(E)  
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1           **\*b1182/1.2\* 984.** Page 1382, line 24: delete “annually” and substitute “in  
2 each fiscal year”.

3           **\*b1182/1.3\* 985.** Page 1383, line 5: delete lines 5 and 6 and substitute:

4           “(b) The department may not expend more than \$500,000 in fiscal year  
5 1999–2000, or more than \$1,000,000 in any fiscal year thereafter, in grants to the city  
6 of Milwaukee under this subsection.”.

7           **\*b1182/1.4\* 986.** Page 1383, line 11: delete “each year” and substitute “each  
8 fiscal year”.

9           **\*b1182/1.5\* 987.** Page 1383, line 15: delete “annually” and substitute “in a  
10 fiscal year”.

11           **\*b1182/1.6\* 988.** Page 1383, line 19: delete “annually” and substitute “in  
12 each fiscal year”.

13           **\*b1182/1.7\* 989.** Page 1384, line 7: delete “each year” and substitute “each  
14 fiscal year”.

15           **\*b0975/2.6\* 990.** Page 1400, line 18: after that line insert:

16           **\*b0975/2.6\*** “SECTION 3021c. 560.835 (7) (b) of the statutes is amended to read:  
17 560.835 (7) (b) The department shall deposit in the ~~recycling fund~~  
18 appropriation account under s. 20.143 (1) (L) all moneys received after ~~July 1, 1995~~  
19 the effective date of this paragraph .... [revisor inserts date], in repayment of loans  
20 made under this section.”.

21           **\*b1141/2.23\* 991.** Page 1400, line 18: after that line insert:

22           **\*b1141/2.23\*** “SECTION 3020p. 560.835 (1) (c) of the statutes is amended to  
23 read:

1           560.835 (1) (c) The development and operation of a facility to process materials  
2 recovered from a solid waste management program that complies with s. 287.07  
3 (1m), ~~(3) or (4)~~ or the development and operation of a solid waste collection business  
4 if the solid waste collected is used in the production of a product.”.

5           **\*b1181/3.14\* 992.** Page 1401, line 5: after that line insert:

6           **\*b1181/3.14\* “SECTION 3023t.** 565.02 (2) (e) of the statutes is created to read:

7           565.02 (2) (e) If requested by a lottery prize winner to provide a certification  
8 that lists the amounts of the lottery prize payments, if any, that the administrator  
9 is required to withhold under s. 565.30 (4), (5), (5m) and (5r), the administrator shall  
10 provide the certification.”.

11           **\*b1145/3.21\* 993.** Page 1402, line 19: after that line insert:

12           **\*b1145/3.21\* “SECTION 3025w.** 565.45 of the statutes is amended to read:

13           **565.45 Report on expense limitation.** Before January 1, ~~1992~~ 2002, and  
14 every 2 years thereafter, the department shall submit a report to the chief clerk of  
15 each house of the legislature, for distribution to the legislature under s. 13.172 (2),  
16 on the effects on the operation of the lottery of the 10% expense limitation under s.  
17 25.75 (3) (b).”.

18           **\*b1181/3.15\* 994.** Page 1402, line 19: after that line insert:

19           **\*b1181/3.15\* “SECTION 3025m.** 565.30 (5) of the statutes, as affected by 1997  
20 Wisconsin Act 27, is amended to read:

21           565.30 (5) WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS  
22 OWED THE STATE. The administrator shall report the name, address and social security  
23 number of each winner of a lottery prize equal to or greater than \$1,000 and the  
24 name, address and social security number of each person to whom a lottery prize

1 equal to or greater than \$1,000 has been assigned to the department of revenue to  
2 determine whether the payee or assignee of the prize is delinquent in the payment  
3 of state taxes under ch. 71, 72, 76, 77, 78 or 139 or in court-ordered payment of child  
4 support or has a debt owing to the state. Upon receipt of a report under this  
5 subsection, the department of revenue shall first ascertain based on certifications by  
6 the department of workforce development or its designee under s. 49.855 (1) whether  
7 any person named in the report is currently delinquent in court-ordered payment  
8 of child support and shall next certify to the administrator whether any person  
9 named in the report is delinquent in court-ordered payment of child support or  
10 payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by  
11 the department of revenue or upon court order the administrator shall withhold the  
12 certified amount and send it to the department of revenue for remittance to the  
13 appropriate agency or person. At the time of remittance, the department of revenue  
14 shall charge its administrative expenses to the state agency that has received the  
15 remittance. The administrative expenses received by the department of revenue  
16 shall be credited to the appropriation under s. 20.566 (1) (h). In instances in which  
17 the payee or assignee of the prize is delinquent both in payments for state taxes and  
18 in court-ordered payments of child support, or is delinquent in one or both of these  
19 payments and has a debt owing to the state, the amount remitted to the appropriate  
20 agency or person shall be in proportion to the prize amount as is the delinquency or  
21 debt owed by the payee or assignee.

22 \*b1181/3.15\* SECTION 3025p. 565.30 (5m) of the statutes is renumbered  
23 565.30 (5m) (a) and amended to read:

24 565.30 (5m) (a) WITHHOLDING OF CHILD SUPPORT, SPOUSAL SUPPORT, MAINTENANCE  
25 OR FAMILY SUPPORT. The administrator shall report to the department of workforce

1 development the name, address and social security number of each winner of a  
2 lottery prize that is payable in instalments and the name, address and social security  
3 number or federal income tax number of the person who has been assigned a lottery  
4 prize that is payable in instalments. Upon receipt of the report, the department of  
5 workforce development shall certify to the administrator whether any payee or  
6 assignee named in the report is obligated to provide child support, spousal support,  
7 maintenance or family support under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25,  
8 767.26, 767.261, 767.458 (3), 767.465 (2m), 767.477, 767.51 (3), 767.62 (4) (a) or  
9 948.22 (7) or ch. 769 and the amount required to be withheld from the lottery prize  
10 under s. 767.265. The Subject to par. (b), the administrator shall withhold the  
11 certified amount from each payment made to the winner or assignee and remit the  
12 certified amount to the department of workforce development.

13 **\*b1181/3.15\* SECTION 3025pc.** 565.30 (5m) (b) of the statutes is created to  
14 read:

15 565.30 (5m) (b) The administrator may not withhold from any payment to an  
16 assignee of a lottery prize any child support, spousal support, maintenance or family  
17 support specified in par. (a) that is owed by a winner of a lottery prize, nor may the  
18 administrator withhold from any payment to a winner any child support, spousal  
19 support maintenance or family support that is owed by an assignee.

20 **\*b1181/3.15\* SECTION 3025pf.** 565.30 (5r) (a) of the statutes is amended to  
21 read:

22 565.30 (5r) (a) Annually, the administrator shall provide each clerk of circuit  
23 court in the state with a list of the winners or assignees of a lottery prize that is  
24 payable in instalments. The list shall include each winner or assignee since the date  
25 of the previous list.

1           **\*b1181/3.15\* SECTION 3025pg.** 565.30 (5r) (b) of the statutes is amended to  
2 read:

3           565.30 (5r) (b) If Subject to par. (c), if the administrator receives a notice under  
4 s. 973.05 (5) (a) or 778.30 (2) (a) of the assignment of lottery prizes under s. 973.05  
5 (4) (c) or 778.30 (1) (c) and determines that the person subject to the assignment is  
6 a winner or assignee of a lottery prize that is payable in instalments, the  
7 administrator shall withhold the amount of the judgment that is the basis of the  
8 assignment from the next instalment payment. The administrator shall submit the  
9 withheld amount to the court that issued the assignment. At the time of the  
10 submittal, the administrator shall charge the administrative expenses related to  
11 that withholding and submittal to the winner or assignee of the lottery prize and  
12 withhold those expenses from the balance of the instalment payment. The  
13 administrator shall notify the winner or assignee of the reason that the amount is  
14 withheld from the instalment payment. If the initial instalment payment is  
15 insufficient to pay the judgment and administrative expenses, the administrator  
16 shall withhold and submit to the court an amount from any additional instalment  
17 payments until the judgment and administrative expenses are paid in full and the  
18 assignment is no longer in effect. The administrative expenses received by the  
19 department shall be credited to the appropriation under s. 20.566 (1) (h).

20           **\*b1181/3.15\* SECTION 3025ph.** 565.30 (5r) (c) of the statutes is created to read:

21           565.30 (5r) (c) The administrator may not withhold from any payment to an  
22 assignee of a lottery prize the amount specified in par. (b) that is owed by a winner  
23 of a lottery prize, nor may the administrator withhold from any payment to a winner  
24 the amount specified in par. (b) that is owed by an assignee.

25           **\*b1181/3.15\* SECTION 3025pj.** 565.30 (5t) of the statutes is amended to read:

1           565.30 (5t) PRIORITY OF WITHHOLDING. (intro.) The administrator shall withhold  
2 payments under this section from a winner or assignee of a lottery prize in the  
3 following order:

4           **\*b1181/3.15\* SECTION 3025pL.** 565.30 (6) of the statutes is repealed.

5           **\*b1181/3.15\* SECTION 3025pm.** 565.30 (6m) of the statutes is created to read:

6           565.30 (6m) USE OF LOTTERY PRIZE AS SECURITY FOR LOAN. (a) *Definition.* In this  
7 subsection, “prize winner” means a person who has won a lottery prize and any other  
8 person who is authorized by law to use a lottery prize as security for a loan.

9           (b) *Security for a loan.* A prize winner may use a lottery prize or part of a lottery  
10 prize as security for a loan only pursuant to a court order issued under this  
11 subsection.

12           (c) *Judicial process for using lottery prizes as security for loans.* Any prize  
13 winner who intends to use part or all of a lottery prize as security for a loan shall  
14 petition the circuit court of the county in which the prize winner resides or the circuit  
15 court of Dane County for a court order confirming the use of a lottery prize as security  
16 for a loan. The circuit court of the county in which the prize winner resides or the  
17 circuit court of Dane County shall issue an order confirming the use of a lottery prize  
18 as security for a loan only if all of the following occur:

19           1. The prize winner is represented by independent legal counsel.

20           2. A copy of the contract that provides for using any part of the lottery prize as  
21 security for the loan is attached to the petition.

22           3. The contract is executed by the prize winner, is subject to the laws of this  
23 state and provides that the prize winner has the right to cancel the contract until  
24 midnight of the 3rd business day after the date on which the prize winner entered  
25 into the contract.

1           4. The prize winner attests, by sworn affidavit, that he or she is of sound mind,  
2 is not acting under duress and acknowledges that the state will not make any of the  
3 lottery prize payments or parts of lottery prize payments to the prize winner that are  
4 being used as security for the loan in the event the prize winner defaults on the loan.

5           5. The prize winner, by sworn affidavit, provides the court with an accounting  
6 of all claims to, or judgments, liens, security interests, garnishments, assignments  
7 or attachments against, all or any part of the lottery prize payments.

8           6. The prize winner provides the court a certification from the administrator  
9 that lists the amounts of the lottery prize payments, if any, that the administrator  
10 is required to withhold for the prize winner under subs. (4), (5), (5m) and (5r).

11           7. The part of the lottery prize that is being used as security for the loan does  
12 not include the amounts of any withholdings specified under subs. (4), (5), (5m) and  
13 (5r).

14           8. The court determines that the interest rate on the loan does not exceed the  
15 weekly prime rate for the week prior to the date on which the court received a copy  
16 of the contract, as reported by the federal reserve board in federal reserve statistical  
17 release H. 15, plus 6%. In making the calculation under this subdivision, the court  
18 shall subtract from the compensation received by the individual or organization  
19 making the loan any required fees or other costs charged the prize winner.

20           (d) *Contents of court order.* A court order issued under par. (c) shall include all  
21 of the following:

22           1. The name of the prize winner.

23           2. The prize winner's social security number if the prize winner is an  
24 individual, or federal income tax identification number if the prize winner is an  
25 organization.

1           3. The name of the individual or organization that is making the loan to the  
2 prize winner.

3           4. The social security number of the individual or the federal income tax  
4 identification number of the organization that is making the loan to the prize winner.

5           5. If an individual is making the loan to the prize winner, the citizenship of the  
6 individual. If the individual is not a citizen of the United States of America, the order  
7 shall include the individual's resident alien number.

8           (e) *Administration.* Upon receipt of a court order issued under par. (c), the  
9 individual or organization making the loan shall provide a certified copy of the court  
10 order to the administrator. The administrator shall acknowledge receipt of the court  
11 order in writing to the individual or organization making the loan and shall make  
12 all lottery prize payments according to the terms specified in the court order. The  
13 administrator may charge an initial processing fee, in an amount determined by  
14 rule, to cover any costs associated with processing the lottery prize payments in  
15 accordance with the terms specified in the court order.

16           **\*b1181/3.15\* SECTION 3025pp.** 565.30 (6r) of the statutes is created to read:  
17           565.30 (6r) VOLUNTARY ASSIGNMENT OF LOTTERY PRIZE. (a) *Definition.* In this  
18 subsection, "assignor" means a lottery prizewinner or a person who has the right to  
19 assign all or part of a lottery prize.

20           (b) *Voluntary assignment.* An assignor may make a voluntary assignment of  
21 a lottery prize or part of a lottery prize only pursuant to a court order issued under  
22 this subsection.

23           (c) *Judicial process for assignment.* Any assignor who intends to voluntarily  
24 assign part or all of a lottery prize to any individual or organization shall petition the  
25 circuit court of the county in which the assignor resides or the circuit court of Dane



1 County for a court order confirming the assignment. The circuit court of the county  
2 in which the assignor resides or the circuit court of Dane County shall issue an order  
3 confirming the assignment only if all of the following occur:

4 1. The assignor is represented by independent legal counsel.

5 2. A copy of the assignment is attached to the petition.

6 3. The assignment is in writing, is executed by the assignor and is subject to  
7 the laws of this state.

8 3m. The contract for the assignment provides that the assignor has the right  
9 to cancel the contract until midnight of the 3rd business day after the date on which  
10 the assignor entered into the contract.

11 3r. The contract for the assignment provides that the assignor, from the  
12 proceeds received from the individual or organization to whom part or all of the  
13 lottery prize is assigned, agrees to pay in full any delinquent payments that may be  
14 owed by the assignor under subs. (4), (5), (5m) and (5r).

15 4. The assignor attests, by sworn affidavit, that he or she is of sound mind, is  
16 not acting under duress and acknowledges that the state will not make any of the  
17 assigned lottery prize payments or parts of lottery prize payments to the assignor.

18 5. The assignor, by sworn affidavit, provides the court with an accounting of all  
19 claims to, or judgments, liens, security interests, garnishments, assignments or  
20 attachments against, all or any part of the lottery prize payments.

21 6. The assignment does not include the amounts of any withholdings specified  
22 under sub. (4), (5), (5m) or (5r).

23 7. The assignor provides the court a certification from the administrator that  
24 lists the amounts of the lottery prize payments, if any, that the administrator is  
25 required to withhold for the assignor under subs. (4), (5), (5m) and (5r).

1           8. The payment that the assignor will receive as compensation for the  
2 assignment is at least equal to the present value of the assigned lottery prize  
3 payments, discounted at a rate no greater than the weekly prime rate for the week  
4 prior to the date on which the court received a copy of the assignment, as reported  
5 by the federal reserve board in federal reserve statistical release H. 15, plus 6%. In  
6 making the calculation under this subdivision, the court shall subtract from the  
7 compensation received by the assignor any required fees or other costs charged the  
8 assignor.

9           9. The individual or organization to whom part or all of the lottery prize is  
10 assigned specifies in an affidavit that the individual or organization agrees to report  
11 and pay any state income or franchise tax that is owed on any income or gain realized  
12 from the purchase and subsequent sale or redemption of any lottery prize.

13           (d) *Contents of court order.* A court order issued under par. (c) shall include all  
14 of the following:

15           1. The name of the prizewinner or the name of the assignor, if different from  
16 the prizewinner.

17           2. The assignor's social security number if the assignor is an individual, or  
18 federal income tax identification number if the assignor is an organization.

19           3. The name of the individual or organization to whom part or all of the lottery  
20 prize is assigned.

21           4. The social security number of the individual or the federal income tax  
22 identification number of the organization to whom part or all of the lottery prize is  
23 assigned.

1           5. If part or all of the lottery prize is assigned to an individual, the citizenship  
2 of the individual. If the individual is not a citizen of the United States of America,  
3 the order shall include the individual's resident alien number.

4           6. The number of assigned lottery prize payments and the dates on which the  
5 assigned lottery prize payments are to be paid.

6           7. The gross amount of each of the lottery prize payments that are subject to  
7 withholding for tax purposes and that are assigned.

8           (e) *Administration of lottery prize assignment.* Upon receipt of a court order  
9 issued under par. (c), the individual or organization to whom the lottery prize is  
10 assigned shall provide a certified copy of the court order to the administrator. The  
11 administrator shall acknowledge receipt of the court order in writing to the  
12 individual or organization to whom the lottery prize is assigned and shall make all  
13 lottery prize payments according to the terms specified in the court order. The  
14 administrator may charge an initial processing fee, in an amount determined by  
15 rule, to cover any costs associated with processing the lottery prize payments in  
16 accordance with the terms specified in the court order.”.

17           **\*b0828/2.19\* 995.** Page 1404, line 15: after that line insert:

18           **\*b0828/2.19\* “SECTION 3035m.** 610.70 (1) (e) of the statutes, as created by  
19 1997 Wisconsin Act 231, is amended to read:

20           610.70 (1) (e) “Medical care institution” means a facility, as defined in s. 647.01  
21 (4), or any hospital, nursing home, community-based residential facility, county  
22 home, county infirmary, county hospital, county mental health center, ~~tuberculosis~~  
23 ~~sanatorium~~, adult family home, assisted living facility, rural medical center, hospice  
24 or other place licensed, certified or approved by the department of health and family

1 services under s. 49.70, 49.71, 49.72, 50.02, 50.03, 50.032, 50.033, 50.034, 50.35,  
2 50.52, 50.90, 51.04, 51.08, or 51.09, ~~58.06, 252.073 or 252.076~~ or a facility under s.  
3 45.365, 51.05, 51.06 or 252.10 or under ch. 233 or licensed or certified by a county  
4 department under s. 50.032 or 50.033.”.

5 **\*b1203/1.4\* 996.** Page 1404, line 15: after that line insert:

6 **\*b1203/1.4\* “SECTION 3036f.** 609.795 of the statutes is created to read:

7 **609.795 Prohibiting denial of payment for certain procedures.** Limited  
8 service health organizations, preferred provider plans and managed care plans are  
9 subject to s. 632.872.”.

10 **\*b0704/1.1\* 997.** Page 1405, line 24: after that line insert:

11 **\*b0704/1.1\* “SECTION 3044b.** 632.89 (2) (a) 2. of the statutes is amended to  
12 read:

13 632.89 (2) (a) 2. Except as provided in pars. (b) to (e), coverage of conditions  
14 under subd. 1. by a policy may be subject to exclusions or limitations, including  
15 deductibles and copayments, that are generally applicable to other conditions  
16 covered under the policy.

17 **\*b0704/1.1\* SECTION 3044c.** 632.89 (2) (b) 1. of the statutes is amended to read:

18 632.89 (2) (b) 1. Except as provided in subd. 2., if a group or blanket disability  
19 insurance policy issued by an insurer provides coverage of inpatient hospital  
20 treatment or outpatient treatment or both, the policy shall provide coverage in every  
21 policy year as provided in pars. (c) to (dm), as appropriate, except that the total  
22 coverage under the policy for a policy year need not exceed \$7,000 or, ~~if the coverage~~  
23 ~~is provided by a health maintenance organization, as defined in s. 609.01 (2), the~~  
24 equivalent benefits measured in services rendered.

1           **\*b0704/1.1\* SECTION 3044e.** 632.89 (2) (c) 2. b. of the statutes is amended to  
2 read:

3           632.89 (2) (c) 2. b. Seven thousand dollars minus ~~a copayment of up to 10%~~ any  
4 applicable cost sharing at the level charged under the policy for inpatient hospital  
5 services ~~or, if the coverage is provided by a health maintenance organization, as~~  
6 ~~defined in s. 609.01 (2), \$6,300~~ or the equivalent benefits measured in services  
7 rendered or, if the policy does not use cost sharing, \$6,300 in equivalent benefits  
8 measured in services rendered.

9           **\*b0704/1.1\* SECTION 3044ht.** 632.89 (2) (d) 2. of the statutes is amended to  
10 read:

11           632.89 (2) (d) 2. Except as provided in par. (b), a policy under subd. 1. shall  
12 provide coverage in every policy year for not less than \$2,000 minus ~~a copayment of~~  
13 ~~up to 10%~~ any applicable cost sharing at the level charged under the policy for  
14 outpatient services ~~or, if the coverage is provided by a health maintenance~~  
15 ~~organization, as defined in s. 609.01 (2), \$1,800~~ or the equivalent benefits measured  
16 in services rendered or, if the policy does not use cost sharing, \$1,800 in equivalent  
17 benefits measured in services rendered.

18           **\*b0704/1.1\* SECTION 3044i.** 632.89 (2) (dm) 2. of the statutes is amended to  
19 read:

20           632.89 (2) (dm) 2. Except as provided in par. (b), a policy under subd. 1. shall  
21 provide coverage in every policy year for not less than \$3,000 minus ~~a copayment of~~  
22 ~~up to 10%~~ any applicable cost sharing at the level charged under the policy for  
23 transitional treatment arrangements ~~or, if the coverage is provided by a health~~  
24 ~~maintenance organization, as defined in s. 609.01 (2), \$2,700~~ or the equivalent

1 benefits measured in services rendered or, if the policy does not use cost sharing,  
2 \$2,700 in equivalent benefits measured in services rendered.”.

3 \*b1203/1.5\* **998.** Page 1405, line 24: after that line insert:

4 \*b1203/1.5\* “SECTION 3044d. 632.872 of the statutes is created to read:

5 **632.872 Prohibiting denial of payment for certain procedures. (1)** In  
6 this section:

7 (a) “Disability insurance policy” has the meaning given in s. 632.895 (1) (a).

8 (b) “Medicare Part B” means the federal supplementary medical insurance  
9 program under 42 USC 1395j to 1395w-2.

10 (2) An insurer may not deny payment under a disability insurance policy or  
11 group certificate for a medical or surgical service or procedure on the basis that the  
12 service or procedure is an integral component of a 2nd medical or surgical service or  
13 procedure unless, under medicare Part B, payment for the first service or procedure  
14 is included in the payment for the 2nd service or procedure.”.

15 \*b0723/3.9\* **999.** Page 1406, line 3: after that line insert:

16 \*b0723/3.9\* “SECTION 3044r. 635.20 of the statutes is created to read:

17 **635.20 Coverage of health insurance mandates. (1)** Notwithstanding ss.  
18 632.85, 632.87 (2), (3), (4) and (5), 632.89 and 632.895 (2), (3), (4), (5), (5m), (6), (7),  
19 (8), (9), (10), (11), (12) and (13), and subject to sub. (2), a small employer insurer may  
20 offer a small employer one or more group health benefit plans that do not include one  
21 or more of the following coverages:

22 (a). Coverage related to treatment of an emergency medical condition, as  
23 required under s. 632.85.

- 1 (b) Coverage of vision care provided by an optometrist, as required under s.  
2 632.87 (2).
- 3 (c) Coverage of chiropractic services, as required under s. 632.87 (3).
- 4 (d) Coverage of the diagnosis and treatment of a condition by a dentist, as  
5 required under s. 632.87 (4).
- 6 (e) Coverage of Papanicolaou tests performed by a nurse practitioner, as  
7 required under s. 632.87 (5).
- 8 (f) Coverage of the treatment of alcoholism and nervous and mental disorders,  
9 as required under s. 632.89.
- 10 (g) Coverage of home care, as required under s. 632.895 (2).
- 11 (h) Coverage of skilled nursing care, as required under s. 632.895 (3).
- 12 (i) Coverage of kidney disease treatment, as required under s. 632.895 (4).
- 13 (j) Coverage for a newly born child, as required under s. 632.895 (5).
- 14 (k) Coverage for a child of a covered child, as required under s. 632.895 (5m).
- 15 (L) Coverage of diabetes treatment, as required under s. 632.895 (6).
- 16 (m) Maternity coverage, as required under s. 632.895 (7).
- 17 (n) Coverage of mammograms, as required under s. 632.895 (8).
- 18 (o) Coverage of prescription medication for the treatment of human  
19 immunodeficiency virus infection, as required under s. 632.895 (9).
- 20 (p) Coverage of blood lead tests for children, as required under s. 632.895 (10).
- 21 (q) Coverage of treatment for the correction of temporomandibular disorders,  
22 as required under s. 632.895 (11).
- 23 (r) Coverage related to hospital or ambulatory surgery center charges and  
24 anesthetics associated with dental care, as required under s. 632.895 (12).

1 (s) Coverage of breast reconstruction incident to a mastectomy, as required  
2 under s. 632.895 (13).

3 (2) A small employer insurer shall offer to a small employer at least one group  
4 health benefit plan that includes all of the coverages specified in sub. (1).

5 \*b0723/3.9\* SECTION 3044s. 635.20 of the statutes, as created by 1999  
6 Wisconsin Act .... (this act), is repealed.”.

7 \*b0852/1.1\* 1000. Page 1407, line 7: after that line insert:

8 \*b0852/1.1\* “SECTION 3048m. 704.90 (5) (b) 1. b. of the statutes is repealed.

9 \*b0852/1.1\* SECTION 3048p. 704.90 (6) (a) 4. of the statutes is amended to  
10 read:

11 704.90 (6) (a) 4. An advertisement of the sale is published ~~once a week for 2~~  
12 ~~consecutive weeks~~ in a newspaper of general circulation where the self-service  
13 storage facility is located.

14 \*b0852/1.1\* SECTION 3048t. 704.90 (6) (a) 5. a. of the statutes is amended to  
15 read:

16 704.90 (6) (a) 5. a. A brief and general description of the personal property  
17 reasonably adequate to permit its identification, as provided in the ~~notices~~ notice  
18 under sub. (5) (b) 2.

19 \*b0852/1.1\* SECTION 3048w. 704.90 (6) (a) 6. of the statutes is amended to  
20 read:

21 704.90 (6) (a) 6. The sale takes place not sooner than 15 days after the ~~first~~  
22 publication under subd. 4.”.

23 \*b0748/3.2\* 1001. Page 1407, line 18: after that line insert:

24 \*b0748/3.2\* “SECTION 3049m. 753.06 (8) (g) of the statutes is amended to read:



1           753.06 (8) (g) Waupaca County. The circuit has 2 branches. Commencing  
2 August 1, 2000, the circuit has 3 branches.”.

3           **\*b1157/2.3\* 1002.** Page 1407, line 18: after that line insert:

4           **\*b1157/2.3\*** “SECTION 3049m. 707.46 (3) of the statutes is created to read:

5           707.46 (3) RECORDING. A contract for the purchase of a time-share and any  
6 other instrument that is evidence of a purchase of a time-share is valid only if it is  
7 recorded.”.

8           **\*b0701/1.1\* 1003.** Page 1408, line 2: after that line insert:

9           **\*b0701/1.1\*** “SECTION 3050om. 757.75 of the statutes is created to read:

10           **757.75 Court improvement program funding.** The supreme court and the  
11 director of state courts may not expend any state funds for the purpose of matching  
12 federal funds provided under the court improvement grant program allocation  
13 authorized under 42 USC 670.”.

14           **\*b0713/1.5\* 1004.** Page 1419, line 18: after that line insert:

15           **\*b0713/1.5\*** “SECTION 3072g. 778.25 (1) (a) 4. of the statutes is repealed.”.

16           **\*b0730/1.13\* 1005.** Page 1426, line 12: after that line insert:

17           **\*b0730/1.13\*** “SECTION 3088a. 813.16 (7) of the statutes is amended to read:

18           813.16 (7) If the person seeking the appointment of a receiver under sub. (1)  
19 is a corporation supervised by the division of savings ~~and loan~~ institutions, home  
20 loan bank board, U.S. office of thrift supervision, federal deposit insurance  
21 corporation or resolution trust corporation, the court, unless the opposing party  
22 objects, shall appoint an officer of such corporation as receiver to act without  
23 compensation and to give such bond as the court requires.”.

24           **\*b1057/1.1\* 1006.** Page 1426, line 12: after that line insert:

1           **\*b1057/1.1\*** **SECTION 3088s.** 813.12 (8) (a) of the statutes is renumbered  
2 813.12 (8) (a) 1. and amended to read:

3           813.12 (8) (a) 1. ~~Whoever~~ Except as provided in subd. 2., whoever knowingly  
4 violates a temporary restraining order or injunction issued under sub. (3) or (4) shall  
5 be fined not more than \$1,000 or imprisoned for not more than 9 months or both.

6           **\*b1057/1.1\*** **SECTION 3088t.** 813.12 (8) (a) 2. of the statutes is created to read:

7           813.12 (8) (a) 2. Whoever knowingly violates a temporary restraining order or  
8 injunction issued under sub. (3) or (4) shall be imprisoned for not less than 5 days nor  
9 more than 9 months and may be fined not more than \$1,000 if, at any time preceding  
10 the violation, the person has been convicted of knowingly violating a temporary  
11 restraining order or injunction issued under sub. (3) or (4). This subdivision applies  
12 whether the person previously violated the same temporary restraining order or  
13 injunction or a different temporary restraining order or injunction.”.

14           **\*b0819/3.3\*** **1007.** Page 1427, line 4: after that line insert:

15           **\*b0819/3.3\*** **SECTION 3096c.** 814.61 (1) (e) of the statutes is created to read:

16           814.61 (1) (e) In addition to the fees under pars. (a) and (b), at the  
17 commencement of a divorce action under s. 767.02 (1) (c), a fee of \$3. The clerk shall  
18 pay the moneys collected to the county treasurer under s. 59.40 (2) (m). The county  
19 treasurer shall pay those moneys to the state treasurer under s. 59.25 (3) (p) for  
20 deposit in the general fund. The state treasurer shall credit all moneys received  
21 under this paragraph to the appropriation account under s. 20.435 (3) (hm).

22           **\*b0819/3.3\*** **SECTION 3096d.** 814.61 (1) (e) of the statutes, as created by 1999  
23 Wisconsin Act .... (this act), is repealed.”.

24           **\*b0767/1.7\*** **1008.** Page 1431, line 11: after that line insert:

1           **\*b0767/1.7\*** “SECTION 3113g. 895.48 (1m) (intro.) of the statutes, as affected  
2 by 1997 Wisconsin Acts 67 and 156, is amended to read:

3           895.48 (1m) (intro.) Any physician or athletic trainer licensed under ch. 448,  
4 chiropractor licensed under ch. 446, dentist licensed under ch. 447, emergency  
5 medical technician licensed under s. 146.50, physician assistant licensed under ch.  
6 448, registered nurse licensed under ch. 441 or a massage therapist or bodyworker  
7 issued a license of registration under subch. X of ch. 440 who renders voluntary  
8 health care to a participant in an athletic event or contest sponsored by a nonprofit  
9 corporation, as defined in s. 46.93 (1m) (c), a private school, as defined in s. 115.001  
10 (3r), a public agency, as defined in s. 46.93 (1m) (e), or a school, as defined in s. 609.655  
11 (1) (c), is immune from civil liability for his or her acts or omissions in rendering that  
12 care if all of the following conditions exist:

13           **\*b0767/1.7\*** SECTION 3113m. 895.48 (1m) (b) of the statutes, as affected by  
14 1997 Wisconsin Act 156, is amended to read:

15           895.48 (1m) (b) The physician, athletic trainer, chiropractor, dentist,  
16 emergency medical technician, physician assistant, registered nurse, massage  
17 therapist or bodyworker does not receive compensation for the health care, other  
18 than reimbursement for expenses.”

19           **\*b0813/1.1\* 1009.** Page 1431, line 11: after that line insert:

20           **\*b0813/1.1\*** “SECTION 3312m. 891.455 (4) of the statutes is created to read:

21           891.455 (4) The presumption under sub. (2) for cancers caused by smoking or  
22 tobacco product use shall not apply to any municipal fire fighter who smokes  
23 cigarettes, as defined in s. 139.30 (1), or who uses a tobacco product, as defined in s.  
24 139.75 (12), after January 1, 2001.”

1           **\*b1032/2.1\* 1010.** Page 1431, line 11: after that line insert:

2           **\*b1032/2.1\* "SECTION 3113m.** 895.58 of the statutes is created to read:

3           **895.58 Liability exemption; use of special waste under public works**  
4 **contracts.** (1) In this section:

5           (a) "Department" means the department of natural resources.

6           (b) "Local governmental unit" means a political subdivision of this state, a  
7 special purpose district in this state, an agency or corporation of such a political  
8 subdivision or special purpose district, or a combination or subunit of any of the  
9 foregoing.

10           (c) "Public works project" means any work done under contract to a state agency  
11 or local governmental unit.

12           (d) "Special waste" means any solid waste which is characterized for beneficial  
13 use in public works projects by the department of natural resources.

14           (2) The department may characterize a solid waste for beneficial use in public  
15 works projects by rule, memorandum of understanding between itself and other  
16 state agencies or local governmental units, or on a case-by-case basis. The  
17 department shall compile and maintain a list of special wastes in a format readily  
18 available to the general public and only those special wastes may be required to be  
19 used in a public works project.

20           (3) Special waste, when used in a public works project, is not subject to  
21 regulation as solid waste under ch. 289.

22           (4) A person is immune from liability for the use of special waste on a public  
23 works project or for damages resulting from the person's actions or omissions

1 relating to the use of the special waste on a public works project if all of the following  
2 apply:

3 (a) The acts or omissions by the person occurred while performing work under  
4 a contract for a public works project including acts or omissions by any person who  
5 has a direct contractual relationship with the prime contractor, as defined in s.  
6 779.01 (2) (d), under a contract for a public works project to perform labor or furnish  
7 materials.

8 (b) The acts or omissions involving the special wastes were required or  
9 permitted in a contract for a public works project and the acts or omissions conformed  
10 to the provisions of the contract.

11 (5) Subsection (4) does not apply to any person to whom either of the following  
12 applies:

13 (a) The person's act or omission involved reckless, wanton or intentional  
14 misconduct.

15 (b) The person's act or omission resulted in injury or death to an individual.”

16 \*b1104/3.9\* **1011.** Page 1431, line 11: after that line insert:

17 \*b1104/3.9\* “SECTION 3111m. 895.035 (4) of the statutes is amended to read:

18 895.035 (4) Except for recovery under sub. (4a) or for retail theft under s.  
19 943.51, the maximum recovery under this section from any parent or parents may  
20 not exceed the amount specified in s. 799.01 (1) (d) for damages resulting from any  
21 one act of a juvenile in addition to taxable costs and disbursements and reasonable  
22 attorney fees, as determined by the court. If 2 or more juveniles in the custody of the  
23 same parent or parents commit the same act the total recovery under this section  
24 may not exceed the amount specified in s. 799.01 (1) (d), in addition to taxable costs

1 and disbursements. The maximum recovery from any parent or parents for retail  
2 theft by their minor child is established under s. 943.51.

3 **\*b1104/3.9\* SECTION 3111t.** 895.035 (4a) of the statutes is created to read:

4 895.035 (4a) (a) The maximum recovery under this section by a school board  
5 or a governing body of a private school from any parent or parents with custody of  
6 a minor child may not exceed \$20,000 for damages resulting from any one act of the  
7 minor child in addition to taxable costs and disbursements and reasonable attorney  
8 fees, as determined by the court, for damages caused to the school board or the  
9 governing body of a private school by any of the following actions of the minor child:

10 1. An act or threat that endangers the property, health or safety of persons at  
11 the school or under the supervision of a school authority or that damages the  
12 property of a school board or the governing body of a private school and that results  
13 in a substantial disruption of a school day or a school activity.

14 2. An act resulting in a violation of s. 943.01, 943.02, 943.03, 943.05, 943.06 or  
15 947.015.

16 (b) In addition to other recoverable damages, damages under par. (a) may  
17 include the cost to the school board or the governing body of a private school in loss  
18 of instructional time directly resulting from the action of the minor child under par.  
19 (a).

20 (c) If 2 or more minor children in the custody of the same parent or parents are  
21 involved in the same action under par. (a), the total recovery may not exceed \$20,000,  
22 in addition to taxable costs, disbursements and reasonable attorney fees, as  
23 determined by the court.

1 (d) If an insurance policy does not explicitly provide coverage for actions under  
2 par. (a), the issuer of that policy is not liable for the damages resulting from those  
3 actions.”.

4 \*b1141/2.24\* **1012.** Page 1431, line 11: after that line insert:

5 \*b1141/2.24\* “SECTION 3113h. 895.517 (1) (d) of the statutes is repealed.

6 \*b1141/2.24\* SECTION 3113i. 895.517 (2) of the statutes is amended to read:

7 895.517 (2) Any person who donates or sells, at a price not exceeding overhead  
8 and transportation costs, solid waste, or a material that is separated from mixed soil  
9 waste, to a materials reuse program that is operated by a charitable organization,  
10 or municipality or responsible unit is immune from civil liability for the death of or  
11 injury to an individual or the damage to property caused by the solid waste or  
12 material donated or sold by the person.”.

13 \*b0803/3.27\* **1013.** Page 1431, line 22: after that line insert:

14 \*b0803/3.27\* “SECTION 3117d. 938.02 (15g) of the statutes is amended to read:

15 938.02 (15g) “Secured child caring institution” means a child caring institution  
16 operated by a child welfare agency that is licensed under s. 48.66 (1) (b) to hold in  
17 secure custody persons adjudged delinquent.

18 \*b0803/3.27\* SECTION 3118d. 938.02 (15m) of the statutes is amended to read:

19 938.02 (15m) “Secured correctional facility” means a correctional institution  
20 operated or contracted for by the department of corrections or operated by the  
21 department of health and family services for holding in secure custody persons  
22 adjudged delinquent. “Secured correctional facility” includes the Mendota juvenile  
23 treatment center under s. 46.057, the facility at which the juvenile boot camp

1 program under s. 938.532 is operated, and a facility authorized under s. 938.533 (3)  
2 (b), 938.538 (4) (b) or 938.539 (5).

3 \*b0803/3.27\* SECTION 3119d. 938.02 (15p) of the statutes is created to read:

4 938.02 (15p) "Secured group home" means a group home that is licensed under  
5 s. 48.66 (1) (b) to hold in secure custody persons who have been convicted under s.  
6 938.183 or adjudicated delinquent under s. 938.183 or 938.34 (4m).

7 \*b0803/3.27\* SECTION 3120d. 938.02 (17) of the statutes is amended to read:

8 938.02 (17) "Shelter care facility" means a nonsecure place of temporary care  
9 and physical custody for juveniles, including a holdover room, licensed by the  
10 department of health and family services under s. 48.66 (1) (a).

11 \*b0803/3.27\* SECTION 3123d. 938.069 (1) (dj) of the statutes is amended to  
12 read:

13 938.069 (1) (dj) Provide aftercare services for a juvenile who has been released  
14 from a secured correctional facility ~~or~~, a secured child caring institution or a secured  
15 group home.

16 \*b0803/3.27\* SECTION 3124d. 938.08 (3) (a) (intro.) of the statutes is amended  
17 to read:

18 938.08 (3) (a) (intro.) In addition to the law enforcement authority specified in  
19 sub. (2), department personnel designated by the department ~~and~~, personnel of an  
20 agency contracted with under s. 301.08 (1) (b) 3. designated by agreement between  
21 the agency and the department and personnel of a county contracted with under s.  
22 301.08 (1) (b) 4. designated by agreement between the county and the department  
23 have the power of law enforcement authorities to take a juvenile into physical  
24 custody under the following conditions:



1           **\*b0803/3.27\* SECTION 3125d.** 938.08 (3) (a) 1. of the statutes is amended to  
2 read:

3           938.08 (3) (a) 1. If they are in prompt pursuit of a juvenile who has run away  
4 from a secured correctional facility ~~or~~ a child caring institution or a secured group  
5 home.

6           **\*b0803/3.27\* SECTION 3126d.** 938.08 (3) (a) 2. of the statutes is amended to  
7 read:

8           938.08 (3) (a) 2. If the juvenile has failed to return to a secured correctional  
9 facility ~~or~~ a child caring institution or a secured group home after any authorized  
10 absence.

11           **\*b0803/3.27\* SECTION 3127d.** 938.08 (3) (b) of the statutes is amended to read:

12           938.08 (3) (b) A juvenile who is taken into custody under par. (a) may be  
13 returned directly to the secured correctional facility ~~or~~ child caring institution or  
14 secured group home and shall have a hearing regarding placement in a disciplinary  
15 cottage or in disciplinary status in accordance with ch. 227.

16           **\*b0803/3.27\* SECTION 3128d.** 938.17 (1) (c) of the statutes is amended to read:

17           938.17 (1) (c) If the court of civil or criminal jurisdiction orders the juvenile to  
18 serve a period of incarceration of 6 months or more, that court shall petition the court  
19 assigned to exercise jurisdiction under this chapter and ch. 48 to order one or more  
20 of the dispositions provided in s. 938.34, including placement of the juvenile in a  
21 secured correctional facility, a secured child caring institution or a secured group  
22 home under s. 938.34 (4m), if appropriate.

23           **\*b0803/3.27\* SECTION 3130d.** 938.183 (1) (a) of the statutes is amended to  
24 read:

1           938.183 (1) (a) A juvenile who has been adjudicated delinquent and who is  
2           alleged to have violated s. 940.20 (1) or 946.43 while placed in a secured correctional  
3           facility, a secure detention facility ~~or~~, a secured child caring institution or a secured  
4           group home or who has been adjudicated delinquent and who is alleged to have  
5           committed a violation of s. 940.20 (2m).

6           **\*b0803/3.27\* SECTION 3131d.** 938.208 (2) of the statutes is amended to read:

7           938.208 (2) Probable cause exists to believe that the juvenile is a fugitive from  
8           another state or has run away from a secured correctional facility, a secured child  
9           caring institution or a secured group home and there has been no reasonable  
10          opportunity to return the juvenile.

11          **\*b0803/3.27\* SECTION 3132d.** 938.22 (title) of the statutes is amended to read:

12          **938.22 (title) Establishment of ~~secure detention facilities and shelter~~**  
13          **care county or private juvenile facilities.**

14          **\*b0803/3.27\* SECTION 3133d.** 938.22 (1) (a) of the statutes is amended to read:

15          938.22 (1) (a) Subject to s. 48.66 (1) (b), the county board of supervisors of any  
16          county may establish a secured group home or a secure detention facility in  
17          accordance with ss. 301.36 and 301.37, the county boards of supervisors for 2 or more  
18          counties may jointly establish a secure detention facility in accordance with ss. 46.20,  
19          301.36 and 301.37 or the county boards of supervisors for 2 or more, but not more  
20          than 5, counties may jointly establish a secured group home in accordance with ss.  
21          46.20, 301.36 and 301.37. The county board of supervisors of any county may  
22          establish a ~~secure detention facility or a shelter care facility or both~~ in accordance  
23          with ss. 46.16 and 46.17 or the county boards of supervisors for 2 or more counties  
24          may jointly establish a ~~secure detention facility or a shelter care facility or both~~ in  
25          accordance with ss. 46.16, 46.17 and 46.20 and 301.36. A private entity may

1 establish a secure detention facility in accordance with ss. 301.36 and 301.37 and  
2 contract with one or more county boards of supervisors under s. 938.222 for holding  
3 juveniles in the private secure detention facility.

4 **\*b0803/3.27\* SECTION 3134d.** 938.22 (1) (b) of the statutes is amended to read:

5 938.22 (1) (b) Subject to sub. (3) (ar), in counties having a population of less  
6 than 500,000, the nonjudicial operational policies of a public secured group home,  
7 secure detention facility or shelter care facility shall be determined by the county  
8 board of supervisors or, in the case of a public secured group home, secure detention  
9 facility or shelter care facility established by 2 or more counties, by the county boards  
10 of supervisors for the 2 or more counties jointly. Those policies shall be executed by  
11 the superintendent appointed under sub. (3) (a).

12 **\*b0803/3.27\* SECTION 3135d.** 938.22 (1) (c) of the statutes is amended to read:

13 938.22 (1) (c) In counties having a population of 500,000 or more, the  
14 nonjudicial operational policies of a public secured group home, secure detention  
15 facility and the detention section of the children's court center shall be established  
16 by the county board of supervisors, and the execution thereof shall be the  
17 responsibility of the director of the children's court center.

18 **\*b0803/3.27\* SECTION 3136d.** 938.22 (2) (a) of the statutes is amended to read:

19 938.22 (2) (a) Counties shall submit plans for the secured group home, secure  
20 detention facility or juvenile portion of the county jail to the department of  
21 corrections and submit plans for the shelter care facility to the department of health  
22 and family services. A private entity that proposes to establish a secure detention  
23 facility shall submit plans for the secure detention facility to the department of  
24 corrections. The applicable department shall review the submitted plans. A county  
25 or a private entity may not implement any such plan unless the applicable

1 department has approved the plan. The department of corrections shall promulgate  
2 rules establishing minimum requirements for the approval of the operation of  
3 secured group homes, secure detention facilities and the juvenile portion of county  
4 jails. The plans and rules shall be designed to protect the health, safety and welfare  
5 of the juveniles ~~in these~~ placed in those facilities.

6 \*b0803/3.27\* SECTION 3137d. 938.22 (3) (a) of the statutes is amended to read:

7 938.22 (3) (a) In counties having a population of less than 500,000, public  
8 secured group homes, secure detention facilities and public shelter care facilities  
9 shall be in the charge of a superintendent. The county board of supervisors or, where  
10 2 or more counties operate joint public secured group homes, secure detention  
11 facilities or ~~public~~ shelter care facilities, the county boards of supervisors for the 2  
12 or more counties jointly shall appoint the superintendent and other necessary  
13 personnel for the care and education of the juveniles ~~in secure detention or shelter~~  
14 ~~care~~ placed in those facilities, subject to par. (am) and to civil service regulations in  
15 counties having civil service.

16 \*b0803/3.27\* SECTION 3138d. 938.22 (3) (b) of the statutes is amended to read:

17 938.22 (3) (b) In counties having a population of 500,000 or more, the director  
18 of the children's court center shall be in charge of and responsible for public secured  
19 group homes, secure detention facilities, the secure detention section of the center  
20 and the personnel assigned to this section, including a detention supervisor or  
21 superintendent. The director of the children's court center may also serve as  
22 superintendent of detention if the county board of supervisors so determines.

23 \*b0803/3.27\* SECTION 3139d. 938.22 (7) (a) of the statutes is amended to read:

24 938.22 (7) (a) No person may establish a shelter care facility without first  
25 obtaining a license under s. 48.66 (1) (a). To obtain a license under s. 48.66 (1) (a) to

1 operate a shelter care facility, a person must meet the minimum requirements for a  
2 license established by the department of health and family services under s. 48.67,  
3 meet the requirements specified in s. 48.685 and pay the license fee under par. (b).  
4 A license issued under s. 48.66 (1) (a) to operate a shelter care facility is valid until  
5 revoked or suspended, but shall be reviewed every 2 years as provided in s. 48.66 (5).

6 **\*b0803/3.27\* SECTION 3140d.** 938.22 (7) (b) of the statutes is amended to read:

7 938.22 (7) (b) Before the department of health and family services may issue  
8 a license under s. 48.66 (1) (a) to operate a shelter care facility, the shelter care facility  
9 must pay to that department a biennial fee of \$60.50, plus a biennial fee of \$18.15  
10 per juvenile, based on the number of juveniles that the shelter care facility is licensed  
11 to serve. A shelter care facility that wishes to continue a license issued under s. 48.66  
12 (1) (a) shall pay the fee under this paragraph by the continuation date of the license.  
13 A new shelter care facility shall pay the fee under this paragraph by no later than  
14 30 days before the opening of the shelter care facility.

15 **\*b0803/3.27\* SECTION 3141d.** 938.22 (7) (c) of the statutes is amended to read:

16 938.22 (7) (c) A shelter care facility that wishes to continue a license issued  
17 under s. 48.66 (1) (a) and that fails to pay the fee under par. (b) by the continuation  
18 date of the license or a new shelter care facility that fails to pay the fee under par.  
19 (b) by 30 days before the opening of the shelter care facility shall pay an additional  
20 fee of \$5 per day for every day after the deadline that the facility fails to pay the fee.

21 **\*b0803/3.27\* SECTION 3142d.** 938.23 (1) (a) of the statutes is amended to read:

22 938.23 (1) (a) Any juvenile alleged to be delinquent under s. 938.12 or held in  
23 a secure detention facility shall be represented by counsel at all stages of the  
24 proceedings, but a juvenile 15 years of age or older may waive counsel if the court is  
25 satisfied that the waiver is knowingly and voluntarily made and the court accepts

1 the waiver. If the waiver is accepted, the court may not place the juvenile in a secured  
2 correctional facility, a secured child caring institution or a secured group home,  
3 transfer supervision of the juvenile to the department for participation in the serious  
4 juvenile offender program or transfer jurisdiction over the juvenile to adult court.”.

5 \*b1225/2.3\* **1014.** Page 1431, line 22: after that line insert:

6 \*b1225/2.3\* “**SECTION 3130m.** 938.20 (8) of the statutes is amended to read:  
7 938.20 (8) If a juvenile is held in custody, the intake worker shall notify the  
8 juvenile’s parent, guardian and legal custodian of the reasons for holding the juvenile  
9 in custody and of the juvenile’s whereabouts unless there is reason to believe that  
10 notice would present imminent danger to the juvenile. If a juvenile who has violated  
11 the terms of aftercare supervision administered by the department or a county  
12 department is held in custody, the intake worker shall also notify the department or  
13 county department, whichever has supervision over the juvenile, of the reasons for  
14 holding the juvenile in custody, of the juvenile’s whereabouts and of the time and  
15 place of the detention hearing required under s. 938.21. The parent, guardian and  
16 legal custodian shall also be notified of the time and place of the detention hearing  
17 required under s. 938.21, the nature and possible consequences of that hearing, the  
18 right to counsel under s. 938.23 regardless of ability to pay and the right to present  
19 and cross-examine witnesses at the hearing. If the parent, guardian or legal  
20 custodian is not immediately available, the intake worker or another person  
21 designated by the court shall provide notice as soon as possible. When the juvenile  
22 is alleged to have committed a delinquent act, the juvenile shall receive the same  
23 notice about the detention hearing as the parent, guardian or legal custodian. The

1 intake worker shall notify both the juvenile and the juvenile's parent, guardian or  
2 legal custodian.

3 \*b1225/2.3\* SECTION 3131m. 938.21 (3) (d) of the statutes is amended to read:

4 938.21 (3) (d) Prior to the commencement of the hearing, the parent, guardian  
5 or legal custodian shall be informed by the court of the allegations that have been  
6 made or may be made, the nature and possible consequences of this hearing as  
7 compared to possible future hearings, the right to counsel under s. 938.23 regardless  
8 of ability to pay, the right to confront and cross-examine witnesses and the right to  
9 present witnesses.

10 \*b1225/2.3\* SECTION 3142g. 938.23 (2) of the statutes is created to read:

11 938.23 (2) (a) Whenever a juvenile is alleged to be in need of protection or  
12 services under s. 938.13, any parent under 18 years of age who appears before the  
13 court shall be represented by counsel; but no such parent may waive counsel.

14 (b) If a petition under s. 938.13 is contested, no juvenile may be placed outside  
15 his or her home unless the nonpetitioning parent is represented by counsel at the  
16 fact-finding hearing and subsequent proceedings. If the petition is not contested,  
17 the juvenile may not be placed outside his or her home unless the nonpetitioning  
18 parent is represented by counsel at the hearing at which the placement is made. A  
19 parent who is required under this paragraph to be represented by counsel may,  
20 however, waive counsel if the court is satisfied that such waiver is knowingly and  
21 voluntarily made, and the court may place the juvenile outside the home even though  
22 the parent was not represented by counsel.

23 \*b1225/2.3\* SECTION 3142m. 938.23 (3) of the statutes is amended to read:

24 938.23 (3) POWER OF THE COURT TO APPOINT COUNSEL. ~~Except in proceedings~~  
25 ~~under s. 938.13, at~~ At any time, upon request or on its own motion, the court may

1 appoint counsel for the juvenile or any party, unless the juvenile or the party has or  
2 wishes to retain counsel of his or her own choosing. ~~The court may not appoint~~  
3 ~~counsel for any party other than the juvenile in a proceeding under s. 938.13.~~

4 **\*b1225/2.3\* SECTION 3142p.** 938.23 (4) of the statutes is amended to read:

5 938.23 (4) PROVIDING COUNSEL. In any situation under this section in which a  
6 ~~person juvenile~~ has a right to be represented by counsel or is provided counsel at the  
7 discretion of the court and counsel is not knowingly and voluntarily waived, the court  
8 shall refer the ~~person juvenile~~ to the state public defender and counsel shall be  
9 appointed by the state public defender under s. 977.08 without a determination of  
10 indigency. In any situation under sub. (2) in which a parent 18 years of age or over  
11 is entitled to representation by counsel; counsel is not knowingly and voluntarily  
12 waived; and it appears that the parent is unable to afford counsel in full, or the parent  
13 so indicates; the court shall refer the parent to the authority for indigency  
14 determinations specified in s. 977.01 (1). In any other situation under this section  
15 in which a person has a right to be represented by counsel or is provided counsel at  
16 the discretion of the court, competent and independent counsel shall be provided and  
17 reimbursed in any manner suitable to the court regardless of the person's ability to  
18 pay, except that the court may not order a person who files a petition under s. 813.122  
19 or 813.125 to reimburse counsel for the juvenile who is named as the respondent in  
20 that petition.”

21 **\*b1225/2.4\* 1015.** Page 1432, line 21: after that line insert:

22 **\*b1225/2.4\*** “SECTION 3142r. 938.243 (1) (e) of the statutes is amended to read:  
23 938.243 (1) (e) The right of ~~the juvenile~~ to counsel under s. 938.23.”

24 **\*b1225/2.5\* 1016.** Page 1434, line 2: after that line insert:



1           **\*b1225/2.5\*** **SECTION 3148m.** 938.27 (4) (b) of the statutes is amended to read:  
2           938.27 (4) (b) Advise the juvenile and any other party, if applicable, of his or  
3 her right to legal counsel regardless of ability to pay.”

4           **\*b0803/3.28\*** **1017.** Page 1435, line 2: after that line insert:

5           **\*b0803/3.28\*** **SECTION 3151d.** 938.33 (3) (intro.) of the statutes is amended  
6 to read:

7           938.33 (3) CORRECTIONAL PLACEMENT REPORTS. (intro.) A report recommending  
8 placement of a juvenile in a secured correctional facility ~~under the supervision of the~~  
9 ~~department or,~~ a secured child caring institution or a secured group home shall be  
10 in writing, except that the report may be presented orally at the dispositional  
11 hearing if the juvenile and the juvenile’s counsel consent. A report that is presented  
12 orally shall be transcribed and made a part of the court record. In addition to the  
13 information specified under sub. (1) (a) to (d), the report shall include all of the  
14 following:

15           **\*b0803/3.28\*** **SECTION 3152d.** 938.33 (3) (a) of the statutes is amended to read:

16           938.33 (3) (a) A description of any less restrictive alternatives that are  
17 available and that have been considered, and why they have been determined to be  
18 inappropriate. If the judge has found that any of the conditions specified in s. 938.34  
19 (4m) (b) 1., 2. or 3. applies, the report shall indicate that a less restrictive alternative  
20 than placement in a secured correctional facility ~~or,~~ a secured child caring institution  
21 or a secured group home is not appropriate.

22           **\*b0803/3.28\*** **SECTION 3153d.** 938.33 (3r) of the statutes is amended to read:

23           938.33 (3r) SERIOUS JUVENILE OFFENDER REPORT. If a juvenile has been  
24 adjudicated delinquent for committing a violation for which the juvenile may be

1 placed in the serious juvenile offender program under s. 938.34 (4h) (a), the report  
2 shall be in writing and, in addition to the information specified in sub. (1) and in sub.  
3 (3) or (4), if applicable, shall include an analysis of the juvenile's suitability for  
4 placement in the serious juvenile offender program under s. 938.34 (4h) or in a  
5 secured correctional facility or a secured group home under s. 938.34 (4m), a  
6 placement specified in s. 938.34 (3) or placement in the juvenile's home with  
7 supervision and community-based programming and a recommendation as to the  
8 type of placement for which the juvenile is best suited."

9 \*b0803/3.29\* **1018.** Page 1435, line 3: after that line insert:

10 \*b0803/3.29\* "SECTION 3155d. 938.34 (4m) (intro.) of the statutes is amended  
11 to read:

12 938.34 (4m) CORRECTIONAL PLACEMENT. (intro.) Place the juvenile in a secured  
13 correctional facility or a secured child caring institution under the supervision of the  
14 department or in a secured group home under the supervision of a county  
15 department if the juvenile is 12 years of age or over or, if the juvenile is under 12 years  
16 of age, in a secured child caring institution under the supervision of the department  
17 or in a secured group home under the supervision of a county department, unless the  
18 department, after an examination under s. 938.50, determines that placement in a  
19 secured correctional facility is more appropriate, but only if all of the following apply:

20 \*b0803/3.29\* SECTION 3156d. 938.34 (4n) (intro.) of the statutes is amended  
21 to read:

22 938.34 (4n) AFTERCARE SUPERVISION. (intro.) Subject to s. 938.532 (3) and to any  
23 arrangement between the department and a county department regarding the  
24 provision of aftercare supervision for juveniles who have been released from a

1 secured correctional facility ~~or~~, a secured child caring institution or a secured group  
2 home, designate one of the following to provide aftercare supervision for the juvenile  
3 following the juvenile's release from the secured correctional facility ~~or~~, secured child  
4 caring institution or secured group home:

5 \*b0803/3.29\* SECTION 3157d. 938.34 (4n) (b) of the statutes is amended to  
6 read:

7 938.34 (4n) (b) The county department of the county of the court that placed  
8 the juvenile in the secured correctional facility ~~or~~, secured child caring institution or  
9 secured group home.”.

10 \*b0803/3.30\* 1019. Page 1435, line 8: after that line insert:

11 \*b0803/3.30\* “SECTION 3160d. 938.34 (8d) (c) of the statutes is amended to  
12 read:

13 938.34 (8d) (c) If a juvenile placed in a secured correctional facility ~~or~~, a secured  
14 child caring institution or a secured group home fails to pay the surcharge under par.  
15 (a), the department shall assess and collect the amount owed from the juvenile's  
16 wages or other moneys. Any amount collected shall be transmitted to the state  
17 treasurer.

18 \*b0803/3.30\* SECTION 3162d. 938.345 (1) (a) of the statutes is amended to  
19 read:

20 938.345 (1) (a) Place the juvenile in the serious juvenile offender program, a  
21 secured correctional facility ~~or~~, a secured child caring institution or a secured group  
22 home.

23 \*b0803/3.30\* SECTION 3163d. 938.355 (1) of the statutes is amended to read:

1           938.355 (1) INTENT. In any order under s. 938.34 or 938.345, the court shall  
2 decide on a placement and treatment finding based on evidence submitted to the  
3 court. The disposition shall employ those means necessary to promote the objectives  
4 specified in s. 938.01. If the disposition places a juvenile who has been adjudicated  
5 delinquent outside the home under s. 938.34 (3) (c) or (d), the order shall include a  
6 finding that the juvenile's current residence will not safeguard the welfare of the  
7 juvenile or the community due to the serious nature of the act for which the juvenile  
8 was adjudicated delinquent. If the judge has determined that any of the conditions  
9 specified in s. 938.34 (4m) (b) 1., 2. or 3. applies, that determination shall be prima  
10 facie evidence that a less restrictive alternative than placement in a secured  
11 correctional facility ~~or~~ a secured child caring institution or a secured group home is  
12 not appropriate. If information under s. 938.331 has been provided in a court report  
13 under s. 938.33 (1), the court shall consider that information when deciding on a  
14 placement and treatment finding.

15           **\*b0803/3.30\* SECTION 3164d.** 938.357 (3) of the statutes is amended to read:  
16           938.357 (3) Subject to sub. (4) (b) and (c) and (5) (e), if the proposed change in  
17 placement would involve placing a juvenile in a secured correctional facility ~~or in~~ a  
18 secured child caring institution or a secured group home, notice shall be given as  
19 provided in sub. (1). A hearing shall be held, unless waived by the juvenile, parent,  
20 guardian and legal custodian, before the judge makes a decision on the request. The  
21 juvenile shall be entitled to counsel at the hearing, and any party opposing or  
22 favoring the proposed new placement may present relevant evidence and  
23 cross-examine witnesses. The proposed new placement may be approved only if the  
24 judge finds, on the record, that the conditions set forth in s. 938.34 (4m) have been  
25 met.

1           **\*b0803/3.30\* SECTION 3166d.** 938.357 (4g) (a) of the statutes is amended to  
2 read:

3           938.357 (4g) (a) Not later than 120 days after the date on which the juvenile  
4 is placed in a secured correctional facility ~~or~~, a secured child caring institution or a  
5 secured group home, or within 30 days after the date on which the department  
6 requests the aftercare plan, whichever is earlier, the aftercare provider designated  
7 under s. 938.34 (4n) shall prepare an aftercare plan for the juvenile. If the aftercare  
8 provider designated under s. 938.34 (4n) is a county department, that county  
9 department shall submit the aftercare plan to the department within the time limits  
10 specified in this paragraph, unless the department waives those time limits under  
11 par. (b).

12           **\*b0803/3.30\* SECTION 3167d.** 938.357 (4g) (b) of the statutes is amended to  
13 read:

14           938.357 (4g) (b) The department may waive the time period within which an  
15 aftercare plan must be prepared and submitted under par. (a) if the department  
16 anticipates that the juvenile will remain in the secured correctional facility ~~or~~,  
17 secured child caring institution or secured group home for a period exceeding 8  
18 months or if the juvenile is subject to s. 48.366 or 938.183. If the department waives  
19 that time period, the aftercare provider designated under s. 938.34 (4n) shall prepare  
20 the aftercare plan within 30 days after the date on which the department requests  
21 the aftercare plan.

22           **\*b0803/3.30\* SECTION 3168d.** 938.357 (4g) (d) of the statutes is amended to  
23 read:

1           938.357 (4g) (d) A juvenile may be released from a secured correctional facility  
2 ~~or~~, a secured child caring institution or a secured group home whether or not an  
3 aftercare plan has been prepared under this subsection.

4           **\*b0803/3.30\* SECTION 3169d.** 938.357 (5) (e) of the statutes is amended to  
5 read:

6           938.357 (5) (e) If the hearing examiner finds that the juvenile has violated a  
7 condition of aftercare supervision, the hearing examiner shall determine whether  
8 confinement in a secured correctional facility ~~or~~, a secured child caring institution  
9 or a secured group home is necessary to protect the public, to provide for the juvenile's  
10 rehabilitation or to not depreciate the seriousness of the violation.

11           **\*b0803/3.30\* SECTION 3170d.** 938.357 (5) (f) of the statutes is amended to read:

12           938.357 (5) (f) Review of a revocation decision shall be by certiorari to the court  
13 by whose order the juvenile was placed in a secured correctional facility ~~or~~, a secured  
14 child caring institution or a secured group home.

15           **\*b0803/3.30\* SECTION 3171d.** 938.38 (3) (a) of the statutes is amended to read:

16           938.38 (3) (a) If the juvenile is alleged to be delinquent and is being held in a  
17 secure detention facility, juvenile portion of a county jail or shelter care facility, and  
18 the agency intends to recommend that the juvenile be placed in a secured  
19 correctional facility ~~or~~, a secured child caring institution or a secured group home,  
20 the agency is not required to submit the permanency plan unless the court does not  
21 accept the recommendation of the agency. If the court places the juvenile in any  
22 facility outside of the juvenile's home other than a secured correctional facility ~~or~~, a  
23 secured child caring institution or a secured group home, the agency shall file the  
24 permanency plan with the court within 60 days after the date of disposition.

1           **\*b0803/3.30\* SECTION 3173d.** 938.51 (1) (intro.) of the statutes is amended to  
2 read:

3           938.51 (1) (intro.) At least 15 days prior to the date of release from a secured  
4 correctional facility ~~or~~, a secured child caring institution or a secured group home of  
5 a juvenile who has been adjudicated delinquent and at least 15 days prior to the  
6 release from the supervision of the department or a county department of a juvenile  
7 who has been adjudicated delinquent, the department or county department having  
8 supervision over the juvenile shall make a reasonable attempt to do all of the  
9 following:

10           **\*b0803/3.30\* SECTION 3174d.** 938.51 (1m) of the statutes is amended to read:

11           938.51 (1m) The department or county department having supervision over a  
12 juvenile described in sub. (1) shall determine the local agencies that it will notify  
13 under sub. (1) (a) based on the residence of the juvenile's parents or on the juvenile's  
14 intended residence specified in the juvenile's aftercare supervision plan or, if those  
15 methods do not indicate the community in which the juvenile will reside following  
16 release from a secured correctional facility ~~or, from~~, a secured child caring institution  
17 or a secured group home or from the supervision of the department or county  
18 department, the community in which the juvenile states that he or she intends to  
19 reside.

20           **\*b0803/3.30\* SECTION 3175d.** 938.51 (4) (intro.) of the statutes is amended to  
21 read:

22           938.51 (4) (intro.) If a juvenile described in sub. (1), (1d) or (1g) escapes from  
23 a secured correctional facility, child caring institution, secured group home,  
24 inpatient facility, secure detention facility or juvenile portion of a county jail, or from  
25 the custody of a peace officer or a guard of such a facility, institution, home or jail,

1 or has been allowed to leave a secured correctional facility, child caring institution,  
2 secured group home, inpatient facility, secure detention facility or juvenile portion  
3 of a county jail for a specified period of time and is absent from the facility, institution,  
4 home or jail for more than 12 hours after the expiration of the specified period, as  
5 soon as possible after the department or county department having supervision over  
6 the juvenile discovers that escape or absence, that department or county department  
7 shall make a reasonable attempt to notify by telephone all of the following persons:”.

8 \*b1144/1.8\* **1020.** Page 1435, line 8: after that line insert:

9 \*b1144/1.8\* “SECTION 3171m. 938.396 (9) of the statutes is amended to read:  
10 938.396 (9) Notwithstanding sub. (2) (a), if a juvenile is adjudged delinquent  
11 for committing a serious crime, as defined in s. 48.685 ~~(7)~~ (a) (1) (c), the court clerk  
12 shall notify the department of justice of that fact. No other information from the  
13 juvenile’s court records may be disclosed to the department of justice except by order  
14 of the court. The department of justice may disclose any information provided under  
15 this subsection only as part of a criminal history record search under s. 48.685 (2)  
16 (am) 1. or (b) 1. a.”.

17 \*b0713/1.6\* **1021.** Page 1436, line 16: after that line insert:

18 \*b0713/1.6\* “SECTION 3176m. 938.983 (title) of the statutes is renumbered  
19 254.92 (title) and amended to read:

20 **254.92 (title) Purchase or possession of cigarettes or tobacco products**  
21 **by person under 18 prohibited.**

22 \*b0713/1.6\* SECTION 3176n. 938.983 (1) of the statutes is repealed.

23 \*b0713/1.6\* SECTION 3176p. 938.983 (2) (intro.), (a) and (c) of the statutes are  
24 consolidated, renumbered 254.92 (2) (intro.) and amended to read:



1           254.92 (2) (intro.) ~~Except as provided in sub. (3), no~~ No person under 18 years  
2 of age may ~~do any of the following: (a) Buy or purchase, attempt to buy any cigarette~~  
3 ~~or tobacco product. (c) Possess purchase or possess~~ any cigarette or tobacco product.  
4 except as follows:

5           **\*b0713/1.6\* SECTION 3176q.** 938.983 (2) (b) of the statutes is renumbered  
6 254.92 (1) and amended to read:

7           254.92 (1) ~~Falsely~~ No person under 18 years of age may falsely represent his  
8 or her age for the purpose of receiving any cigarette or tobacco product.

9           **\*b0713/1.6\* SECTION 3176r.** 938.983 (3) of the statutes is renumbered 254.92  
10 (2) (a) and amended to read:

11           254.92 (2) (a) A person under 18 years of age may purchase or possess  
12 cigarettes or tobacco products for the sole purpose of resale in the course of  
13 employment during his or her working hours if employed by a retailer ~~licensed under~~  
14 ~~s. 134.65 (1).~~

15           **\*b0713/1.6\* SECTION 3176s.** 938.983 (4) of the statutes is renumbered 254.92  
16 (3) and amended to read:

17           254.92 (3) A law enforcement officer shall seize any cigarette or tobacco product  
18 ~~involved in any violation of sub. (2) committed in his or her presence~~ that has been  
19 sold to and is in the possession of a person under 18 years of age.

20           **\*b0713/1.6\* SECTION 3176t.** 938.983 (5) of the statutes is repealed.”.

21           **\*b0803/3.31\* 1022.** Page 1436, line 16: after that line insert:

22           **\*b0803/3.31\* SECTION 3183d.** 938.57 (1)(c) of the statutes is amended to read:  
23 938.57 (1) (c) Provide appropriate protection and services for juveniles in its  
24 care, including providing services for juveniles and their families in their own homes,

1 placing the juveniles in licensed foster homes, licensed treatment foster homes or  
2 licensed group homes in this state or another state within a reasonable proximity to  
3 the agency with legal custody or contracting for services for them by licensed child  
4 welfare agencies or replacing them in juvenile secured correctional institutions or  
5 facilities, secured child caring institutions or secured group homes in accordance  
6 with rules promulgated under ch. 227, except that the county department may not  
7 purchase the educational component of private day treatment programs unless the  
8 county department, the school board as defined in s. 115.001 (7) and the state  
9 superintendent of public instruction all determine that an appropriate public  
10 education program is not available. Disputes between the county department and  
11 the school district shall be resolved by the state superintendent of public instruction.

12 \*b0803/3.31\* SECTION 3184d. 938.57 (4) of the statutes is amended to read:

13 938.57 (4) A county department may provide aftercare supervision under s.  
14 938.34 (4n) for juveniles who are released from secured correctional facilities ~~or~~,  
15 secured child caring institutions ~~operated by the department~~ or secured group  
16 homes. If a county department intends to change its policy regarding whether the  
17 county department or the department shall provide aftercare supervision for  
18 juveniles released from secured correctional facilities ~~or~~, secured child caring  
19 institutions ~~operated by the department~~ or secured group homes, the county  
20 executive or county administrator, or, if the county has no county executive or county  
21 administrator, the chairperson of the county board of supervisors, or, for multicounty  
22 departments, the chairpersons of the county boards of supervisors jointly, shall  
23 submit a letter to the department stating that intent before July 1 of the year  
24 preceding the year in which the policy change will take effect.

25 \*b0803/3.31\* SECTION 3186d. 938.78 (3) of the statutes is amended to read:

1           938.78 (3) If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s.  
2           938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats.,  
3           or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s.  
4           941.10, 941.11, 941.20, 941.21, 941.23, 941.235, 941.237, 941.24, 941.26, 941.28,  
5           941.295, 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2)  
6           (a), 943.23 (1g), (1m) or (1r), 943.32 (2), 948.02, 948.025, 948.03, 948.05, 948.055,  
7           948.60, 948.605 or 948.61 or any crime specified in ch. 940 has escaped from a secured  
8           correctional facility, child caring institution, secured group home, inpatient facility,  
9           as defined in s. 51.01 (10), secure detention facility or juvenile portion of a county jail,  
10          or from the custody of a peace officer or a guard of such a facility, institution or jail,  
11          or has been allowed to leave a secured correctional facility, child caring institution,  
12          secured group home, inpatient facility, secure detention facility or juvenile portion  
13          of a county jail for a specified time period and is absent from the facility, institution,  
14          home or jail for more than 12 hours after the expiration of the specified period, the  
15          department or county department having supervision over the juvenile may release  
16          the juvenile's name and any information about the juvenile that is necessary for the  
17          protection of the public or to secure the juvenile's return to the facility, institution,  
18          home or jail. The department of corrections shall promulgate rules establishing  
19          guidelines for the release of the juvenile's name or information about the juvenile to  
20          the public.

21           **\*b0803/3.31\* SECTION 3188d.** 939.635 (1) of the statutes is amended to read:

22           939.635 (1) Except as provided in sub. (2), if a person who has been adjudicated  
23           delinquent is convicted of violating s. 940.20 (1) while placed in a secured correctional  
24           facility, as defined in s. 938.02 (15m), a secure detention facility, as defined in s.  
25           938.02 (16), ~~or~~ a secured child caring institution, as defined in s. 938.02 (15g), or a

1 secured group home, as defined in s. 938.02 (15p), or is convicted of violating s. 940.20  
2 (2m), the court shall sentence the person to not less than 3 years of imprisonment.  
3 Except as provided in sub. (2), if a person is convicted of violating s. 946.43 while  
4 placed in a secured correctional facility, as defined in s. 938.02 (15m), a secure  
5 detention facility, as defined in s. 938.02 (16), or a secured child caring institution,  
6 as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p),  
7 the court shall sentence the person to not less than 5 years of imprisonment.

8 \*b0803/3.31\* SECTION 3189d. 939.635 (2) (b) of the statutes is amended to  
9 read:

10 939.635 (2) (b) That imposing the applicable presumptive minimum sentence  
11 specified in sub. (1) is not necessary to deter the person or other persons from  
12 committing violations of s. 940.20 (1) or 946.43 or other similar offenses while placed  
13 in a secured correctional facility, as defined in s. 938.02 (15m), a secure detention  
14 facility, as defined in s. 938.02 (16), or a secured child caring institution, as defined  
15 in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), or from  
16 committing violations of s. 940.20 (2m). *OK!*

17 \*b0892/4.26\* 1023. Page 1436, line 16: after that line insert:

18 \*b0892/4.26\* "SECTION 3176m. 940.295 (1) (q) of the statutes is repealed.

19 \*b0892/4.26\* SECTION 3176n. 940.295 (2) (j) of the statutes is repealed and  
20 recreated to read:

21 940.295 (2) (j) The Wisconsin School for the Deaf under s. 115.52 and the  
22 Wisconsin Center for the Blind and Visually Impaired under s. 115.525."

23 \*b0705/2.2\* 1024. Page 1436, line 23: after that line insert:

1           **\*b0705/2.2\* SECTION 3191bd.** 945.03 of the statutes is renumbered 945.03  
2 (1m), and 945.03 (1m) (intro.), as renumbered, is amended to read:

3           945.03 (1m) (intro.) Whoever intentionally does any of the following is engaged  
4 in commercial gambling and, except as provided in sub. (2m), is guilty of a Class E  
5 felony:

6           **\*b0705/2.2\* SECTION 3191bf.** 945.03 (2m) of the statutes is created to read:

7           945.03 (2m) If the violation of sub. (1m) involves the possession, operation, set  
8 up, collection of proceeds, participation in earnings or maintenance of, or involves  
9 acting as the custodian of anything of value bet or offered to be bet on, not more than  
10 5 video gambling machines on premises for which a Class “B” or “Class B” license or  
11 permit has been issued under ch. 125, and the person has been penalized under this  
12 subsection on 4 or fewer previous separate occasions, the person may be penalized  
13 as follows:

14           (a) If the violation involves one video gambling machine, the person may be  
15 required to forfeit not more than \$500.

16           (b) If the violation involves 2 video gambling machines, the person may be  
17 required to forfeit not more than \$1,000.

18           (c) If the violation involves 3 video gambling machines, the person may be  
19 required to forfeit not more than \$1,500.

20           (d) If the violation involves 4 video gambling machines, the person may be  
21 required to forfeit not more than \$2,000.

22           (e) If the violation involves 5 video gambling machines, the person may be  
23 required to forfeit not more than \$2,500.

24           **\*b0705/2.2\* SECTION 3191bh.** 945.04 of the statutes is renumbered 945.04  
25 (1m), and 945.04 (1m) (intro.), as renumbered, is amended to read:

1           945.04 (1m) (intro.) ~~Whoever~~ Except as provided in sub. (2m), whoever  
2 intentionally does any of the following is guilty of a Class A misdemeanor:

3           **\*b0705/2.2\* SECTION 3191bj.** 945.04 (2m) of the statutes is created to read:

4           945.04 (2m) If the violation of sub. (1m) involves the set up or use of not more  
5 than 5 video gambling machines on premises for which a Class “B” or “Class B”  
6 license or permit has been issued under ch. 125, and the person has been penalized  
7 under this subsection on 4 or fewer previous separate occasions, the person may be  
8 penalized as follows:

9           (a) If the violation involves one video gambling machine, the person may be  
10 required to forfeit not more than \$500.

11           (b) If the violation involves 2 video gambling machines, the person may be  
12 required to forfeit not more than \$1,000

13           (c) If the violation involves 3 video gambling machines, the person may be  
14 required to forfeit not more than \$1,500.

15           (d) If the violation involves 4 video gambling machines, the person may be  
16 required to forfeit not more than \$2,000

17           (e) If the violation involves 5 video gambling machines, the person may be  
18 required to forfeit not more than \$2,500.

19           **\*b0705/2.2\* SECTION 3191bm.** 945.041 (11) of the statutes is created to read:

20           945.041 (11) No proceeding under this section may be commenced to revoke a  
21 Class “B” or “Class B” license or permit issued under ch. 125 to a person solely  
22 because the person knowingly permits 5 or fewer video gambling machines to be set  
23 up, kept, managed, used or conducted upon the licensed premises.

24           **\*b0705/2.2\* SECTION 3191bn.** 945.05 (1) (intro.) of the statutes is amended to  
25 read:

1           945.05 (1) (intro.) ~~Whoever~~ Except as provided in sub. (1m), whoever  
2 manufactures, transfers commercially or possesses with intent to transfer  
3 commercially either of the following is guilty of a Class E felony:

4           **\*b0705/2.2\* SECTION 3191bp.** 945.05 (1m) of the statutes is created to read:

5           945.05 (1m) If a violation of sub. (1) involves the commercial transfer of a video  
6 gambling machine or possession of a video gambling machine with the intent to  
7 transfer commercially, and the person has been penalized under this subsection on  
8 4 or fewer previous separate occasions, the person is subject to a Class C forfeiture.”.

9           **\*b0705/2.3\* 1025.** Page 1439, line 7: after that line insert:

10           **\*b0705/2.3\* “SECTION 3196m.** 946.82 (4) of the statutes is amended to read:

11           946.82 (4) “Racketeering activity” means any activity specified in 18 USC 1961  
12 (1) in effect as of April 27, 1982, or the attempt, conspiracy to commit, or commission  
13 of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1),  
14 180.0129, 181.0129, 185.825, 200.09 (2), 215.12, 221.0625, 221.0636, 221.0637,  
15 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01,  
16 940.19 (3) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31, 941.20  
17 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2) or (2g), 943.011,  
18 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (b) to (d),  
19 943.201, 943.23 (1g), (1m), (1r), (2) and (3), 943.24 (2), 943.25, 943.27, 943.28, 943.30,  
20 943.32, 943.34 (1) (b) and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c), 943.50 (4)  
21 (b) and (c), 943.60, 943.70, 944.205, 944.21 (5) (c) and (e), 944.32, 944.33 (2), 944.34,  
22 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12, 946.13, 946.31,  
23 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76, 947.015, 948.05,  
24 948.08, 948.12 and 948.30.”.

1           **\*b0803/3.32\* 1026.** Page 1439, line 7: after that line insert:

2           **\*b0803/3.32\* SECTION 3192d.** 946.42 (1) (a) of the statutes is amended to  
3 read:

4           946.42 (1) (a) "Custody" includes without limitation actual custody of an  
5 institution, including a secured correctional facility, as defined in s. 938.02 (15m), a  
6 secured child caring institution, as defined in s. 938.02 (15g), a secured group home,  
7 as defined in s. 938.02 (15p), a secure detention facility, as defined in s. 938.02 (16),  
8 a Type 2 child caring institution, as defined in s. 938.02 (19r), or a juvenile portion  
9 of a county jail, or of a peace officer or institution guard and constructive custody of  
10 prisoners and juveniles subject to an order under s. 48.366, 938.183, 938.34 (4d), (4h)  
11 or (4m) or 938.357 (4) or (5) (e) temporarily outside the institution whether for the  
12 purpose of work, school, medical care, a leave granted under s. 303.068, a temporary  
13 leave or furlough granted to a juvenile or otherwise. Under s. 303.08 (6) it means,  
14 without limitation, that of the sheriff of the county to which the prisoner was  
15 transferred after conviction. It does not include the custody of a probationer, parolee  
16 or person on extended supervision by the department of corrections or a probation,  
17 extended supervision or parole officer or the custody of a person who has been  
18 released to aftercare supervision under ch. 938 unless the person is in actual custody  
19 or is subject to a confinement order under s. 973.09 (4).

20           **\*b0803/3.32\* SECTION 3193d.** 946.44 (2) (c) of the statutes is amended to read:

21           946.44 (2) (c) "Institution" includes a secured correctional facility, as defined  
22 in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02 (15g),  
23 a secured group home, as defined in s. 938.02 (15p), and a Type 2 child caring  
24 institution, as defined in s. 938.02 (19r).



1           **\*b0803/3.32\* SECTION 3194d.** 946.44 (2) (d) of the statutes is amended to read:

2           946.44 (2) (d) “Prisoner” includes a person who is under the supervision of the  
3 department of corrections under s. 938.34 (4h) ~~or, who is~~ placed in a secured  
4 correctional facility ~~or, a~~ secured child caring institution or a secured group home  
5 under s. 938.183, 938.34 (4m) or 938.357 (4) or (5) (e) ~~or, who is~~ placed in a Type 2  
6 child caring institution under s. 938.34 (4d) or who is subject to an order under s.  
7 48.366.

8           **\*b0803/3.32\* SECTION 3195d.** 946.45 (2) (c) of the statutes is amended to read:

9           946.45 (2) (c) “Institution” includes a secured correctional facility, as defined  
10 in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02 (15g),  
11 a secured group home, as defined in s. 938.02 (15p), and a Type 2 child caring  
12 institution, as defined in s. 938.02 (19r).

13           **\*b0803/3.32\* SECTION 3196d.** 946.45 (2) (d) of the statutes is amended to read:

14           946.45 (2) (d) “Prisoner” includes a person who is under the supervision of the  
15 department of corrections under s. 938.34 (4h) ~~or, who is~~ placed in a secured  
16 correctional facility ~~or, a~~ secured child caring institution or a secured group home  
17 under s. 938.183, 938.34 (4m) or 938.357 (4) or (5) (e) ~~or, who is~~ placed in a Type 2  
18 child caring institution under s. 938.34 (4d) or who is subject to an order under s.  
19 48.366.”.

20           **\*b1104/3.10\* 1027.** Page 1439, line 7: after that line insert:

21           **\*b1104/3.10\* “SECTION 3193s.** 947.017 of the statutes is created to read:

22           **947.017 Threat to cause death, bodily harm or property damage. (1)**

23           In this section, “governmental unit” means the United States, this state or one of its

1 political subdivisions, an instrumentality or corporation of any of the foregoing or a  
2 combination or subunit of any of the foregoing.

3 (2) A person is guilty of a Class E felony if the person threatens to use a  
4 dangerous weapon or explosives to cause death, bodily harm or property damage in  
5 or on the premises of a structure owned, occupied or controlled by a governmental  
6 unit, a school, as defined in s. 948.50 (2) (a), or an institution of higher education, as  
7 defined in s. 108.02 (18).”.

8 \*b0803/3.33\* **1028.** Page 1440, line 15: after that line insert:

9 \*b0803/3.33\* “SECTION 3201d. 968.255 (7) (b) of the statutes is amended to  
10 read:

11 968.255 (7) (b) Is placed in or transferred to a secured correctional facility, as  
12 defined in s. 938.02 (15m), ~~or~~ a secured child caring institution, as defined in s. 938.02  
13 (15g), or a secured group home, as defined in s. 938.02 (15p).”.

14 \*b0737/1.4\* **1029.** Page 1445, line 15: delete the material beginning with  
15 that line and ending with page 1446, line 10.

16 \*b1179/3.3\* **1030.** Page 1447, line 2: delete “Forest,” and substitute  
17 “Forest,”.

18 \*b1179/3.4\* **1031.** Page 1447, line 19: delete the material beginning with  
19 that line and ending with page 1448, line 20.

20 \*b0803/3.34\* **1032.** Page 1453, line 4: after that line insert:

21 \*b0803/3.34\* “SECTION 3216d. 980.015 (2) (b) of the statutes is amended to  
22 read:

23 980.015 (2) (b) The anticipated release from a secured correctional facility, as  
24 defined in s. 938.02 (15m), or a secured child caring institution, as defined in s. 938.02

1 (15g), or a secured group home, as defined in s. 938.02 (15p), of a person adjudicated  
2 delinquent under s. 938.183 or 938.34 on the basis of a sexually violent offense.

3 **\*b0803/3.34\* SECTION 3217d.** 980.02 (1) (b) 2. of the statutes is amended to  
4 read:

5 980.02 (1) (b) 2. The county in which the person will reside or be placed upon  
6 his or her discharge from a sentence, release on parole or extended supervision, or  
7 release from imprisonment, from a secured correctional facility, as defined in s.  
8 938.02 (15m), ~~or from~~ a secured child caring institution, as defined in s. 938.02 (15g),  
9 from a secured group home, as defined in s. 938.02 (15p), or from a commitment order.

10 **\*b0803/3.34\* SECTION 3218d.** 980.02 (2) (ag) of the statutes is amended to  
11 read:

12 980.02 (2) (ag) The person is within 90 days of discharge or release, on parole,  
13 extended supervision or otherwise, from a sentence that was imposed for a conviction  
14 for a sexually violent offense, from a secured correctional facility, as defined in s.  
15 938.02 (15m), ~~or from~~ a secured child caring institution, as defined in s. 938.02 (15g),  
16 or from a secured group home, as defined in s. 938.02 (15p), if the person was placed  
17 in the facility for being adjudicated delinquent under s. 938.183 or 938.34 on the  
18 basis of a sexually violent offense or from a commitment order that was entered as  
19 a result of a sexually violent offense.

20 **\*b0803/3.34\* SECTION 3219d.** 980.02 (4) (am) of the statutes is amended to  
21 read:

22 980.02 (4) (am) The circuit court for the county in which the person will reside  
23 or be placed upon his or her discharge from a sentence, release on parole or extended  
24 supervision, or release from imprisonment, from a secured correctional facility, as  
25 defined in s. 938.02 (15m), ~~or from~~ a secured child caring institution, as defined in

1 s. 938.02 (15g), from a secured group home, as defined in s. 938.02 (15p), or from a  
2 commitment order.

3 \*b0803/3.34\* SECTION 3220d. 980.02 (4) (b) of the statutes is amended to read:

4 980.02 (4) (b) The circuit court for the county in which the person is in custody  
5 under a sentence, a placement to a secured correctional facility, as defined in s.  
6 938.02 (15m), ~~or~~ a secured child caring institution, as defined in s. 938.02 (15g), or  
7 a secured group home, as defined in s. 938.02 (15p), or a commitment order.”.

8 \*b0803/3.35\* 1033. Page 1453, line 22: after that line insert:

9 \*b0803/3.35\* “SECTION 3222d. 980.04 (1) of the statutes is amended to read:

10 980.04 (1) Upon the filing of a petition under s. 980.02, the court shall review  
11 the petition to determine whether to issue an order for detention of the person who  
12 is the subject of the petition. The person shall be detained only if there is cause to  
13 believe that the person is eligible for commitment under s. 980.05 (5). A person  
14 detained under this subsection shall be held in a facility approved by the department.  
15 If the person is serving a sentence of imprisonment, is in a secured correctional  
16 facility, as defined in s. 938.02 (15m), ~~or~~ a secured child caring institution, as defined  
17 in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), or is  
18 committed to institutional care, and the court orders detention under this  
19 subsection, the court shall order that the person be transferred to a detention facility  
20 approved by the department. A detention order under this subsection remains in  
21 effect until the person is discharged after a trial under s. 980.05 or until the effective  
22 date of a commitment order under s. 980.06, whichever is applicable.”.

23 \*b0730/1.14\* 1034. Page 1459, line 24: after that line insert:

24 \*b0730/1.14\* “SECTION 3243a. 992.21 of the statutes is created to read:

1           **992.21 Actions by division of savings and loan validated.** Any action  
2 taken by the division of savings and loan between July 1, 1996, and the effective date  
3 of this section ... [revisor inserts date], under the name of the division of savings  
4 institutions has the same force and effect in all respects as if the action had been  
5 taken under the name of the division of savings and loan.”.

6           **\*b1144/1.9\* 1035.** Page 1462, line 24: after that line insert:

7           **\*b1144/1.9\*** “SECTION 3261b. 1997 Wisconsin Act 27, section 1664f is repealed.

8           **\*b1144/1.9\*** SECTION 3261c. 1997 Wisconsin Act 27, section 2059f is  
9 repealed.”.

10           **\*b1144/1.10\* 1036.** Page 1464, line 3: after that line insert:

11           **\*b1144/1.10\*** “SECTION 3262g. 1997 Wisconsin Act 27, section 9423 (9ptt) is  
12 repealed.”.

13           **\*b1179/3.5\* 1037.** Page 1469, line 14: after that line insert:

14           **\*b1179/3.5\*** “(3d) DISTRICT ATTORNEY POSITION REALLOCATIONS.

15           (a) *Increased allocations.* Of the authorized FTE GPR assistant district  
16 attorney positions for the department of administration funded from the  
17 appropriation under section 20.475 (1) (d) of the statutes, the number of positions  
18 allocated to the following prosecutorial units shall be increased as follows: 1.0  
19 position for Sauk County, to be assigned to serve Columbia, Marquette and Sauk  
20 counties; and 0.5 position for La Crosse County.

21           (b) *Decreased allocations.* Of the authorized FTE GPR assistant district  
22 attorney positions for the department of administration funded from the  
23 appropriation under section 20.475 (1) (d) of the statutes, the number of positions

1 allocated to the following prosecutorial units shall be decreased as follows: 1.25  
2 positions for Milwaukee County; and 0.5 position for Columbia County.”

3 **\*b0770/4.1\* 1038.** Page 1475, line 21: after that line insert:

4 **\*b0770/4.1\*** “(11d) PILOT LITERACY PROGRAMS. In fiscal year 2000–01, the  
5 secretary of administration shall allocate \$150,000 from the appropriation under  
6 section 20.505 (6) (pb) of the statutes to award grants on a competitive basis to 6  
7 counties for pilot literacy programs in jails or houses of corrections. To be eligible for  
8 a grant under this subsection, a county must pay at least 25% of the total cost of its  
9 pilot literacy program.”

10 **\*b0795/2.1\* 1039.** Page 1477, line 24: delete the material beginning with  
11 that line and ending with page 1478, line 8.

12 **\*b1201/1.6\* 1040.** Page 1478, line 20: delete the material beginning with  
13 that line and ending with page 1479, line 5.

14 **\*b0980/1.25\* 1041.** Page 1479, line 19: delete the material beginning with  
15 that line and ending with page 1480, line 10.

16 **\*b0777/2.23\* 1042.** Page 1480, line 25: after that line insert:

17 **\*b0777/2.23\*** “(19v) SELLING AND TRANSFERRING RIGHTS TO TOBACCO LITIGATION  
18 FUNDS. The department of administration shall study the idea of selling and  
19 transferring Wisconsin’s rights to the moneys due to Wisconsin under the Attorneys  
20 General Master Tobacco Settlement Agreement of November 23, 1998, for the  
21 purpose of creating a permanent endowment fund. No later than January 1, 2000,  
22 the department shall submit the study to the legislature in the manner provided  
23 under section 13.172 (2) of the statutes.”

24 **\*b0790/1.2\* 1043.** Page 1480, line 25: after that line insert:

1           **\*b0790/1.2\*** “(20m) STUDY OF STATE-OWNED WATER PURIFICATION AND WASTEWATER  
2 TREATMENT PLANTS. The department of administration shall study the feasibility and  
3 desirability of selling, leasing or forming public-private partnerships to operate the  
4 water purification and wastewater treatment plants owned by the state. The  
5 department shall submit a report to the legislature concerning the options available  
6 to the state with respect to such sale, leasing or operational agreements in the  
7 manner provided under section 13.172 (2) of the statutes no later than December 31,  
8 2000.”.

9           **\*b0815/2.10\* 1044.** Page 1481, line 7: delete lines 7 to 25 and substitute:

10          **\*b0815/2.10\*** “(1g) PESTICIDE DATA BASE STUDY. During the 1999-2001 fiscal  
11 biennium, the department of agriculture, trade and consumer protection shall  
12 conduct a study to determine the feasibility of creating a data base that records the  
13 level of pesticide use by farmers, other businesses, government and homeowners.”.

14          **\*b0865/1.1\* 1045.** Page 1481, line 25: after that line insert:

15          **\*b0865/1.1\*** “(2m) FISH MICROBIOLOGIST. The authorized FTE positions for the  
16 department of agriculture, trade and consumer protection are increased by 1.0 PR  
17 position, to be funded from the appropriation under section 20.115 (2) (ha) of the  
18 statutes, to perform fish microbiology.”.

19          **\*b0870/2.34\* 1046.** Page 1481, line 25: after that line insert:

20          **\*b0870/2.34\*** “(3y) NURSERY REGULATION POSITION. The authorized FTE  
21 positions for the department of agriculture, trade and consumer protection, funded  
22 from the appropriation under section 20.115 (7) (ja) of the statutes, are decreased by  
23 1.0 PR position for the purpose of nursery regulation.”.

24          **\*b1184/1.7\* 1047.** Page 1482, line 9: after that line insert:

1           **\*b1184/1.7\*** “(1m) MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION AND  
2 COMPACT WITHDRAWAL. The state of Wisconsin withdraws from the  
3 Minnesota-Wisconsin boundary area commission and from the compact creating the  
4 commission under chapter 274, laws of 1965. The governor of Wisconsin shall inform  
5 the governor of Minnesota of this withdrawal no later than 10 days after the effective  
6 date of this subsection.”.

7           **\*b1169/1.25\* 1048.** Page 1485, line 4: increase the dollar amount by  
8 \$5,531,900 and adjust the appropriate totals accordingly.

9           **\*b0757/2.36\* 1049.** Page 1487, line 12: after that line insert (and adjust the  
10 appropriate totals accordingly):

11	“Milwaukee Lakeshore State Park development	500,000
12	(Total project all funding sources \$1,000,000)”.	

13           **\*b0757/2.37\* 1050.** Page 1487, line 16: after that line insert:

14           “3. *Projects funded by general fund supported borrowing*  
15           *authority — stewardship 2000 funds:*

16	Milwaukee Lakeshore State Park development	500,000
17	(Total project all funding sources \$1,000,000)”.	

18           **\*b0780/1.9\* 1051.** Page 1491, line 17: delete lines 17 and 18 (and adjust the  
19 appropriate totals accordingly).

20           **\*b1169/1.26\* 1052.** Page 1492, line 16: increase the dollar amount by  
21 \$1,400,000 and adjust the appropriate totals accordingly.

22           **\*b1169/1.27\* 1053.** Page 1494, line 19: increase the dollar amount by  
23 \$1,750,000 and adjust the appropriate totals accordingly.



1           **\*b0712/1.6\* 1054.** Page 1495, line 2: after that line insert (and adjust the  
2 appropriate totals accordingly):

3           “(Lm) SWISS CULTURAL CENTER

4           1. *Projects financed by general fund supported borrowing:*

5 Swiss cultural center — New Glarus 1,000,000

6 (Total project all funding sources \$6,000,000)

7           2. *Projects financed by program revenue:*

8 Swiss cultural center — New Glarus 1,000,000

9 (Total project all funding sources \$6,000,000)

10          3. *Projects financed by gifts, grants and other receipts:*

11 Swiss cultural center — New Glarus 4,000,000

12 (Total project all funding sources \$6,000,000)

13          4. *Agency totals:*

14 General fund supported borrowing 1,000,000

15 Program revenue 1,000,000

16 Gifts, grants and other receipts 6,000,000

17 Total — All sources of funds 6,000,000”.

18           **\*b0712/1.7\* 1055.** Page 1500, line 12: after that line insert:

19           **\*b0712/1.7\*** “(6g) SWISS CULTURAL CENTER. Notwithstanding section 13.48 (33)  
20 of the statutes, as created by this act, the building commission shall not make a grant  
21 to the organization known as the Swiss Cultural Center for the Swiss cultural center  
22 project enumerated in subsection (1) (Lm) under section 13.48 (33) of the statutes,  
23 as created by this act, unless the department of administration has reviewed and

1 approved the plans for the project. Notwithstanding sections 16.85 (1) and 16.855  
2 (1) of the statutes, the department of administration shall not supervise any services  
3 or work or let any contract for the project. Section 16.87 of the statutes does not apply  
4 to the project.”.

5 **\*b0780/1.10\* 1056.** Page 1501, line 9: delete lines 9 to 15.

6 **\*b0757/2.38\* 1057.** Page 1501, line 21: after that line insert:

7 **\*b0757/2.38\*** “(9g) MILWAUKEE LAKESHORE STATE PARK DEVELOPMENT.  
8 Notwithstanding section 18.04 (2) of the statutes, as affected by this act, the building  
9 commission shall not authorize public debt to be contracted from the appropriation  
10 under section 20.866 (2) (ta) of the statutes, as created by this act, for the  
11 development of Milwaukee Lakeshore State Park, as authorized under sub. (1) (f) 3.,  
12 prior to July 1, 2000.”.

13 **\*b0748/3.3\* 1058.** Page 1501, line 24: after that line insert:

14 **\*b0748/3.3\*** “(1g) CIRCUIT COURT BRANCH, 2000. The initial election for circuit  
15 judge for branch 3 of the circuit court for Waupaca County shall be at the spring  
16 election of 2000 for a term commencing August 1, 2000, and ending July 31, 2006.

17 **\*b0748/3.3\*** (1h) CIRCUIT JUDGE POSITION. The authorized FTE positions for the  
18 circuit courts are increased by 1.0 GPR circuit judge position on August 1, 2000, to  
19 be funded from the appropriation under section 20.625 (1) (a) of the statutes, to  
20 provide an additional circuit court judge for the circuit court branch for Waupaca  
21 County created by this act.

22 **\*b0748/3.3\*** (1i) COURT REPORTER POSITION. The authorized FTE positions for  
23 the circuit courts are increased by 1.0 GPR court reporter position on August 1, 2000,  
24 to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to

1 provide one additional court reporter for the circuit court branch for Waupaca  
2 County created by this act.”.

3 \*b0708/1.1\* **1059.** Page 1507, line 12: after that line insert:

4 \*b0708/1.1\* “(7b) COMMUNITY DEVELOPMENT BLOCK GRANT FOR WATER WELL.

5 (a) Notwithstanding administrative rules of the department of commerce  
6 related to the awarding of community development block grants, the department of  
7 commerce shall make a grant of \$299,000 in fiscal year 1999–2000, from the  
8 appropriation under section 20.143 (1) (n) of the statutes, to the town of Rib  
9 Mountain for drilling a new water well.

10 (b) Within 6 months after spending the full amount of the grant, the town of  
11 Rib Mountain shall submit to the department of commerce a report detailing how the  
12 grant proceeds were spent.”.

13 \*b0712/1.8\* **1060.** Page 1507, line 12: after that line insert:

14 \*b0712/1.8\* “(7h) GRANT FOR SWISS CULTURAL CENTER.

15 (a) Subject to paragraph (b), from the appropriation under section 20.143 (1)  
16 (km) of the statutes, as created by this act, the department of commerce shall make  
17 a grant in fiscal biennium 1999–2001 to an organization known as the Swiss Cultural  
18 Center for construction of a Swiss cultural center in the village of New Glarus.

19 (b) The amount of the grant under paragraph (a) may not exceed \$1,000,000.  
20 For every dollar received from the state for the project under paragraph (a), the  
21 organization shall provide \$2 in matching funds for the project from a source other  
22 than the state.

1 (c) Within 6 months after spending the full amount of the grant under  
2 paragraph (a), the organization shall submit to the department of commerce a report  
3 detailing how the grant proceeds were used.”.

4 \*b0982/3.24\* **1061.** Page 1507, line 12: after that line insert:

5 \*b0982/3.24\* “(7n) ADMINISTRATION OF MOBILE HOMES.

6 (a) The authorized FTE positions for the department of commerce are  
7 decreased by 1.6 PR positions funded from the appropriation under section 20.143  
8 (3) (j) of the statutes, as affected by this act, for the purpose of administering  
9 subchapter V of chapter 101 of the statutes, as affected by this act.

10 (b) The authorized FTE positions for the department of commerce are increased  
11 by 1.6 SEG positions, to be funded from the appropriation under section 20.143 (3)  
12 (sa) of the statutes, as created by this act, for the purpose of administering  
13 subchapter V of chapter 101 of the statutes, as affected by this act.”.

14 \*b0737/1.5\* **1062.** Page 1508, line 13: delete the material beginning with  
15 that line and ending with page 1509, line 22.

16 \*b1144/1.11\* **1063.** Page 1511, line 12: after that line insert:

17 \*b1144/1.11\* “(4xx) CAREGIVER CRIMINAL BACKGROUND CHECKS. The department  
18 of corrections, in conjunction with the University of Wisconsin–Madison, shall  
19 prepare a report on the correlation between prior convictions and the propensity to  
20 commit future acts of abuse, neglect or misappropriation. The department of  
21 corrections shall submit the report to the legislature in the manner provided under  
22 section 13.172 (3) of the statutes no later than June 30, 2001.”.

23 \*b1251/3.3\* **1064.** Page 1511, line 12: after that line insert:

1           **\*b1251/3.3\*** “(6e) COMPUTER RECYCLING PROGRAM. The authorized FTE  
2 positions for the department of corrections are increased by 4.0 SEG project positions  
3 for the period ending on June 30, 2001, to be funded from the appropriation under  
4 section 20.410 (1) (qm) of the statutes, as created by this act, for the purpose of the  
5 department’s computer recycling program.”.

6           **\*b0723/3.10\* 1065.** Page 1511, line 17: after that line insert:

7           **\*b0723/3.10\*** “(1g) PRIVATE EMPLOYER HEALTH CARE COVERAGE BOARD.  
8 Notwithstanding the length of terms specified for the members of the private  
9 employer health care coverage board under section 15.165 (5) of the statutes, as  
10 created by this act, the initial members shall be appointed for the following terms:

11           (a) The members specified under section 15.165 (5) (a) 1., 3. and 7. of the  
12 statutes, as created by this act, for terms expiring on May 1, 2002.

13           (b) The members specified under section 15.165 (5) (a) 2., 5. and 8. of the  
14 statutes, as created by this act, for terms expiring on May 1, 2003.

15           (c) The members specified under section 15.165 (5) (a) 4. and 6. of the statutes,  
16 as created by this act, for terms expiring on May 1, 2004.

17           **\*b0723/3.10\*** (2) POSITION AUTHORIZATIONS FOR THE DEPARTMENT OF EMPLOYE  
18 TRUST FUNDS. The authorized FTE positions for the department of employe trust  
19 funds are increased by 3.5 GPR positions on the effective date of this subsection, to  
20 be funded from the appropriation under section 20.515 (2) (a) of the statutes, as  
21 created by this act, for the purpose of designing and contracting for administrative  
22 services for the private employer health care coverage program under subchapter X  
23 of chapter 40 of the statutes, as created by this act.

24           **\*b0723/3.10\*** (3) GRANT FOR ADMINISTRATION OF PROGRAM.

1 (a) In this subsection:

2 1. “Administrator” means the administrator selected by the department under  
3 section 40.98 (2) (a) 2. of the statutes, as created by this act.

4 2. “Department” means the department of employe trust funds.

5 3. “Secretary” means the secretary of employe trust funds.

6 (b) The department shall make a grant of \$200,000 from the appropriation  
7 under section 20.515 (2) (b) of the statutes, as created by this act, to the administrator  
8 for costs associated with administering the health care coverage plans under the  
9 program under subchapter X of chapter 40 of the statutes, as created by this act, if  
10 all of the following apply:

11 1. The administrator submits a plan to the department detailing the proposed  
12 use of the grant and the secretary approves the plan.

13 2. The administrator enters into a written agreement with the department that  
14 specifies the conditions for use of the grant proceeds, including reporting and  
15 auditing requirements.

16 3. The administrator agrees in writing to submit to the department the report  
17 required under paragraph (c) by the time required under paragraph (c).

18 (c) If the administrator receives a grant under this subsection, the  
19 administrator shall submit to the department, within 6 months after spending the  
20 full amount of the grant, a report detailing how the grant proceeds were used.”.

21 **\*b1162/2.6\* 1066.** Page 1511, line 21: after that line insert:

22 **\*b1162/2.6\*** “(1w) TRAINING PROGRAMS. The authorized FTE positions for the  
23 department of employment relations are increased by 0.5 PR position, to be funded

1 from the appropriation under section 20.512 (1) (jm) of the statutes, for the purpose  
2 of providing training services.”.

3 **\*b0730/1.15\* 1067.** Page 1511, line 23: after that line insert:

4 **\*b0730/1.15\*** “(1g) EMERGENCY RULE-MAKING AUTHORITY. Using the procedure  
5 under section 227.24 of the statutes, the division of banking shall promulgate rules  
6 required under chapter 222 of the statutes, as created by this act, for the period  
7 before permanent rules become effective, but not to exceed the period authorized  
8 under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24  
9 (1) (a) and (2) (b) of the statutes, the division of banking need not provide evidence  
10 of the necessity of preservation of the public peace, health, safety or welfare in  
11 promulgating rules under this subsection.”.

12 **\*b0731/1.4\* 1068.** Page 1511, line 23: after that line insert:

13 **\*b0731/1.4\*** “(2z) SUBMISSION OF PROPOSED RULES GOVERNING REGISTRATION OF  
14 RENTAL-PURCHASE COMPANIES. No later than the first day of the 3rd month beginning  
15 after publication, the department of financial institutions shall submit in proposed  
16 form the rules governing registration of rental-purchase companies under section  
17 435.301 of the statutes, as created by this act, to the legislative council staff under  
18 section 227.15 (1) of the statutes.”.

19 **\*b1106/2.2\* 1069.** Page 1519, line 13: delete that line and substitute:

20 **\*b1106/2.2\*** “(8x) HEALTH CARE INFORMATION PROPOSAL.

21 (a) By June 30, 2001, the department of”.

22 **\*b1106/2.3\* 1070.** Page 1519, line 16: after “activities” insert “, except as  
23 provided in paragraph (b),”.

1           **\*b1106/2.4\* 1071.** Page 1520, line 2: after “administration” insert “, as  
2 authorized under current law”.

3           **\*b1106/2.5\* 1072.** Page 1520, line 7: after “committee” insert “and as  
4 authorized under current law”.

5           **\*b1106/2.6\* 1073.** Page 1520, line 7: after that line insert:

6           “(b) By June 30, 2000, the department of health and family services, the  
7 subunit of the department of employe trust funds that deals with health care  
8 financing and the office of the commissioner of insurance shall together develop a  
9 proposal for consolidation of voluntarily provided health plan data collected by those  
10 agencies and a detailed memorandum of understanding for implementing the  
11 proposal. If the proposal is acceptable to each agency, the secretary of health and  
12 family services, the secretary of employe trust funds and the commissioner of  
13 insurance shall sign the memorandum of understanding and submit the proposal,  
14 the memorandum of understanding, a report concerning any potential cost savings  
15 from the consolidated collection of voluntarily provided health plan data and any  
16 proposed legislation required to implement the proposal to the department of  
17 administration. The department of administration may approve, disapprove or  
18 modify and approve any proposal it receives under this paragraph. If the department  
19 of administration approves the proposal, the department shall submit the proposal,  
20 together with any modifications the memorandum of understanding, the report and  
21 any proposed legislation to the cochairpersons of the joint committee on finance. If  
22 the cochairpersons of the committee do not notify the secretary of administration  
23 within 14 working days after receiving the proposal that the cochairpersons have  
24 scheduled a meeting for the purpose of reviewing the proposal, the department of



1 administration may approve any proposed expenditure and position authority  
2 contained in the proposal and any modifications of the proposal to the extent  
3 authorized under current law. If, within 14 working days after receiving the  
4 proposal, the cochairpersons notify the secretary of administration that the  
5 cochairpersons have scheduled a meeting for the purpose of reviewing the proposal,  
6 the department of administration may not approve the proposed expenditure and  
7 position authority contained in the proposal any proposed modifications of the  
8 proposal, except as approved by the committee and to the extent authorized under  
9 current law. If the proposal, as approved by the department of administration and  
10 the committee, if the committee approves the proposal, is not consistent with the  
11 memorandum of understanding, the department of health and human services, the  
12 subunit of the department of employe trust funds and the commissioner of insurance  
13 shall enter into a revised memorandum of understanding that is consistent with the  
14 approved proposal.”.

15 \*b0819/3.4\* **1074.** Page 1526, line 5: after that line insert:

16 \*b0819/3.4\* “(14d) COMMUNITY MARRIAGE POLICY PROJECT. The authorized FTE  
17 positions for the department of health and family services are increased by 1.0 PR  
18 project position, to be funded from the appropriation under section 20.435 (3) (hm)  
19 of the statutes, as created by this act, for the period beginning on the later of October  
20 1, 1999, or the first day of the 2nd month beginning after the effective date of this  
21 subsection, and ending on September 30, 2003. The positions are increased under  
22 this subsection for the purpose of coordinating the development of, and assisting  
23 local members of the clergy to develop, community-wide standards for marriages  
24 solemnized in this state by members of the clergy.”.