

1 lake associations, town sanitary districts, qualified school districts, public inland
2 lake protection and rehabilitation districts, and other local governmental units, as
3 defined in s. 66.0131 (1) (a), that are established for the purpose of lake management.

4 ***-0353/3.29* SECTION 3193.** 281.68 (3) (b) 6. of the statutes is created to read:

5 281.68 (3) (b) 6. Providing programs and materials that promote the
6 monitoring of private sewage systems, the reduction in the use of environmentally
7 harmful chemicals, water safety, and the protection of natural lake ecosystems.

8 ***-0353/3.30* SECTION 3194.** 281.68 (3m) (title) and (a) (intro.) of the statutes
9 are created to read:

10 281.68 (3m) (title) QUALIFIED ENTITIES. (a) (intro.) To be a qualified lake
11 association, an association shall do all of the following:

12 ***-0353/3.31* SECTION 3195.** 281.68 (3m) (a) 1. of the statutes is created to read:

13 281.68 (3m) (a) 1. Demonstrate that it is incorporated under ch. 181.

14 ***-0353/3.32* SECTION 3196.** 281.68 (3m) (b) of the statutes is created to read:

15 281.68 (3m) (b) For purposes of par. (a) 9., the department shall set by rule the
16 maximum amount and the minimum amount that may be charged as an annual
17 membership fee.

18 ***-0353/3.33* SECTION 3197.** 281.68 (3m) (c) of the statutes is created to read:

19 281.68 (3m) (c) To be a qualified school district, the board of the school district
20 shall adopt a resolution to conduct a lake management planning project that will do
21 all of the following:

22 1. Provide information or education on the use of lakes or natural lake
23 ecosystems, on the quality of water in lakes, or on the quality of natural lake
24 ecosystems.

1 2. Allow another eligible recipient of grants under this section to cooperate with
2 the school district in the project.

3 *~~0353/3.35~~* SECTION 3199. 281.69 (1b) of the statutes is renumbered 281.69
4 (1b) (intro.) and amended to read:

5 281.69 (1b) ~~DEFINITION DEFINITIONS.~~ (intro.) In this section, “lake”;

6 (ag) “Lake” includes a flowage.

7 *~~0353/3.37~~* SECTION 3201. 281.69 (1b) (c) of the statutes is created to read:

8 281.69 (1b) (c) “Qualified lake association” is an association that meets the
9 qualifications under s. 281.68 (3m) (a).

10 *~~0353/3.38~~* SECTION 3202. 281.69 (1b) (d) of the statutes is created to read:

11 281.69 (1b) (d) “Wetland” has the meaning given in s. 23.32 (1).

12 *~~0353/3.39~~* SECTION 3203. 281.69 (3) (a) of the statutes is amended to read:

13 281.69 (3) (a) A designation of eligible recipients, which shall include nonprofit
14 conservation organizations, as defined in s. 23.0955 (1), counties, cities, towns,
15 villages, qualified lake associations, ~~as defined in s. 281.68 (1) (b)~~, town sanitary
16 districts, public inland lake protection and rehabilitation districts, and other local
17 governmental units, as defined in s. 66.0131 (1) (a), that are established for the
18 purpose of lake management.

19 *~~0353/3.41~~* SECTION 3205. 281.69 (3) (b) 2. of the statutes is amended to read:

20 281.69 (3) (b) 2. The restoration of a wetland, ~~as defined in s. 23.32 (1)~~, if the
21 restoration will protect or improve a lake’s water quality or its natural ecosystem.

22 *~~0353/3.42~~* SECTION 3206. 281.69 (3) (b) 2m. of the statutes is created to read:

23 281.69 (3) (b) 2m. The restoration of habitat in a littoral area of a lake or along
24 its shoreline if the restoration will protect or improve the lake’s water quality or its
25 natural ecosystem.

1 ***-1335/7.63*** SECTION 3208. 281.75 (4) (b) 3. of the statutes is amended to read:
2 281.75 (4) (b) 3. An authority created under ch. 231, 233 ~~or~~, 234, or 237.

3 ***-0367/3.2*** SECTION 3211. 283.33 (1) (b) of the statutes is amended to read:
4 283.33 (1) (b) A discharge of storm water from a municipal separate storm
5 sewer system serving an incorporated area with a population of 100,000 or more, as
6 determined by the 1990 federal census.

7 ***-0367/3.3*** SECTION 3212. 283.33 (1) (c) of the statutes is created to read:
8 283.33 (1) (c) A discharge of storm water from a municipal separate storm
9 sewer system serving an area located in an urbanized area, as determined by the U.S.
10 bureau of the census based on the latest decennial federal census.

11 ***-0367/3.4*** SECTION 3213. 283.33 (1) (cg) of the statutes is created to read:
12 283.33 (1) (cg) A discharge of storm water from a municipal separate storm
13 sewer system serving an area with a population of 10,000 or more and a population
14 density of 1,000 or more per square mile, if the system is designated by the
15 department to be regulated under this section based on an evaluation of whether the
16 storm water discharge results in, or has the potential to result in, water quality
17 standards being exceeded, including impairment of designated uses, or in other
18 significant water quality impacts, including habitat and biological impacts.

19 ***-0367/3.5*** SECTION 3214. 283.33 (1) (cr) of the statutes is created to read:
20 283.33 (1) (cr) A discharge of storm water from a municipal separate storm
21 sewer system that is designated by the department to be regulated under this section
22 because the system contributes substantially to the pollutant loadings of a physically
23 interconnected municipal separate storm sewer system that is regulated under this
24 section.

25 ***-0367/3.6*** SECTION 3215. 283.33 (1) (d) of the statutes is amended to read:

1 283.33 (1) (d) A discharge of storm water from a facility or activity, other than
2 a facility or activity under ~~par. pars.~~ (a) ~~or (b)~~ to (cr), if the department determines
3 that the discharge either contributes to a violation of a water quality standard or is
4 a significant contributor of pollutants to the waters of the state.

5 ***-0367/3.7*** SECTION 3216. 283.33 (4) (a) (intro.) of the statutes is amended to
6 read:

7 283.33 (4) (a) (intro.) In addition to obtaining a permit under this section, the
8 owner or operator of an industrial activity described in sub. (1) (a) that discharges
9 storm water through a municipal separate storm sewer system described in sub. (1)
10 (b) to (cr) shall submit the following information to the owner or operator of the
11 municipal separate storm sewer system:

12 ***-0367/3.8*** SECTION 3217. 283.33 (8) of the statutes is amended to read:

13 283.33 (8) RULE MAKING. The department shall promulgate rules ~~containing~~
14 ~~criteria for identifying storm water discharges for which permits are required under~~
15 ~~sub. (1) for the administration of this section.~~ The department may not require a
16 permit under this section for diffused surface drainage or agricultural storm water
17 discharges.

18 ***-1857/5.119*** SECTION 3218. 283.84 (1) (c) of the statutes is amended to read:

19 283.84 (1) (c) Reaches an agreement with the department or a local
20 governmental unit, as defined in s. ~~16.97~~ 22.01 (7), under which the person pays
21 money to the department or local governmental unit and the department or local
22 governmental unit uses the money to reduce water pollution in the project area.

23 ***-0367/3.9*** SECTION 3219. 283.89 (2m) of the statutes is amended to read:

24 283.89 (2m) If the department finds a violation of s. 283.33 (1) to (8) for which
25 a person is subject to a forfeiture under s. 283.91 (2), the department ~~shall~~ may issue

1 a citation and, if the department does issue a citation, the procedures in ss. 23.50 to
2 23.99 apply.

3 ***-1335/7.64* SECTION 3220.** 285.59 (1) (b) of the statutes is amended to read:

4 285.59 (1) (b) "State agency" means any office, department, agency, institution
5 of higher education, association, society or other body in state government created
6 or authorized to be created by the constitution or any law which is entitled to expend
7 moneys appropriated by law, including the legislature and the courts, the Wisconsin
8 Housing and Economic Development Authority, the Bradley Center Sports and
9 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics
10 Authority, the Fox River Navigational System Authority, and the Wisconsin Health
11 and Educational Facilities Authority.

12 ***-1838/1.1* SECTION 3222.** 285.69 (2) (a) 8. of the statutes is amended to read:

13 285.69 (2) (a) 8. That the fee billed for each stationary source in each year after
14 2001 is based on the actual emissions of all regulated pollutants, and any other air
15 contaminant specified by the department in the rules, in the preceding ~~5 years~~, using
16 a 5-year rolling average year.

17 ***-0290/2.4* SECTION 3225.** 287.23 (5) (c) 2. of the statutes is amended to read:

18 287.23 (5) (c) 2. Except as provided in subd. 5. or sub. (5e), for all other
19 responsible units, the amount of the grant for 1993 through ~~2000~~ 1999 equals either
20 66% of the difference between eligible expenses and avoided disposal costs or \$8
21 times the population of the responsible unit, whichever is less.

22 ***-0290/2.5* SECTION 3226.** 287.23 (5m) of the statutes is amended to read:

23 287.23 (5m) ALTERNATE PROCESS. The department shall establish, by rule, a
24 process for distributing grants if the amount that would be awarded under sub. (5)
25 or (5e) exceeds the amount of funds available ~~under s. 20.370 (6) (bq)~~.

1 ***b0581/1.1* SECTION 3227t.** 289.33 (8) (b) 8. of the statutes is created to read:

2 289.33 (8) (b) 8. Compensation to any person for substantial economic impacts
3 that are a direct result of the facility's receipt of waste generated outside of this state.

4 ***b0418/2.1* SECTION 3227q.** 289.41 (6) (a) of the statutes is amended to read:

5 289.41 (6) (a) *Compliance.* Except as provided under par. (j), (k), or (L) or sub.
6 (7), calculations and determinations based on data and information provided in the
7 opinion of the certified public accountant are required to establish that the company
8 satisfies each of the criteria under pars. (b) to (i) in order to comply with minimum
9 financial standards.

10 ***b0418/2.1* SECTION 3227r.** 289.41 (6) (k) of the statutes is created to read:

11 289.41 (6) (k) *Exception from one criterion.* Paragraph (e) does not apply to a
12 company that owns a solid waste facility at which more than one-half, by volume,
13 of the solid waste disposed of is high-volume industrial waste if the company
14 satisfies the criteria under pars. (b) to (d) and (f) to (i).

15 ***b0418/2.1* SECTION 3227s.** 289.41 (6) (L) of the statutes is created to read:

16 289.41 (6) (L) *Alternative criteria for certain companies.* Paragraphs (e) and
17 (f) do not apply to a company that owns a solid waste facility at which more than
18 one-half, by volume, of the solid waste disposed of is high-volume industrial waste
19 if the company satisfies the criteria under pars. (b) to (d) and (g) to (i) and one of the
20 following criteria:

21 1. The company received a rating for its senior unsubordinated debt of "AAA,"
22 "AA," "A," or "BBB" from Standard and Poor's Corporation, or of "Aaa," "Aa," "A," or
23 "Baa" from Moody's Investor Service, Incorporated, in the most recent issuance of
24 ratings by either firm.

1 2. The quotient of the sum of net income plus depreciation, plus depletion, plus
2 amortization, minus \$10,000,000, divided by total liabilities at the end of the
3 company's most recently completed fiscal year exceeds 0.1.

4 ***b0416/1.2* SECTION 3228h.** 289.83 of the statutes, as affected by 2001
5 Wisconsin Act (this act), is repealed.

6 ***b0416/1.2* SECTION 3228j.** 289.83 (5) of the statutes is amended to read:

7 289.83 (5) PAYMENT OF GRANT. The department shall make 10 annual grant
8 payments annually over a 10-year period to recipients who applied in fiscal years
9 1992–93 and 1993–94. Each grant payment shall equal 10% of the total grant to a
10 political subdivision.

11 ***-0333/1.1* SECTION 3259.** 292.31 (7) (am) of the statutes is created to read:

12 292.31 (7) (am) 1. The department may accept the transfer of an interest in
13 property that was acquired by the federal environmental protection agency as part
14 of a remedial action under the federal Comprehensive Environmental Response,
15 Compensation, and Liability Act, 42 USC 9601 to 9675.

16 2. The department may acquire an interest in property from any person as part
17 of a remedial action conducted in cooperation with the federal environmental
18 protection agency if the acquisition is necessary to implement the remedy. Under
19 this subdivision, the department may acquire an interest in property that is
20 necessary to ensure that restrictions on the use of land or groundwater are
21 enforceable. The department may expend moneys from the appropriations under ss.
22 20.370 (2) (dv) and 20.866 (2) (tg) if necessary to compensate a person for an interest
23 in property acquired by the department under this subdivision.

24 3. The department may enforce the terms of any interest in property that it
25 acquires under this paragraph.

1 *~~0320/5.8~~* SECTION 3288. 292.65 (1) (intro.) of the statutes is amended to
2 read:

3 292.65 (1) DEFINITIONS. (intro.) In this section ~~and s. 292.66~~:

4 *~~0320/5.9~~* SECTION 3289. 292.65 (1) (b) of the statutes is amended to read:
5 292.65 (1) (b). “Case closure letter” means a letter provided by the department
6 that states that, based on information available to the department, no further
7 remedial action is necessary with respect to a dry cleaning ~~solvent~~ product discharge.

8 *~~0320/5.10~~* SECTION 3290. 292.65 (1) (d) (intro.) of the statutes is amended
9 to read:

10 292.65 (1) (d) (intro.) “Dry cleaning facility” means a facility for dry cleaning
11 apparel or household fabrics for the general public using a dry cleaning product,
12 other than a facility that is one of the following:

13 *~~0320/5.11~~* SECTION 3291. 292.65 (1) (e) of the statutes is amended to read:
14 292.65 (1) (e) “Dry cleaning ~~solvent~~ product” means a ~~chlorine-based or~~
15 ~~hydrocarbon-based formulation or product that is used as a primary cleaning agent~~
16 ~~in dry cleaning facilities~~ hazardous substance used to clean apparel or household
17 fabrics, except for a hazardous substance used to launder apparel or household
18 fabrics.

19 *~~0320/5.12~~* SECTION 3292. 292.65 (1) (gm) of the statutes is amended to read:
20 292.65 (1) (gm) “Immediate action” means a remedial action that is taken
21 within a short time after a discharge of dry cleaning ~~solvent~~ product occurs, or after
22 the discovery of a discharge of dry cleaning ~~solvent~~ product, to halt the discharge,
23 contain or remove discharged dry cleaning ~~solvent~~ product, or remove contaminated
24 soil or water in order to restore the environment to the extent practicable and to

1 minimize the harmful effects of the discharge to air, lands, and waters of the state
2 and to eliminate any imminent threat to public health, safety, or welfare.

3 ***-0320/5.13* SECTION 3293.** 292.65 (1) (gs) of the statutes is created to read:

4 292.65 (1) (gs) “Interim action” means a remedial action that is taken to contain
5 or stabilize a discharge of a dry cleaning product, in order to minimize any threats
6 to public health, safety, or welfare or to the environment, while other remedial
7 actions are being planned.

8 ***-0320/5.14* SECTION 3294.** 292.65 (4) (b) of the statutes is amended to read:

9 292.65 (4) (b) *Report.* An owner or operator shall report a dry cleaning solvent
10 product discharge to the department in a timely manner, as provided in s. 292.11.

11 ***-0320/5.15* SECTION 3295.** 292.65 (4) (e) of the statutes is amended to read:

12 292.65 (4) (e) *Investigation.* After notifying the department under par. (c) 1.,
13 if applicable, and before conducting remedial action activities, an owner or operator
14 shall complete an investigation to determine the extent of environmental impact of
15 the dry cleaning solvent product discharge, except as provided in pars. (g) and (h).

16 ***-0320/5.16* SECTION 3296.** 292.65 (4) (h) of the statutes is repealed and
17 recreated to read:

18 292.65 (4) (h) *Interim action.* An owner or operator is not required to complete
19 an investigation or prepare a remedial action plan before conducting an interim
20 action activity if the department determines that an interim action is necessary.

21 ***-0320/5.17* SECTION 3297.** 292.65 (4) (i) of the statutes is amended to read:

22 292.65 (4) (i) *Review of site investigation and remedial action plan.* The
23 department shall, at the request of an owner or operator, review the site
24 investigation results and the remedial action plan and advise the owner or operator
25 on the adequacy of the proposed remedial action activities in meeting the

1 requirements of this section. The department shall complete the review of the site
2 investigation and remedial action plan within 45 days. The department shall also
3 provide an estimate of when funding will be available to pay an award for remedial
4 action conducted in response to the dry cleaning solvent product discharge.

5 ***-0320/5.18* SECTION 3298.** 292.65 (4) (j) (intro.) and 1. of the statutes are
6 amended to read:

7 292.65 (4) (j) *Remedial action.* (intro.) The owner or operator shall conduct all
8 remedial action activities that are required under this section in response to the dry
9 cleaning solvent product discharge, including all of the following:

10 1. Recovering any recoverable dry cleaning solvent product from the
11 environment.

12 ***-0320/5.19* SECTION 3299.** 292.65 (5) (b) (intro.) of the statutes is amended
13 to read:

14 292.65 (5) (b) (intro.) An owner or operator who is required to implement
15 enhanced pollution prevention measures under par. (a) shall demonstrate all of the
16 following:

17 ***-0320/5.20* SECTION 3300.** 292.65 (5) (b) 1. of the statutes is amended to read:

18 292.65 (5) (b) 1. That the owner or operator manages all wastes that are
19 generated at the dry cleaning facility and that contain dry cleaning solvent product
20 as hazardous wastes in compliance with ch. 291 and 42 USC 6901 to 6991i.

21 ***-0320/5.21* SECTION 3301.** 292.65 (5) (b) 1. of the statutes, as affected by 2001
22 Wisconsin Act (this act), is renumbered 292.65 (5) (c) 1.

23 ***-0320/5.22* SECTION 3302.** 292.65 (5) (b) 2. of the statutes is amended to read:

1 292.65 (5) (b) 2. That the dry cleaning facility does not discharge dry cleaning
2 ~~solvent product~~ or wastewater from dry cleaning machines into any sanitary sewer
3 or septic tank or into the waters of this state.

4 ***-0320/5.23* SECTION 3303.** 292.65 (5) (b) 2. of the statutes, as affected by 2001
5 Wisconsin Act (this act), is renumbered 292.65 (5) (c) 2.

6 ***-0320/5.24* SECTION 3304.** 292.65 (5) (b) 3. of the statutes is amended to read:

7 292.65 (5) (b) 3. That each machine or other piece of equipment in which dry
8 cleaning ~~solvent product~~ is used, or the entire area in which those machines or pieces
9 of equipment are located, is surrounded by a containment dike or other containment
10 structure that is able to contain any leak, spill, or other release of dry cleaning
11 ~~solvent product~~ from the machines or other pieces of equipment.

12 ***-0320/5.25* SECTION 3305.** 292.65 (5) (b) 4. of the statutes is amended to read:

13 292.65 (5) (b) 4. That the floor within any area surrounded by a dike or other
14 containment structure under subd. 3. is sealed or is otherwise impervious to dry
15 cleaning ~~solvent product~~.

16 ***-0320/5.26* SECTION 3306.** 292.65 (5) (b) 5. of the statutes is amended to read:

17 292.65 (5) (b) 5. That ~~all dry cleaning solvent is~~ any perchloroethylene
18 delivered to the dry cleaning facility is delivered by means of a closed, direct-coupled
19 delivery system.

20 ***-0320/5.27* SECTION 3307.** 292.65 (5) (b) 5. of the statutes, as affected by 2001
21 Wisconsin Act (this act), is renumbered 292.65 (5) (c) 3.

22 ***-0320/5.28* SECTION 3308.** 292.65 (5) (c) (intro.) of the statutes is created to
23 read:

1 292.65 (5) (c) The owner or operator of a dry cleaning facility is not eligible for
2 an award under this section unless the owner or operator has implemented the
3 following enhanced pollution prevention measures:

4 ***-0320/5.29*** SECTION 3309. 292.65 (7) (a) (intro.) of the statutes is amended
5 to read:

6 292.65 (7) (a) *General.* (intro.) Subject to pars. (c), (ce), (cm), and (d), eligible
7 costs for an award under this section include reasonable and necessary costs paid
8 incurred by the owner or operator of a dry cleaning facility because of a discharge of
9 dry cleaning product at the dry cleaning facility for the following items only:

10 ***-0320/5.30*** SECTION 3310. 292.65 (7) (a) 2. of the statutes is amended to read:

11 292.65 (7) (a) 2. Investigation and assessment of contamination caused by a dry
12 cleaning solvent product discharge from a dry cleaning facility.

13 ***-0320/5.31*** SECTION 3311. 292.65 (7) (a) 8. of the statutes is amended to read:

14 292.65 (7) (a) 8. Maintenance of equipment for dry cleaning solvent product
15 recovery performed as part of remedial action activities.

16 ***-0320/5.32*** SECTION 3312. 292.65 (7) (a) 13. of the statutes is repealed.

17 ***-0320/5.33*** SECTION 3313. 292.65 (7) (c) 3. of the statutes is amended to read:

18 292.65 (7) (c) 3. Other costs that the department determines to be associated
19 with, but not integral to, the investigation and remediation of a dry cleaning solvent
20 product discharge from a dry cleaning facility.

21 ***-0320/5.34*** SECTION 3314. 292.65 (7) (d) of the statutes is amended to read:

22 292.65 (7) (d) *Discharges from multiple activities.* If hazardous substances are
23 discharged at a dry cleaning facility as a result of dry cleaning operations and as a
24 result of other activities, eligible costs under this section are limited to activities
25 necessitated by the discharge of dry cleaning solvent product.

1 ***-0320/5.35*** SECTION 3315. 292.65 (8) (a) (intro.) of the statutes is amended
2 to read:

3 292.65 (8) (a) *Application.* (intro.) An owner or operator shall submit an
4 application on a form provided by the department. An owner or operator may not
5 submit an application before September 1, 1998. An owner or operator may not
6 submit an application after August 30, ~~2003~~ 2005, if the application relates to a dry
7 cleaning facility that ceased to operate before September 1, 1998. An owner or
8 operator may not submit an application after August 20, 2008, if the application
9 relates to any other dry cleaning facility. The department shall authorize owners and
10 operators to apply for awards at stages in the process under sub. (4) that the
11 department specifies by rule. An application shall include all of the following
12 documentation of activities, plans, and expenditures associated with the eligible
13 costs incurred because of a dry cleaning solvent product discharge from a dry
14 cleaning facility:

15 ***-0320/5.36*** SECTION 3316. 292.65 (8) (d) 7. of the statutes is amended to read:
16 292.65 (8) (d) 7. The applicant has not paid all of the fees under ss. 77.9961,
17 and 77.9962 and 77.9963.

18 ***-0320/5.37*** SECTION 3317. 292.65 (8) (d) 8. of the statutes is amended to read:
19 292.65 (8) (d) 8. The dry cleaning solvent product discharge was caused on or
20 after October 14, 1997, by a person who provided services or products to the owner
21 or operator or to a prior owner or operator of the dry cleaning facility, including a
22 person who provided perchloroethylene to the owner or operator or prior owner or
23 operator of a dry cleaning facility using a system other than a closed, direct-coupled
24 delivery system.

1 *~~0320/5.38~~* SECTION 3318. 292.65 (8) (e) 1. of the statutes is renumbered
2 292.65 (8) (e), and 292.65 (8) (e) (intro.), as renumbered, is amended to read:

3 292.65 (8) (e) *Deductible.* (intro.) The department may reimburse the owner
4 or operator of a dry cleaning facility ~~that is operating at the time that the owner or~~
5 ~~operator applies under par. (a) only~~ for eligible costs incurred at each dry cleaning
6 facility that exceed the following deductible:

7 *~~0320/5.39~~* SECTION 3319. 292.65 (8) (e) 3. of the statutes is repealed.

8 *~~0320/5.40~~* SECTION 3320. 292.65 (11) of the statutes is amended to read:

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

17 *~~0320/5.41~~* SECTION 3321. 292.65 (13) of the statutes is amended to read:

18 292.65 (13) COUNCIL. The dry cleaner environmental response council shall
19 advise the department concerning the ~~programs~~ program under this section ~~and s.~~
20 ~~292.66~~. The dry cleaner environmental response council shall evaluate the program
21 under this section at least every 5 years, using criteria developed by the council.

22 *~~0320/5.42~~* SECTION 3322. 292.66 of the statutes is repealed.

23 *~~b0409/1.4~~* SECTION 3323b. 292.75 (1) (a) of the statutes is amended to read:

24 292.75 (1) (a) "Eligible site or facility" means ~~an abandoned, idle or underused~~
25 one or more contiguous industrial or commercial facility or site facilities or sites with

1 common or multiple ownership that are abandoned, idle, or underused, the
2 expansion or redevelopment of which is adversely affected by actual or perceived
3 environmental contamination.

4 *b0409/1.4* SECTION 3323e. 292.75 (3) (d) of the statutes is amended to read:

5 292.75 (3) (d) Asbestos abatement activities, as defined in s. 254.11 (2),
6 conducted as part of activities described in par. (b) on an eligible site or facility.

7 *b0411/1.2* SECTION 3324b. 292.77 (2) of the statutes is amended to read:

8 292.77 (2) The department shall develop and, beginning no later than
9 January 1, 2001, administer a pilot program ~~in the city of Beloit, the city of Green~~
10 ~~Bay, the city of La Crosse, the city of Milwaukee and the city of Oshkosh~~ that
11 promotes the use of financial incentives to clean up and redevelop brownfields.
12 Funds provided under the program may be used to investigate environmental
13 contamination and to conduct cleanups of brownfields ~~in those cities~~ municipalities
14 selected by the department from those municipalities that apply for funding under
15 this section.

16 *b0411/1.2* SECTION 3324c. 292.77 (3) of the statutes is amended to read:

17 292.77 (3) In developing and administering the ~~pilot~~ program under sub. (2),
18 the department shall consult and coordinate with the department of administration,
19 and the department of commerce ~~and the cities specified in sub. (2).~~

20 *b0411/1.2* SECTION 3324d. 292.77 (4) of the statutes is repealed.

21 *b0414/2.2* SECTION 3324h. 292.79 of the statutes is created to read:

22 **292.79 Brownfields green space grants. (1)** In this section:

23 (a) “Brownfields” has the meaning given in s. 560.13 (1) (a).

24 (b) “Local governmental units” has the meaning given in s. 292.75 (1) (b).

1 (2) The department shall administer a program under which the department
2 awards grants to local governmental units for projects to remedy environmental
3 contamination of brownfields. A project is eligible for a grant under this section if
4 it has a long-term public benefit, including the preservation of green space, the
5 development of recreational areas, or the use of a property by the local government.

6 *~~0320/5.43~~* SECTION 3325. 292.99 (1m) of the statutes is amended to read:

7 292.99 (1m) Any person who violates s. 292.65 (12m) ~~or 292.66 (5)~~ shall forfeit
8 not less than \$10 nor more than \$10,000.

9 *~~0447/3.2~~* SECTION 3329. 301.03 (10) (d) of the statutes is amended to read:

10 301.03 (10) (d) Administer the office of juvenile offender review in the division
11 of juvenile corrections in the department. The office shall be responsible for decisions
12 regarding case planning, and the release of juvenile offenders from secured
13 correctional facilities or secured child caring institutions to aftercare placements
14 ~~and the transfer of juveniles to the Racine youthful offender correctional facility~~
15 ~~named in s. 302.01 as provided in s. 938.357 (4) (d).~~

16 *~~b0588/2.1~~* SECTION 3329p. 301.03 (16) of the statutes is created to read:

17 301.03 (16) (a) In this subsection, “Intranet site” means an Internet site that
18 is only accessible to officials and employees of the department.

19 (b) Create and maintain an Intranet site that includes the medical histories of
20 all inmates who are sentenced to the Wisconsin state prisons. The site shall be
21 created no later than June 30, 2003, and shall include the prescriptions, laboratory
22 reports, and X-rays ordered for each inmate.

23 *~~b0568/1.1~~* SECTION 3329m. 301.03 (19) of the statutes is created to read:

24 301.03 (19) Work with the parole commission to minimize, to the greatest
25 extent possible, the residential population density of sex offenders, as defined in s.

1 302.116 (1) (b), who are on probation, parole, or extended supervision or placed on
2 supervised release under s. 980.06 (2) (c) 1997 stats., or 980.08 (5).

3 *b0575/3.1* SECTION 3329p. 301.03 (19m) of the statutes is created to read:

4 301.03 (19m) Examine the allocation of mental health services within the
5 department to ensure that, within available resources, the mental health needs of
6 inmates are met in an equitable and efficient manner and evaluate the effectiveness
7 of providing for those needs in an equitable and efficient manner.

8 *b0575/3.1* SECTION 3329q. 301.03 (20) of the statutes is created to read:

9 301.03 (20) Require a physician to randomly review on a regular basis the
10 medical charts of inmates to ensure that proper medical procedures are followed in
11 the provision of medical care to those inmates and evaluate the outcome and findings
12 of those medical chart reviews.

13 *b0575/3.1* SECTION 3329r. 301.03 (21) of the statutes is created to read:

14 301.03 (21) Prepare written contracts for all health care providers that deliver
15 basic health care services at correctional facilities.

16 *b0575/3.1* SECTION 3329s. 301.03 (22) of the statutes is created to read:

17 301.03 (22) Submit all contracts, agreements, or extensions of contracts or
18 agreements for the delivery of health care services at correctional facilities that
19 exceed \$500,000 to the joint committee on finance for that committee's review and
20 approval.

21 *b0575/3.1* SECTION 3329t. 301.03 (23) of the statutes is created to read:

22 301.03 (23) Negotiate in all contracts entered into on or after the effective date
23 of this subsection [revisor inserts date], with hospitals that provide inmate care
24 a provision that the hospital will accept the medical assistance reimbursement rate

1 under s. 49.45 for all inmates eligible for that program and evaluate the outcome of
2 those negotiation efforts.

3 ***b0575/3.1* SECTION 3329u.** 301.03 (24) of the statutes is created to read:

4 301.03 (24) In cooperation with the department of health and family services,
5 explore options for determining the medical assistance eligibility of inmates and
6 evaluate the progress of the efforts made to determine that eligibility.

7 ***-1855/2.1* *-2889/P3.1* SECTION 3331.** 301.035 (2) of the statutes is
8 amended to read:

9 301.035 (2) Assign hearing examiners from the division to preside over
10 hearings under ss. 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10 and 975.10
11 (2) and ch. 304.

12 ***-1855/2.2* *-2889/P3.2* SECTION 3332.** 301.035 (4) of the statutes is
13 amended to read:

14 301.035 (4) Supervise employes in the conduct of the activities of the division
15 and be the administrative reviewing authority for decisions of the division under ss.
16 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10, 973.155 (2) and 975.10 (2) and
17 ch. 304.

18 ***-0475/3.6* SECTION 3336.** 301.16 (1s) of the statutes is created to read:

19 301.16 (1s) In addition to the institutions under sub. (1), the department shall
20 establish a medium security correctional institution that is a part of the correctional
21 facilities enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b), and that is
22 located in Redgranite.

23 ***-0475/3.7* SECTION 3337.** 301.16 (1t) of the statutes is created to read:

24 301.16 (1t) In addition to the institutions under sub. (1), the department shall
25 establish a medium security correctional institution that is a part of the correctional

1 facilities enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b), and that is
2 located in New Lisbon.

3 ***b0622/2.3* SECTION 3337m.** 301.19 of the statutes is created to read:

4 **301.19 Restriction on construction of correctional facilities. (1)** In this
5 section:

6 (a) “Authorized jurisdiction” means a county, 2 counties acting jointly under s.
7 302.44, the United States, or a federally recognized American Indian tribe or band
8 in this state.

9 (b) “Correctional facility” means a building, structure, or facility or a portion
10 of a building, structure, or facility that is used to confine persons serving a sentence
11 of imprisonment to the Wisconsin state prisons or to confine juveniles alleged or
12 found to be delinquent.

13 (2) No person may commence construction of a correctional facility or
14 commence conversion of an existing building, structure, or facility into a correctional
15 facility unless the building, structure, or facility is enumerated in the authorized
16 state building program.

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

18 (a) A building, structure, or facility that is constructed or converted under a
19 contract with and for use by an authorized jurisdiction.

20 (b) A building, structure, or facility the construction of which was completed
21 before January 1, 2001, if the building, structure, or facility was designed to confine
22 persons convicted of a criminal offense.

23 ***-0449/4.1* SECTION 3338.** 301.26 (4) (b) of the statutes is amended to read:

24 301.26 (4) (b) Assessment of costs under par. (a) shall be made periodically on
25 the basis of the per person per day cost estimate specified in par. (d) 2. ~~to 4.~~ and 3.

1 Except as provided in pars. (bm), (c), and (cm), liability shall apply to county
2 departments under s. 46.21, 46.22, or 46.23 in the county of the court exercising
3 jurisdiction under chs. 48 and 938 for each person receiving services from the
4 department of corrections under s. 48.366, 938.183, or 938.34 or the department of
5 health and family services under s. 46.057 or 51.35 (3). Except as provided in pars.
6 (bm), (c), and (cm), in multicounty court jurisdictions, the county of residency within
7 the jurisdiction shall be liable for costs under this subsection. Assessment of costs
8 under par. (a) shall also be made according to the general placement type or level of
9 care provided, as defined by the department, and prorated according to the ratio of
10 the amount designated under sub. (3) (c) to the total applicable estimated costs of
11 care, services, and supplies provided by the department of corrections under ss.
12 48.366, 938.183, and 938.34 and the department of health and family services under
13 s. 46.057 or 51.35 (3).

14 *~~0449/4.2~~ SECTION 3339. 301.26 (4) (cm) 3. of the statutes is amended to read:

15 301.26 (4) (cm) 3. The per person daily reimbursement rate for juvenile
16 correctional services under this paragraph shall be equal to the per person daily cost
17 assessment to counties under par. (d) 2. ~~to 4.~~ and 3. for juvenile correctional services.

18 *~~b0342/4.2~~ SECTION 3340d. 301.26 (4) (d) 2. of the statutes is amended to
19 read:

20 301.26 (4) (d) 2. Beginning on July 1, ~~1999~~ 2001, and ending on
21 ~~December 31, 1999~~ June 30, 2002, the per person daily cost assessment to counties
22 shall be ~~\$153.01~~ \$167.57 for care in a Type 1 secured correctional facility, as defined
23 in s. 938.02 (19), ~~\$153.01~~ \$167.57 for care for juveniles transferred from a juvenile
24 correctional institution under s. 51.35 (3), ~~\$183.72~~ \$213 for care in a child caring
25 institution, including a secured child caring institution, ~~\$118.93~~ \$129 for care in a

1 group home for children, ~~\$26.17~~ \$41 for care in a foster home, ~~\$75.37~~ \$81 for care in
2 a treatment foster home, ~~\$72.66~~ \$82.56 for departmental corrective sanctions
3 services, and ~~\$19.76~~ \$21.96 for departmental aftercare services.

4 ***b0342/4.2* SECTION 3341d.** 301.26 (4) (d) 3. of the statutes is amended to
5 read:

6 301.26 (4) (d) 3. In calendar year 2000 Beginning on July 1, 2002, and ending
7 on June 30, 2003, the per person daily cost assessment to counties shall be ~~\$153.55~~
8 \$172.51 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19),
9 ~~\$153.55~~ \$172.51 for care for juveniles transferred from a juvenile correctional
10 institution under s. 51.35 (3), ~~\$187.21~~ \$226 for care in a child caring institution,
11 including a secured child caring institution, ~~\$121.19~~ \$135 for care in a group home
12 for children, ~~\$26.67~~ \$43 for care in a foster home, ~~\$76.80~~ \$85 for care in a treatment
13 foster home, ~~\$74.68~~ \$84.50 for departmental corrective sanctions services, and
14 ~~\$19.15~~ \$22.66 for departmental aftercare services.

15 ***-0449/4.5* SECTION 3342.** 301.26 (4) (d) 4. of the statutes is repealed.

16 ***-0450/1.1* SECTION 3343.** 301.26 (7) (intro.) of the statutes is amended to
17 read:

18 301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
19 of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the
20 department shall allocate funds for community youth and family aids for the period
21 beginning on July 1, ~~1999~~ 2001, and ending on June 30, ~~2001~~ 2003, as provided in
22 this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

23 ***b0344/1.1* SECTION 3344d.** 301.26 (7) (a) (intro.) of the statutes is amended
24 to read:

1 301.26 (7) (a) (intro.) For community youth and family aids under this section,
2 amounts not to exceed ~~\$42,091,800~~ \$43,091,800 for the last 6 months of ~~1999~~,
3 ~~\$85,183,700 for 2000~~ 2001, ~~\$86,183,700 for 2002~~, and \$43,091,900 for the first 6
4 months of ~~2001~~ 2003. Of those amounts, the department shall allocate ~~\$1,000,000~~
5 ~~\$2,000,000~~ for the last 6 months of ~~1999~~, ~~\$3,000,000 for 2000~~ 2001, ~~\$4,000,000 for~~
6 ~~2002~~, and \$2,000,000 for the first 6 months of ~~2001~~ 2003 to counties based on each
7 of the following factors weighted equally:

8 *~~0450/1.3~~* SECTION 3345. 301.26 (7) (e) of the statutes is amended to read:

9 301.26 (7) (e) For emergencies related to community youth and family aids
10 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~1999~~
11 2001, \$250,000 for ~~2000~~ 2002 and \$125,000 for the first 6 months of ~~2001~~ 2003. A
12 county is eligible for payments under this paragraph only if it has a population of not
13 more than 45,000.

14 *~~0450/1.4~~* SECTION 3346. 301.26 (7) (h) of the statutes is amended to read:

15 301.26 (7) (h) For counties that are participating in the corrective sanctions
16 program under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~1999~~ 2001,
17 \$2,124,800 in ~~2000~~ 2002 and \$1,062,400 in the first 6 months of ~~2001~~ 2003 for the
18 provision of corrective sanctions services for juveniles from that county. In
19 distributing funds to counties under this paragraph, the department shall determine
20 a county's distribution by dividing the amount allocated under this paragraph by the
21 number of slots authorized for the program under s. 938.533 (2) and multiplying the
22 quotient by the number of slots allocated to that county by agreement between the
23 department and the county. The department may transfer funds among counties as
24 necessary to distribute funds based on the number of slots allocated to each county.

25 *~~0450/1.5~~* SECTION 3347. 301.26 (8) of the statutes is amended to read:

1 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
2 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last
3 6 months of ~~1999~~ 2001, \$1,333,400 in ~~2000~~ 2002 and \$666,700 in the first 6 months
4 of ~~2001~~ 2003 for alcohol and other drug abuse treatment programs.

5 *~~0166/4.9~~* SECTION 3348. 301.265 (title) of the statutes is repealed.

6 *b0612/3.6* SECTION 3349d. 301.265 (1) of the statutes is renumbered 16.964
7 (8) (a) and amended to read:

8 16.964 (8) (a) From the appropriations under s. ~~20.410 (3)~~ 20.505 (6) (d) and
9 (kj), the department office shall allocate \$500,000 in each fiscal year to enter into a
10 contract with an organization to provide services in a county having a population of
11 500,000 or more for the diversion of youths from gang activities into productive
12 activities, including placement in appropriate educational, recreational and
13 employment programs. Notwithstanding s. 16.75, the department office may enter
14 into a contract under this ~~subsection~~ paragraph without soliciting bids or proposals
15 and without accepting the lowest responsible bid or offer.

16 *~~0166/4.11~~* SECTION 3350. 301.265 (2) of the statutes is renumbered 16.964
17 (8) (b) and amended to read:

18 16.964 (8) (b) From the appropriation under s. ~~20.410 (3) (kp)~~ 20.505 (6) (km),
19 the department office may not distribute more than \$300,000 in each fiscal year to
20 the organization that it has contracted with under ~~sub. (1)~~ par. (a) for alcohol and
21 other drug abuse education and treatment services for participants in that
22 organization's youth diversion program.

23 *b0612/3.8* SECTION 3351d. 301.265 (3) of the statutes is renumbered 16.964
24 (8) (c) and amended to read:

1 16.964 (8) (c) From the appropriations under s. ~~20.410 (3)~~ 20.505 (6) (d) and (kj),
2 the department office shall allocate \$150,000 in each fiscal year to enter into a
3 contract with an organization to provide services in Racine County, \$150,000 in each
4 fiscal year to enter into a contract with an organization to provide services in
5 Kenosha County, \$150,000 in each fiscal year to enter into a contract with an
6 organization that is located in ward 1 in the city of Racine to provide services in
7 Racine County, and \$150,000 in each fiscal year to enter into a contract with an
8 organization to provide services in Brown County, for the diversion of youths from
9 gang activities into productive activities, including placement in appropriate
10 educational, recreational, and employment programs, and for alcohol or other drug
11 abuse education and treatment services for participants in that organization's youth
12 diversion program. The organization that is located in ward 1 in the city of Racine
13 shall have a recreational facility, shall offer programs to divert youths from gang
14 activities, may not be affiliated with any national or state association, and may not
15 have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s.
16 16.75, the department office may enter into a contract under this subsection
17 paragraph without soliciting bids or proposals and without accepting the lowest
18 responsible bid or offer.

19 ***b0629/2.1* SECTION 3352m.** 301.295 of the statutes is created to read:

20 **301.295 Recruitment of department employees.** The department may not
21 use billboards or similar structures to recruit its employees.

22 ***b0112/1.5* SECTION 3353m.** 302.01 of the statutes is amended to read:

23 **302.01 State prisons named and defined.** The penitentiary at Waupun is
24 named "Waupun Correctional Institution²." The correctional treatment center at
25 Waupun is named "Dodge Correctional Institution²." The penitentiary at Green Bay

1 is named “Green Bay Correctional Institution”.” The medium/maximum
2 penitentiary at Portage is named “Columbia Correctional Institution”. The medium
3 security institution at Oshkosh is named “Oshkosh Correctional Institution”.” The
4 medium security penitentiary near Fox Lake is named “Fox Lake Correctional
5 Institution”.” The penitentiary at Taycheedah is named “Taycheedah Correctional
6 Institution”.” The medium security penitentiary at Plymouth is named “Kettle
7 Moraine Correctional Institution”.” The penitentiary at the village of Sturtevant in
8 Racine county is named “Racine Correctional Institution”.” The medium security
9 correctional institution near Black River Falls is named “Jackson Correctional
10 Institution.” The medium security penitentiary at Racine is named “Racine Youthful
11 Offender Correctional Facility”.” The resource facility at Oshkosh is named
12 “Wisconsin Resource Center”.” The institutions named in this section, the medium
13 security correctional institutions at Redgranite and New Lisbon, the correctional
14 institutions authorized under s. 301.16 (1n) and (1v), correctional institution
15 authorized under 1997 Wisconsin Act 4, section 4 (1) (a), correctional institution
16 authorized under s. 301.046 (1), correctional institution authorized under s. 301.048
17 (4) (b), the correctional institution at Stanley authorized under 2001 Wisconsin Act
18 (this act), section 9107 (1) (b), minimum security correctional institutions
19 authorized under s. 301.13, the probation and parole holding facilities authorized
20 under s. 301.16 (1q), and state–local shared correctional facilities when established
21 under s. 301.14, are state prisons.

22 *–1855/2.3* SECTION 3354. 302.045 (3) of the statutes is amended to read:
23 302.045 (3) PAROLE ELIGIBILITY. Except as provided in sub. (4), if the department
24 determines that an inmate serving a sentence other than one imposed under s.
25 973.01 has successfully completed the challenge incarceration program, the parole

1 commission shall parole the inmate for that sentence under s. 304.06, regardless of
2 the time the inmate has served, ~~unless the person is serving a sentence imposed~~
3 ~~under s. 973.01~~. When the parole commission grants parole under this subsection,
4 it must require the parolee to participate in an intensive supervision program for
5 drug abusers as a condition of parole.

6 ***b0568/1.2* SECTION 3354g.** 302.11 (1) of the statutes is amended to read:

7 302.11 (1) The warden or superintendent shall keep a record of the conduct of
8 each inmate, specifying each infraction of the rules. Except as provided in subs. (1g),
9 (1m), (1q), (1z), (4m), (7) and (10), each inmate is entitled to mandatory release on
10 parole by the department. The mandatory release date is established at two-thirds
11 of the sentence. Any calculations under this subsection or sub. (1q) (b) or (2) (b)
12 resulting in fractions of a day shall be rounded in the inmate's favor to a whole day.

13 ***b0568/1.2* SECTION 3354r.** 302.11 (1g) (b) 3. of the statutes is created to read:

14 302.11 (1g) (b) 3. Refusal by the inmate to live in a residence that the parole
15 commission has approved under s. 304.06 (2m) (ak), if applicable.

16 ***-1855/2.4* SECTION 3355.** 302.11 (1z) of the statutes is amended to read:

17 302.11 (1z) An inmate who is sentenced to a term of confinement in prison
18 under s. 973.01 for a felony that is committed on or after December 31, 1999, or a
19 misdemeanor committed on or after the effective date of this subsection ... [revisor
20 inserts date], is not entitled under this section to mandatory release on parole under
21 this section that sentence.

22 ***-1855/2.5* SECTION 3357.** 302.11 (3) of the statutes is amended to read:

23 302.11 (3) All consecutive sentences imposed for crimes committed before
24 December 31, 1999, shall be computed as one continuous sentence.

25 ***b0568/1.3* SECTION 3357m.** 302.11 (4m) of the statutes is amended to read:

1 302.11 (4m) An inmate may not be paroled under this section is subject to the
2 restriction unless he or she agrees to live in a residence that the parole commission
3 or the department has approved under s. 304.06 (2m) (ak), if applicable, relating to
4 ~~the counties to which inmates may be paroled.~~

5 *–1855/2.6* SECTION 3359. 302.11 (7) (a) of the statutes is renumbered 302.11
6 (7) (am) and amended to read:

7 302.11 (7) (am) ~~The division of hearings and appeals in the department of~~
8 ~~administration, upon proper notice and hearing, or the department of corrections, if~~
9 ~~the parolee waives a hearing, reviewing authority~~ may return a parolee released
10 under sub. (1) or (1g) (b) or s. 304.02 or 304.06 (1) to prison for a period up to the
11 remainder of the sentence for a violation of the conditions of parole. The remainder
12 of the sentence is the entire sentence, less time served in custody prior to parole. The
13 revocation order shall provide the parolee with credit in accordance with ss. 304.072
14 and 973.155.

15 *–1855/2.7* SECTION 3360. 302.11 (7) (ag) of the statutes is created to read:

16 302.11 (7) (ag) In this subsection “reviewing authority” means the division of
17 hearings and appeals in the department of administration, upon proper notice and
18 hearing, or the department of corrections, if the parolee waives a hearing.

19 *–1855/2.8* SECTION 3361. 302.11 (7) (b) of the statutes is amended to read:

20 302.11 (7) (b) A parolee returned to prison for violation of the conditions of
21 parole shall be incarcerated for the entire period of time determined by the
22 ~~department of corrections in the case of a waiver or the division of hearings and~~
23 ~~appeals in the department of administration in the case of a hearing under par. (a),~~
24 reviewing authority unless paroled earlier under par. (c). The parolee is not subject
25 to mandatory release under sub. (1) or presumptive mandatory release under sub.

1 (1g). The period of time determined under par. (a) (am) may be extended in
2 accordance with subs. (1q) and (2).

3 ***-1855/2.9* SECTION 3363.** 302.11 (7) (d) of the statutes is amended to read:

4 302.11 (7) (d) A parolee who is subsequently released either after service of the
5 period of time determined by the ~~department of corrections in the case of a waiver~~
6 ~~or the division of hearings and appeals in the department of administration in the~~
7 ~~case of a hearing under par. (a)~~ reviewing authority or by a grant of parole under par.
8 (c) is subject to all conditions and rules of parole until expiration of sentence or
9 discharge by the department.

10 ***-1855/2.10* SECTION 3364.** 302.11 (7) (e) of the statutes is created to read:

11 302.11 (7) (c) A ~~reviewing~~ authority may consolidate proceedings before it
12 under par. (am) with other proceedings before that reviewing authority under par.
13 (am) or s. 302.113 (9) (am) or 302.114 (9) (am) if all of the proceedings relate to the
14 parole or extended supervision of the same person.

15 ***-0447/3.3* SECTION 3365.** 302.11 (10) of the statutes is amended to read:

16 302.11 (10) An inmate subject to an order under s. 48.366 ~~or 938.34 (4h)~~ is not
17 entitled to mandatory release and may be released or discharged only as provided
18 under s. 48.366 ~~or 938.538~~.

19 ***-1855/2.11* SECTION 3367.** 302.113 (4) of the statutes is amended to read:

20 302.113 (4) All consecutive sentences imposed for crimes committed on or after
21 December 31, 1999, shall be computed as one continuous sentence. The person shall
22 serve any term of extended supervision after serving all terms of confinement in
23 prison.

24 ***b0568/1.4* SECTION 3367g.** 302.113 (7) of the statutes is amended to read:

1 302.113 (7) Any inmate released to extended supervision under this section is
2 subject to all conditions and rules of extended supervision until the expiration of the
3 term of extended supervision portion of the bifurcated sentence. The department
4 may set conditions of extended supervision in addition to any conditions of extended
5 supervision required under s. 302.116, if applicable, or set by the court under s.
6 973.01 (5) if the conditions set by the department do not conflict with the court's
7 conditions.

8 *~~1855/2.12~~* SECTION 3368. 302.113 (8m) of the statutes is created to read:

9 302.113 (8m) Every person released to extended supervision under this section
10 remains in the legal custody of the department. If the department alleges that any
11 condition or rule of extended supervision has been violated by the person, the
12 department may take physical custody of the person for the investigation of the
13 alleged violation.

14 *~~1855/2.13~~* SECTION 3369. 302.113 (9) (a) of the statutes is renumbered
15 302.113 (9) (am) and amended to read:

16 302.113 (9) (am) If a person released to extended supervision under this section
17 violates a condition of extended supervision, ~~the division of hearings and appeals in~~
18 ~~the department of administration, upon proper notice and hearing, or the~~
19 ~~department of corrections, if the person on extended supervision waives a hearing,~~
20 reviewing authority may revoke the person's extended supervision of the person and
21 return the person to prison. If, Upon revocation, the person is returned to prison,
22 ~~he or she~~ shall be returned to prison for any specified period of time that does not
23 exceed the time remaining on the bifurcated sentence. The time remaining on the
24 bifurcated sentence is the total length of the bifurcated sentence, less time served by
25 the person in eustody confinement under the sentence before release to extended

1 supervision under sub. (2) and less all time served in confinement for previous
2 revocations of extended supervision under the sentence. The revocation order shall
3 provide the person ~~on~~ whose extended supervision is revoked with credit in
4 accordance with ss. 304.072 and 973.155.

5 ***-1855/2.14* SECTION 3370.** 302.113 (9) (ag) of the statutes is created to read:

6 302.113 (9) (ag) In this subsection “reviewing authority” means the division of
7 hearings and appeals in the department of administration, upon proper notice and
8 hearing, or the department of corrections, if the person on extended supervision
9 waives a hearing.

10 ***-1855/2.15* SECTION 3371.** 302.113 (9) (b) of the statutes is amended to read:

11 302.113 (9) (b) A person who is returned to prison after revocation of extended
12 supervision shall be incarcerated for the entire period of time specified by the
13 ~~department of corrections in the case of a waiver or by the division of hearings and~~
14 ~~appeals in the department of administration in the case of a hearing under par. (a)~~
15 reviewing authority. The period of time specified under par. (a) (am) may be extended
16 in accordance with sub. (3). If a person is returned to prison under par. (am) for a
17 period of time that is less than the time remaining on the bifurcated sentence, the
18 person shall be released to extended supervision after he or she has served the period
19 of time specified under par. (am) and any extensions imposed under sub. (3).

20 ***-1855/2.16* SECTION 3372.** 302.113 (9) (c) of the statutes is amended to read:

21 302.113 (9) (c) A person who is subsequently released to extended supervision
22 after service of the period of time specified by the ~~department of corrections in the~~
23 ~~case of a waiver or by the division of hearings and appeals in the department of~~
24 ~~administration in the case of a hearing under par. (a)~~ reviewing authority is subject
25 to all conditions and rules under sub. (7) until the expiration of the ~~term of~~ remaining

1 extended supervision portion of the bifurcated sentence. The remaining extended
2 supervision portion of the bifurcated sentence is the total length of the bifurcated
3 sentence, less the time served by the person in confinement under the bifurcated
4 sentence before release to extended supervision under sub. (2) and less all time
5 served in confinement for any revocation of extended supervision under the
6 bifurcated sentence.

7 ***-1855/2.17* SECTION 3373.** 302.113 (9) (d) of the statutes is created to read:

8 302.113 (9) (d) When determining under pars. (am) and (c) the amount of time
9 a person has served in confinement before release to extended supervision or the
10 amount of time a person has served in confinement for a revocation of extended
11 supervision, the reviewing authority shall include any extensions imposed under
12 sub. (3).

13 ***-1855/2.18* SECTION 3374.** 302.113 (9) (e) of the statutes is created to read:

14 302.113 (9) (e) If a hearing is to be held under par. (am) before the division of
15 hearings and appeals in the department of administration, the hearing examiner
16 may order the taking and allow the use of a videotaped deposition under s. 967.04
17 (7) to (10).

18 ***-1855/2.19* SECTION 3375.** 302.113 (9) (f) of the statutes is created to read:

19 302.113 (9) (f) A reviewing authority may consolidate proceedings before it
20 under par. (am) with other proceedings before that reviewing authority under par.
21 (am) or s. 302.11 (7) (am) or 302.114 (9) (am) if all of the proceedings relate to the
22 parole or extended supervision of the same person.

23 ***-1855/2.20* *-2889/P3.5* SECTION 3376.** 302.113 (9) (g) of the statutes is

24 created to read:

1 302.113 (9) (g) If there is a hearing under par. (am) before the division of
2 hearings and appeals in the department of administration, the person on extended
3 supervision may seek review of a decision to revoke extended supervision and the
4 department of corrections may seek review of a decision to not revoke extended
5 supervision. Review of a decision under this paragraph may be sought only by an
6 action for certiorari.

7 *–1855/2.21* SECTION 3377. 302.114 (4) of the statutes is amended to read:

8 302.114 (4) All consecutive sentences imposed for crimes committed on or after
9 December 31, 1999, shall be computed as one continuous sentence. An inmate
10 subject to this section shall serve any term of extended supervision after serving all
11 terms of confinement in prison.

12 *–b0568/1.4* SECTION 3367r. 302.114 (8) of the statutes is amended to read:

13 302.114 (8) Any inmate released to extended supervision under this section is
14 subject to all conditions and rules of extended supervision. The department may set
15 conditions of extended supervision in addition to any conditions of extended
16 supervision required under s. 302.116, if applicable, or set by the court under sub.
17 (5) (d) if the conditions set by the department do not conflict with the court's
18 conditions.

19 *–1855/2.22* SECTION 3378. 302.114 (8m) of the statutes is created to read:

20 302.114 (8m) Every person released to extended supervision under this section
21 remains in the legal custody of the department. If the department alleges that any
22 condition or rule of extended supervision has been violated by the person, the
23 department may take physical custody of the person for the investigation of the
24 alleged violation.

1 ***-1855/2.23*** SECTION 3379. 302.114 (9) (a) of the statutes is renumbered
2 302.114 (9) (am) and amended to read:

3 302.114 (9) (am) If a person released to extended supervision under this section
4 violates a condition of extended supervision, the division of hearings and appeals in
5 the department of administration, upon proper notice and hearing, or the
6 department of corrections, if the person on extended supervision waives a hearing,
7 reviewing authority may revoke the person's extended supervision of the person and
8 ~~return the person to prison. If. Upon revocation,~~ the person is returned to prison,
9 he or she shall be returned to prison for a specified period of time, as provided under
10 par. (b).

11 ***-1855/2.24*** SECTION 3380. 302.114 (9) (ag) of the statutes is created to read:
12 302.114 (9) (ag) In this subsection “reviewing authority” has the meaning given
13 in s. 302.113 (9) (ag).

14 ***-1855/2.25*** SECTION 3381. 302.114 (9) (b) of the statutes is amended to read:
15 302.114 (9) (b) If a person is returned to prison under par. ~~(a)~~ (am) after
16 revocation of extended supervision, the department of corrections in the case of a
17 ~~waiver or the division of hearings and appeals in the department of administration~~
18 ~~in the case of a hearing under par. (a)~~ reviewing authority shall specify a period of
19 time for which the person shall be incarcerated before being eligible for release to
20 extended supervision. The period of time specified under this paragraph may not be
21 less than 5 years and may be extended in accordance with sub. (3).

22 ***-1855/2.26*** SECTION 3382. 302.114 (9) (bm) of the statutes is amended to
23 read:

24 302.114 (9) (bm) A person who is returned to prison under par. ~~(a)~~ (am) after
25 revocation of extended supervision may, upon petition to the sentencing court, be

1 released to extended supervision after he or she has served the entire period of time
2 specified in par. (b), including any periods of extension imposed under sub. (3). A
3 person may not file a petition under this paragraph earlier than 90 days before the
4 date on which he or she is eligible to be released to extended supervision. If a person
5 files a petition for release to extended supervision under this paragraph at any time
6 earlier than 90 days before the date on which he or she is eligible to be released to
7 extended supervision, the court shall deny the petition without a hearing. The
8 procedures specified in sub. (5) (am) to (f) apply to a petition filed under this
9 paragraph.

10 *–1855/2.27* SECTION 3383. 302.114 (9) (d) of the statutes is created to read:

11 302.114 (9) (d) If a hearing is to be held under par. (am) before the division of
12 hearings and appeals in the department of administration, the hearing examiner
13 may order the taking and allow the use of a videotaped deposition under s. 967.04
14 (7) to (10).

15 *–1855/2.28* SECTION 3384. 302.114 (9) (e) of the statutes is created to read:

16 302.114 (9) (e) A reviewing authority may consolidate proceedings before it
17 under par. (am) with other proceedings before that reviewing authority under par.
18 (am) or s. 302.11 (7) (am) or 302.113 (9) (am) if all of the proceedings relate to the
19 parole or extended supervision of the same person.

20 *–1855/2.29* *–2889/P3.9* SECTION 3385. 302.114 (9) (f) of the statutes is
21 created to read:

22 302.114 (9) (f) If there is a hearing under par. (am) before the division of
23 hearings and appeals in the department of administration, the person on extended
24 supervision may seek review of a decision to revoke extended supervision and the
25 department of corrections may seek review of a decision to not revoke extended

1 supervision. Review of a decision under this paragraph may be sought only by an
2 action for certiorari.

3 *b0568/1.5* SECTION 3385g. 302.115 of the statutes is renumbered 302.105.

4 *b0568/1.5* SECTION 3385r. 302.116 of the statutes is created to read:

5 **302.116 Extended supervision conditions for sex offenders.** (1) In this
6 section:

7 (a) "Serious sex offense" means a violation of s. 940.225 (1) or (2), 948.02 (1) or
8 (2), 948.025, 948.06, or 948.07 or a solicitation, conspiracy, or attempt to commit a
9 violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06, or 948.07.

10 (b) "Sex offender" means a person serving a sentence for a serious sex offense.

11 (2) As a condition of extended supervision, a sex offender shall agree to live in
12 a residence that the department has approved under sub. (3).

13 (3) Subject to the requirements of subs. (4) to (6) and s. 301.03 (19), before
14 releasing a sex offender to extended supervision, the department shall assess the
15 appropriateness of the sex offender's prospective residence by doing at least all of the
16 following:

17 (a) Considering the sex offender's access to potential victims if he or she lives
18 there. If the victim of the serious sex offense that the sex offender committed was
19 a child, the department, in meeting this requirement, shall contact the department
20 of health and family services, the local county department responsible for
21 certification of child care providers under s. 48.651, and the local school board to
22 determine whether there are any day care providers located near the sex offender's
23 prospective residence.

24 (b) Ensuring that others living in the prospective residence are aware of the sex
25 offender's offense history.

1 (4) The department shall use its best efforts to select a residence under sub.
2 (3) that is in the sex offender's county of residence.

3 (5) If the victim of the serious sex offense that the sex offender committed was
4 a child who resided with the sex offender at the time of the offense, the department
5 may not permit the sex offender to return home, unless the extended supervision
6 officer and any person providing sex offender treatment to the sex offender
7 determines that the sex offender's return will not jeopardize the safety of anyone
8 residing in the home.

9 (6) The department may not approve a residence under sub. (3) if it is located
10 in a county where there is a correctional institution that has a specialized sex
11 offender treatment program, unless that county is also the sex offender's county of
12 residence.

13 (7) The department shall determine a sex offender's county of residence under
14 this section by doing all of the following:

15 (a) Considering residence as the voluntary concurrence of physical presence
16 with intent to remain in a place of fixed habitation and considering physical presence
17 as prima facie evidence of intent to remain.

18 (b) Applying the criteria for consideration of residence and physical presence
19 under par. (a) to the facts that existed on the date on which the sex offender
20 committed the serious sex offense that resulted in the sentence that the sex offender
21 is serving.

22 *-0447/3.4* SECTION 3386. 302.18 (7) of the statutes is amended to read:

23 302.18 (7) Except as provided in s. 973.013 (3m), the department shall keep all
24 prisoners a person under 15 years of age who has been sentenced to the Wisconsin
25 state prisons in a secured juvenile correctional facilities or facility or a secured child

1 caring institutions institution, but the department may transfer ~~them~~ that person
2 to an adult correctional institutions institution after ~~they attain~~ the person attains
3 15 years of age.

4 ~~*-0447/3.5*~~ SECTION 3387. 302.255 of the statutes is amended to read:

5 **302.255 Interstate corrections compact; additional applicability.**

6 “Inmate”, as defined under s. 302.25 (2) (a), includes persons subject to an order
7 under s. 48.366 who are confined to a state prison under s. 302.01 ~~and persons subject~~
8 ~~to an order under s. 938.34 (4b) who are 17 years of age or older.~~

9 ~~*-0470/1.1*~~ SECTION 3388. 302.386 (3) (a) of the statutes is amended to read:

10 302.386 (3) (a) Except as provided in par. (b), the department may require a
11 resident housed in a prison identified in s. 302.01 or in a secured correctional facility,
12 as defined in s. 938.02 (15m), ~~who earns wages during residency and who receives~~
13 ~~medical or dental services to pay a deductible, coinsurance, copayment, or similar~~
14 ~~charge upon the medical or dental service that he or she receives. The department~~
15 ~~shall collect the allowable deductible, coinsurance, copayment, or similar charge.~~

16 ~~*-0447/3.6*~~ SECTION 3389. 302.386 (5) (d) of the statutes is amended to read:

17 302.386 (5) (d) Any participant in the serious juvenile offender program under
18 s. 938.538 ~~unless he or she~~ the participant is placed in a Type 1 secured correctional
19 facility, as defined in s. 938.02 (19), ~~or in a Type 1 prison other than the institution~~
20 ~~authorized under s. 301.046 (1).~~

21 ~~*b0338/1.4*~~ SECTION 3389f. 302.46 (1) (a) of the statutes is amended to read:

22 302.46 (1) (a) On or after October 1, 1987, if a court imposes a fine or forfeiture
23 for a violation of state law or for a violation of a municipal or county ordinance except
24 for a violation of s. 101.123 (2) (a), (am) 1., (ar) ~~or~~, (bm), or (br) or (5) or state laws or
25 municipal or county ordinances involving nonmoving traffic violations or safety belt

1 use violations under s. 347.48 (2m), the court, in addition, shall impose a jail
2 assessment in an amount of 1% of the fine or forfeiture imposed or \$10, whichever
3 is greater. If multiple offenses are involved, the court shall determine the jail
4 assessment on the basis of each fine or forfeiture. If a fine or forfeiture is suspended
5 in whole or in part, the court shall reduce the jail assessment in proportion to the
6 suspension.

7 *b0576/1.1* SECTION 3389g. 303.01 (2) (em) of the statutes is amended to read:

8 303.01 (2) (em) Lease space, with or without equipment, within the precincts
9 of state prisons, as specified in s. 302.02, or within the confines of correctional
10 institutions operated by the department for holding in secure custody persons
11 adjudged delinquent, to not more than 6 2 private businesses to employ prison
12 inmates and institution residents to manufacture products or components or to
13 provide services for sale on the open market. The department shall comply with s.
14 16.75 in selecting businesses under this paragraph. The department may enter into
15 a contract under this paragraph only with the approval of the joint committee on
16 finance. The department may not enter into or amend a contract under this
17 paragraph unless the contract or amendment specifies each state prison or juvenile
18 correctional institution at which the private business will employ inmates or
19 institution residents. The department shall consult with appropriate trade
20 organizations and labor unions prior to issuing requests for proposals and prior to
21 selecting proposals under this paragraph. Each such private business may conduct
22 its operations as a private business, subject to the wage standards under sub. (4), the
23 disposition of earnings under sub. (8), the provisions regarding displacement in sub.
24 (11), the requirements for notification and hearing under sub. (1) (c), the requirement
25 for prison industries board approval under s. 303.015 (1) (b) and the authority of the

1 department to maintain security and control in its institutions. The private business
2 and its operations are not a prison industry. Inmates employed by the private
3 business are not subject to the requirements of inmates participating in prison
4 industries, except as provided in this paragraph;

5 ***b0568/1.6* SECTION 3389m.** 304.01 (3) of the statutes is created to read:

6 304.01 (3) The parole commission shall work with the department to minimize,
7 to the greatest extent possible, the residential population density of sex offenders,
8 as defined in s. 304.06 (2m) (a) 2., who are on probation, parole, or extended
9 supervision or placed on supervised release under s. 980.06 (2) (c), 1997 stats., or s.
10 980.08 (5).

11 ***b0568/1.6* SECTION 3389p.** 304.02 (4m) of the statutes is amended to read:

12 304.02 (4m) A prisoner may not be paroled under this section is subject to the
13 restriction unless he or she agrees to live in a residence that the department has
14 approved under s. 304.06 (2m) (ak), if applicable, ~~relating to the counties to which~~
15 ~~prisoners may be paroled.~~

16 ***b0568/1.6* SECTION 3389q.** 304.06 (2m) (a) of the statutes is renumbered
17 304.06 (2m) (a) (intro.) and amended to read:

18 304.06 (2m) (a) (intro.) In this subsection, ~~“serious;~~

19 1. “Serious sex offense” means a violation of s. 940.225 (1) or (2), 948.02 (1) or
20 (2), 948.025, 948.06 or 948.07 or a solicitation, conspiracy or attempt to commit a
21 violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06 or 948.07.

22 ***b0568/1.6* SECTION 3389r.** 304.06 (2m) (a) 2. of the statutes is created to read:

23 304.06 (2m) (a) 2. “Sex offender” means a person serving a sentence for a
24 serious sex offense.

25 ***b0568/1.6* SECTION 3389s.** 304.06 (2m) (af) of the statutes is created to read:

1 304.06 (2m) (af) Neither the parole commission nor the department may parole
2 a sex offender unless he or she agrees to live in a residence that the parole
3 commission or the department has approved under par. (ak).

4 ***b0568/1.6* SECTION 3389t.** 304.06 (2m) (ak) of the statutes is created to read:

5 304.06 (2m) (ak) Subject to the requirements of pars. (ap), (at), and (b) and ss.
6 301.03 (19) and 304.01 (3), before releasing a sex offender on parole, the parole
7 commission or the department shall assess the appropriateness of the sex offender's
8 prospective residence by doing at least all of the following:

9 1. Considering the sex offender's access to potential victims if he or she lives
10 there. If the victim of the serious sex offense that the sex offender committed was
11 a child, the parole commission or the department, in meeting this requirement, shall
12 contact the department of health and family services, the local county department
13 responsible for certification of child care providers under s. 48.651, and the local
14 school board to determine whether there are any day care providers located near the
15 sex offender's prospective residence.

16 2. Ensuring that others living in the prospective residence are aware of the sex
17 offender's offense history.

18 ***b0568/1.6* SECTION 3389u.** 304.06 (2m) (ap) of the statutes is created to read:

19 304.06 (2m) (ap) The parole commission or the department shall use its best
20 efforts to select a residence under par. (ak) that is in the sex offender's county of
21 residence.

22 ***b0568/1.6* SECTION 3389v.** 304.06 (2m) (at) of the statutes is created to read:

23 304.06 (2m) (at) If the victim of the serious sex offense that the sex offender
24 committed was a child who resided with the sex offender at the time of the offense,
25 neither the parole commission nor the department may permit the sex offender to

1 return home, unless the parole officer and any person providing sex offender
2 treatment to the sex offender determines that the sex offender's return will not
3 jeopardize the safety of anyone residing in the home.

4 *b0568/1.6* SECTION 3389w. 304.06 (2m) (b) of the statutes is amended to
5 read:

6 304.06 (2m) (b) Except as provided in par. (c), no ~~prisoner who is serving a~~
7 ~~sentence for a serious sex offense~~ offender may be paroled to any county where there
8 is a correctional institution that has a specialized sex offender treatment program.

9 *b0568/1.6* SECTION 3389x. 304.06 (2m) (c) of the statutes is amended to read:

10 304.06 (2m) (c) A ~~prisoner who is serving a sentence for a serious sex offense~~
11 offender may be paroled to a county where there is a correctional institution that has
12 a specialized sex offender treatment program if that county is also the ~~prisoner's~~ sex
13 offender's county of residence.

14 *b0568/1.6* SECTION 3389y. 304.06 (2m) (d) of the statutes is amended to read:

15 304.06 (2m) (d) The parole commission or the department shall determine a
16 ~~prisoner's sex offender's~~ county of residence for the purposes of this subsection by
17 doing all of the following:

18 1. ~~The parole commission or the department shall consider~~ Considering
19 residence as the voluntary concurrence of physical presence with intent to remain
20 in a place of fixed habitation and ~~shall consider~~ considering physical presence as
21 prima facie evidence of intent to remain.

22 2. ~~The parole commission or the department shall apply~~ Applying the criteria
23 for consideration of residence and physical presence under subd. 1. to the facts that
24 existed on the date ~~that the prisoner~~ on which the sex offender committed the serious
25 sex offense that resulted in the sentence ~~that the prisoner~~ sex offender is serving.

1 ***-1855/2.30*** SECTION 3390. 304.11 (3) of the statutes is amended to read:

2 304.11 (3) If upon inquiry it further appears to the governor that the convicted
3 person has violated or failed to comply with any of those conditions, the governor may
4 issue his or her warrant remanding the person to the institution from which
5 discharged, and the person shall be confined and treated as though no pardon had
6 been granted, except that the person loses any applicable good time which he or she
7 had earned. If the person is returned to prison, the person is subject to the same
8 limitations as a revoked parolee under s. 302.11 (7). The department shall determine
9 the period of incarceration under s. 302.11 (7) ~~(a)~~ (am). If the governor determines
10 the person has not violated or failed to comply with the conditions, the person shall
11 be discharged subject to the conditional pardon.

12 ***b0283/2.1*** SECTION 3390t. 340.01 (2g) of the statutes is amended to read:

13 340.01 (2g) “All-terrain vehicle” means an engine-driven device which has a
14 net weight of ~~650~~ 900 pounds or less, which has a width of 48 inches or less, which
15 is equipped with a seat designed to be straddled by the operator and which is
16 designed to travel on 3 or more low-pressure tires. A low-pressure tire is a tire which
17 has a minimum width of 6 inches, which is designed to be mounted on a rim with a
18 maximum diameter of 12 inches and which is designed to be inflated with an
19 operating pressure not to exceed 6 pounds per square inch as recommended by the
20 manufacturer.

21 ***-0019/3.1*** SECTION 3391. 341.135 (1) of the statutes is amended to read:

22 341.135 (1) DESIGN. Every ~~6th~~ 7th year, the department shall establish new
23 designs of registration plates to be issued under ss. 341.14 (1a), (1m), (1q), (2), (2m),
24 (6m) ~~or~~ and (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2)
25 and (3) (a) 1. and (am). Any design for registration plates issued for automobiles and

1 for vehicles registered on the basis of gross weight shall comply with the applicable
2 design requirements of ss. 341.12 (3), 341.13, and 341.14 (6r) (c). The designs for
3 registration plates specified in this subsection shall be as similar in appearance as
4 practicable during each ~~6-year~~ 7-year design interval. Each registration plate
5 issued under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m), or (6r), 341.25 (1) (a), (c), (h),
6 or (j) or (2) (a), (b), or (c), or 341.26 (2) or (3) (a) 1. or (am) during each ~~6-year~~ 7-year
7 design interval shall be of the design established under this subsection. The
8 department may not redesign registration plates for the special ~~group~~ groups under
9 s. 341.14 (6r) (f) ~~53., 54., 55., or 56.~~ until January 1, 2005 July 1, 2007. Except for
10 registration plates issued under s. 341.14 (6r) (f) 53., 54., 55., or 56., the first design
11 cycle for registration plates issued under ss. 341.14 (1a), (1m), (1q), (2), (2m), (6m),
12 and (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2) and (3)
13 (a) 1. and (am) began July 1, 2000.

14 ***-0019/3.2* SECTION 3392.** 341.135 (2) (a) 1. of the statutes is amended to read:
15 341.135 (2) (a) 1. Beginning with registrations initially effective on
16 July 1, 2000, upon receipt of a completed application to initially register a vehicle
17 under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m), or (6r), except s. 341.14 (6r) (f) ~~53.,~~
18 ~~54., 55., or 56.,~~ or s. 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c) or 341.26 (2) or
19 (3) (a) 1. or (am), the department shall issue and deliver prepaid to the applicant 2
20 new registration plates of the design established under sub. (1).

21 ***-0019/3.3* SECTION 3393.** 341.135 (2) (a) 2. of the statutes is amended to read:
22 341.135 (2) (a) 2. Notwithstanding s. 341.13 (3), beginning with registrations
23 initially effective on July 1, ~~2005~~ 2007, upon receipt of a completed application to
24 initially register a vehicle under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m), or (6r), or
25 s. 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c) or 341.26 (2) or (3) (a) 1. or (am), or

1 to renew the registration of a vehicle under those sections for which a registration
2 plate has not been issued during the previous ~~6~~ 7 years, the department shall issue
3 and deliver prepaid to the applicant ~~2~~ new registration plates of the design
4 established for that ~~6-year~~ 7-year period under sub. (1).

5 ***-0019/3.4* SECTION 3394.** 341.135 (2) (am) of the statutes is amended to read:

6 341.135 (2) (am) Notwithstanding ~~ss. s.~~ 341.13 (3) and (3m), beginning with
7 registrations initially effective on July 1, 2000, upon receipt of a completed
8 application to renew the registration of a vehicle registered under s. 341.14 (1a),
9 (1m), (1q), (2), (2m), (6m), or (6r), except s. 341.14 (6r) (f) ~~53., 54., 55., or 56.,~~ or s.
10 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c) for which a registration plate of the
11 design established under sub. (1) has not been issued, the department may issue and
12 deliver prepaid to the applicant ~~2~~ new registration plates of the design established
13 under sub. (1). This paragraph does not apply to registration plates issued under s.
14 341.14 (6r) (f) ~~52., 1997 stats.~~ This paragraph does not apply after June 30, ~~2005~~
15 2007.

16 ***-0019/3.5* SECTION 3395.** 341.135 (2) (c) of the statutes is amended to read:

17 341.135 (2) (e) The department shall issue new registration plates of the design
18 established under sub. (1) for every vehicle registered under s. 341.14 (1a), (1m), (1q),
19 (2), (2m), (6m), or (6r), 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c), or 341.26 (2)
20 or (3) (a) 1. or (am) after ~~January 1, 2005~~ July 1, 2007.

21 ***-0017/2.1* SECTION 3396.** 341.14 (2) of the statutes is amended to read:

22 341.14 (2) Upon compliance with the laws relating to registration of
23 automobiles and motor homes; motor trucks, dual purpose motor homes, and dual
24 purpose farm trucks which have a gross weight of not more than 8,000 pounds; and
25 farm trucks which have a gross weight of not more than 12,000 pounds, including

1 payment of the prescribed registration fees therefor plus an additional fee of \$10 \$15
2 when registration plates are issued accompanied by an application showing
3 satisfactory proof that the applicant is the holder of an unexpired amateur radio
4 station license issued by the federal communications commission, the department
5 shall issue registration plates on which, in lieu of the usual registration number,
6 shall be inscribed in large legible form the call letters of such applicant as assigned
7 by the federal communications commission. The fee for reissuance of a plate under
8 this subsection shall be \$10 \$15.

9 ***-0017/2.2* SECTION 3397.** 341.14 (2m) of the statutes is amended to read:

10 341.14 (2m) Upon compliance with laws relating to registration of motor
11 vehicles, including payment of the prescribed fee, and an additional fee of \$5 \$15
12 when the original or new registration plates are issued and accompanied by an
13 application showing satisfactory proof that the applicant has a collector's
14 identification number as provided in s. 341.266 (2) (d), the department shall issue
15 registration plates on which, in lieu of the usual registration number, shall be
16 inscribed the collector's identification number issued under s. 341.266 (2) (d). The
17 words "VEHICLE COLLECTOR" shall be inscribed across the lower or upper portion
18 of the plate at the discretion of the department. Additional registrations under this
19 subsection by the same collector shall bear the same collector's identification number
20 followed by a suffix letter for vehicle identification. Registration plates issued under
21 this subsection shall expire annually.

22 ***-0017/2.3* SECTION 3398.** 341.14 (6) (d) of the statutes is amended to read:

23 341.14 (6) (d) For each additional vehicle, a person who maintains more than
24 one registration under this subsection at one time shall be charged a fee of \$10 \$15
25 for issuance or reissuance of the plates in addition to the annual registration fee for

1 the vehicle. Except as provided in par. (c), a motor truck or dual purpose farm truck
2 registered under this subsection shall be registered under this paragraph.

3 ***-0017/2.4* SECTION 3399.** 341.14 (6) (e) of the statutes is repealed.

4 ***-0017/2.5* SECTION 3400.** 341.14 (6m) (a) of the statutes is amended to read:

5 341.14 (6m) (a) Upon application to register an automobile or motor truck
6 which has a gross weight of not more than 8,000 pounds by any person who is a
7 resident of this state and a member or retired member of the national guard, the
8 department shall issue to the person special plates whose colors and design shall be
9 determined by the department and which have the words "Wisconsin guard member"
10 placed on the plates in the manner designated by the department. The department
11 shall consult with or obtain the approval of the adjutant general with respect to any
12 word or symbol used to identify the national guard. An additional fee of \$10 \$15 shall
13 be charged for the issuance or reissuance of the plates. Registration plates issued
14 under this subsection shall expire annually.

15 ***-0017/2.6* SECTION 3401.** 341.14 (6r) (b) 2. of the statutes is amended to read:

16 341.14 (6r) (b) 2. An additional fee of \$10 \$15 shall be charged for the issuance
17 or reissuance of the plates for special groups specified under par. (f) ~~1. to 34., 48., 49.~~
18 ~~and 51.~~

19 ***b0690/2.11* SECTION 3401x.** 341.14 (6r) (b) 3. of the statutes is amended to
20 read:

21 341.14 (6r) (b) 3. An additional fee of \$15 shall be charged for the issuance or
22 reissuance of a plate issued on an annual basis for a special group specified under
23 par. (f) 35. to 47., 53., 54. ~~or 55., 55., or 56.~~ or designated by the department under
24 par. (fm). An additional fee of \$15 shall be charged for the issuance or reissuance of
25 a plate issued on a biennial basis for a special group specified under par. (f) 35. to 47.,

1 53., 54. ~~or 55., 55., or 56.~~ or designated by the department under par. (fm) if the plate
2 is issued during the first year of the biennial registration period or \$15 for the
3 issuance or reissuance if the plate is issued during the 2nd year of the biennial
4 registration period. The department shall deposit in the general fund and credit to
5 the appropriation account under s. 20.395 (5) (cj) all fees collected under this
6 subdivision for the issuance or reissuance of a plate for a special group designated
7 by the department under par. (fm).

8 *~~0017/2.7~~* SECTION 3402. 341.14 (6r) (b) 3. of the statutes, as affected by 2001
9 Wisconsin Act (this act), is amended to read:

10 341.14 (6r) (b) 3. An additional fee of \$15 shall be charged for the issuance or
11 reissuance of a plate issued ~~on an annual basis for a special group specified under~~
12 ~~par. (f) 35. to 47., 53., 54., 55., or 56.~~ or designated by the department under par. (fm).
13 ~~An additional fee of \$15 shall be charged for the issuance or reissuance of a plate~~
14 ~~issued on a biennial basis for a special group specified under par. (f) 35. to 47., 53.,~~
15 ~~54., 55., or 56. or designated by the department under par. (fm) if the plate is issued~~
16 ~~during the first year of the biennial registration period or \$15 for the issuance or~~
17 ~~reissuance if the plate is issued during the 2nd year of the biennial registration~~
18 ~~period. The department shall deposit in the general fund and credit to the~~
19 ~~appropriation account under s. 20.395 (5) (cj) all fees collected under this subdivision~~
20 ~~for the issuance or reissuance of a plate for a special group designated by the~~
21 ~~department under par. (fm).~~

22 *~~0017/2.8~~* SECTION 3403. 341.14 (6r) (b) 4. of the statutes is amended to read:

23 341.14 (6r) (b) 4. An additional fee of \$20 that is in addition to the fee under
24 subd. 2. ~~or 3.~~ shall be charged for the issuance or renewal of a plate issued on an
25 annual basis for a special group specified under par. (f) 35. to 47. An additional fee

1 of \$40 that is in addition to the fee under subd. 2. ~~or 3.~~ shall be charged for the
2 issuance or renewal of a plate issued on a biennial basis for a special group specified
3 under par. (f) 35. to 47. if the plate is issued or renewed during the first year of the
4 biennial registration period or \$20 for the issuance or renewal if the plate is issued
5 or renewed during the 2nd year of the biennial registration period. The fee under
6 this subdivision is deductible as a charitable contribution for purposes of the taxes
7 under ch. 71.

8 *~~0017/2.9~~* SECTION 3404. 341.14 (6r) (b) 6. of the statutes is amended to read:

9 341.14 (6r) (b) 6. An additional fee of \$20 that is in addition to the fee under
10 subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an annual
11 basis for the special group specified under par. (f) 53. An additional fee of \$40 that
12 is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal
13 of a plate issued on a biennial basis for the special group specified under par. (f) 53.
14 if the plate is issued or renewed during the first year of the biennial registration
15 period or \$20 for the issuance or renewal if the plate is issued or renewed during the
16 2nd year of the biennial registration period. All moneys received under this
17 subdivision in excess of the initial costs of data processing for the special group plate
18 under par. (f) 53. or \$35,000, whichever is less, shall be deposited in the children's
19 trust fund. To the extent permitted under ch. 71, the fee under this subdivision is
20 deductible as a charitable contribution for purposes of the taxes under ch. 71.

21 *~~0017/2.10~~* SECTION 3405. 341.14 (6r) (b) 7. of the statutes is amended to
22 read:

23 341.14 (6r) (b) 7. An additional fee of \$25 that is in addition to the fee under
24 subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an annual
25 basis for the special group specified under par. (f) 54. An additional fee of \$50 that

1 is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal
2 of a plate issued on the biennial basis for the special group specified under par. (f) 54.
3 if the plate is issued or renewed during the first year of the biennial registration
4 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
5 2nd year of the biennial registration period. All moneys received under this
6 subdivision in excess of the initial costs of production of the special group plate under
7 par. (f) 54. or \$196,700, whichever is less, shall be deposited in the conservation fund
8 and credited to the appropriation under s. 20.370 (5) (au). To the extent permitted
9 under ch. 71, the fee under this subdivision is deductible as a charitable contribution
10 for purposes of the taxes under ch. 71.

11 *–0017/2.11* **SECTION 3406.** 341.14 (6r) (b) 8. (intro.) of the statutes is amended
12 to read:

13 341.14 (**6r**) (b) 8. (intro.) An additional fee of \$25 that is in addition to the fee
14 under subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an
15 annual basis for the special group specified under par. (f) 55. An additional fee of \$50
16 that is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or
17 renewal of a plate issued on the biennial basis for the special group specified under
18 par. (f) 55. if the plate is issued or renewed during the first year of the biennial
19 registration period or \$25 for the issuance or renewal if the plate is issued or renewed
20 during the 2nd year of the biennial registration period. For each professional football
21 team for which plates are produced under par. (f) 55., all moneys received under this
22 subdivision in excess of the initial costs of data processing for the special group plate
23 related to that team under par. (f) 55. or \$35,000, whichever is less, shall be deposited
24 in the general fund and credited as follows:

1 ***b0690/2.14* SECTION 3406d.** 341.14 (6r) (b) 9. of the statutes is created to
2 read:

3 341.14 **(6r)** (b) 9. An additional fee of \$20 that is in addition to the fee under
4 subd. 3. shall be charged for the issuance or renewal of a plate issued on an annual
5 basis for the special group specified under par. (f) 56. An additional fee of \$40 that
6 is in addition to the fee under subd. 3. shall be charged for the issuance or renewal
7 of a plate issued on a biennial basis for the special group specified under par. (f) 56.,
8 if the plate is issued or renewed during the first year of the biennial registration
9 period or \$20 for the issuance or renewal if the plate is issued or renewed during the
10 2nd year of the biennial registration period. All moneys received under this
11 subdivision in excess of the initial costs of production of the special group plate under
12 par. (f) 56. or \$196,700, whichever is less, shall be deposited in the artistic
13 endowment fund under s. 25.78. To the extent permitted under ch. 71, the fee under
14 this subdivision is deductible as a charitable contribution for purposes of the taxes
15 under ch. 71.

16 ***b0690/2.14* SECTION 3406dm.** 341.14 (6r) (b) 9. of the statutes, as created by
17 2001 Wisconsin Act (this act), is amended to read:

18 341.14 **(6r)** (b) 9. An additional fee of \$20 that is in addition to the fee under
19 subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an annual
20 basis for the special group specified under par. (f) 56. An additional fee of \$40 that
21 is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal
22 of a plate issued on a biennial basis for the special group specified under par. (f) 56.,
23 if the plate is issued or renewed during the first year of the biennial registration
24 period or \$20 for the issuance or renewal if the plate is issued or renewed during the
25 2nd year of the biennial registration period. All moneys received under this

1 subdivision in excess of the initial costs of production of the special group plate under
2 par. (f) 56. or \$196,700, whichever is less, shall be deposited in the artistic
3 endowment fund under s. 25.78. To the extent permitted under ch. 71, the fee under
4 this subdivision is deductible as a charitable contribution for purposes of the taxes
5 under ch. 71.

6 *b0690/2.14* SECTION 3406e. 341.14 (6r) (c) of the statutes is amended to read:

7 341.14 (6r) (c) Special group plates shall display the word “Wisconsin”, the
8 name of the applicable authorized special group, a symbol representing the special
9 group, not exceeding one position, and identifying letters or numbers or both, not
10 exceeding 6 positions and not less than one position. The department shall specify
11 the design for special group plates, but the department shall consult the president
12 of the University of Wisconsin System before specifying the word or symbol used to
13 identify the special groups under par. (f) 35. to 47., the secretary of natural resources
14 before specifying the word or symbol used to identify ~~for~~ the special group under par.
15 (f) 50. ~~and~~, the chief executive officer of the professional football team and an
16 authorized representative of the league of professional football teams described in
17 s. 229.823 to which that team belongs before specifying the design for the applicable
18 special group plate under par. (f) 55., and the executive secretary of the arts board
19 before specifying the word or symbol used to identify the special group under par. (f)
20 56. Special group plates under par. (f) 50. shall be as similar as possible to regular
21 registration plates in color and design.

22 *b0690/2.14* SECTION 3406f. 341.14 (6r) (f) 56. of the statutes is created to
23 read:

24 341.14 (6r) (f) 56. Persons interested in expressing their support of the arts.

1 ***b0690/2.14* SECTION 3406g.** 341.14 (6r) (fm) 7. of the statutes is amended to
2 read:

3 341.14 (6r) (fm) 7. ~~Except for the authorized special group enumerated under~~
4 ~~par. (f) 55., after~~ After October 1, 1998, additional authorized special groups may
5 only be special groups designated by the department under this paragraph. The
6 authorized special groups enumerated in par. (f) shall be limited solely to those
7 special groups specified under par. (f) on October 1, 1998, ~~except for the authorized~~
8 ~~special group enumerated under par. (f) 55.~~ This subdivision does not apply to the
9 special ~~group~~ groups specified under par. (f) 54., 55., and 56.

10 ***-0017/2.12* SECTION 3407.** 341.14 (8) of the statutes is amended to read:

11 341.14 (8) If a special plate for a group associated with a branch of the armed
12 services or otherwise military in nature has been issued to a person under this
13 section, upon application by the surviving spouse of the person, the department may
14 permit the surviving spouse to retain the plate. If the plate has been returned to the
15 department or surrendered to another state, the department may reissue the plate
16 to the surviving spouse. The department shall charge an additional fee of ~~\$10~~ \$15
17 to reissue the plate. This subsection does not apply to a special plate issued under
18 s. 341.14 (1) or (1r).

19 ***b0396/1.2* SECTION 3408g.** 342.14 (1r) of the statutes is amended to read:

20 342.14 (1r) ~~Upon filing an application under sub. (1) or (3) before December 1,~~
21 ~~1999, an environmental impact fee of \$5, by the person filing the application.~~ Upon
22 filing an application under sub. (1) or (3) ~~on or after December 1, 1999,~~ an
23 environmental impact fee of \$6, by the person filing the application. All moneys
24 collected under this subsection shall be credited to the environmental fund for

1 environmental management. This subsection does not apply after June 30, 2001
2 December 31, 2003.

3 *b0396/1.2* SECTION 3408r. 342.14 (1r) of the statutes, as affected by 2001
4 Wisconsin Act (this act), is amended to read:

5 342.14 (1r) Upon filing an application under sub. (1) or (3), an environmental
6 impact fee of \$6 \$9, by the person filing the application. All moneys collected under
7 this subsection shall be credited to the environmental fund for environmental
8 management. This subsection does not apply after December 31, 2003.

9 *b0493/3.1* SECTION 3409f. 343.10 (5) (a) 3. of the statutes is amended to read:

10 343.10 (5) (a) 3. If the applicant has 2 or more prior convictions, suspensions
11 or revocations, as counted under s. 343.307 (1), the occupational license of the
12 applicant shall restrict the applicant's operation under the occupational license to
13 vehicles that are equipped with a functioning ignition interlock device if the court
14 has ordered under s. 346.65 (6) (a) 1. that a motor vehicle owned by the person
15 343.301 (1) that each motor vehicle titled in the name of the person be equipped with
16 an ignition interlock device or has ordered under s. 346.65 (6) (a) 1. that the motor
17 vehicle owned by the person and used in the violation or improper refusal be
18 equipped with an ignition interlock device. A person to whom a restriction under this
19 subdivision applies violates that restriction if he or she requests or permits another
20 to blow into an ignition interlock device or to start a motor vehicle equipped with an
21 ignition interlock device for the purpose of providing the person an operable motor
22 vehicle without the necessity of first submitting a sample of his or her breath to
23 analysis by the ignition interlock device. If the occupational license restricts the
24 applicant's operation to a vehicle that is equipped with an ignition interlock device,

for which the person's name
appears on the vehicle's
certificate of title or registration

1 the applicant shall be liable for the reasonable costs of equipping the vehicle with the
2 ignition interlock device.

3 *b0493/3.1* SECTION 3409g. 343.10 (5) (a) 3. of the statutes, as affected by
4 2001 Wisconsin Act (this act), is amended to read:

5 343.10 (5) (a) 3. If the applicant has 2 or more prior convictions, suspensions,
6 or revocations, as counted under s. 343.307 (1), the occupational license of the
7 applicant shall restrict the applicant's operation under the occupational license to
8 vehicles that are equipped with a functioning ignition interlock device if the court
9 has ordered under s. 343.301 (1) that each motor vehicle ~~titled in the name of the~~
10 ~~person~~ be equipped with an ignition interlock device or has ordered under s. 346.65
11 (6) (a) 1., 1999 stats., that the motor vehicle owned by the person and used in the
12 violation or improper refusal be equipped with an ignition interlock device. A person
13 to whom a restriction under this subdivision applies violates that restriction if he or
14 she requests or permits another to blow into an ignition interlock device or to start
15 a motor vehicle equipped with an ignition interlock device for the purpose of
16 providing the person an operable motor vehicle without the necessity of first
17 submitting a sample of his or her breath to analysis by the ignition interlock device.
18 If the occupational license restricts the applicant's operation to a vehicle that is
19 equipped with an ignition interlock device, the applicant shall be liable for the
20 reasonable costs of equipping the vehicle with the ignition interlock device.

21 *-0272/2.1* SECTION 3410. 343.24 (2) (a) of the statutes is amended to read:
22 343.24 (2) (a) For each file search, \$3 \$5.

23 *b0241/2.3* SECTION 3410k. 343.24 (2) (a) of the statutes, as affected by 2001
24 Wisconsin Act (this act), is amended to read:

25 343.24 (2) (a) For each file search, \$5 \$5.20.

*for which
the person's
name appears
on the
vehicle's
certificate
of title or
registration*

1 *~~0272/2.2~~* SECTION 3411. 343.24 (2) (b) of the statutes is amended to read:
2 343.24 (2) (b) For each computerized search, ~~\$3~~ \$5.

3 *~~b0241/2.4~~* SECTION 3411k. 343.24 (2) (b) of the statutes, as affected by 2001
4 Wisconsin Act (this act), is amended to read:

5 343.24 (2) (b) For each computerized search, ~~\$5~~ \$5.20.

6 *~~0272/2.3~~* SECTION 3412. 343.24 (2) (c) of the statutes is amended to read:
7 343.24 (2) (c) For each search requested by telephone, ~~\$4~~ \$6, or an established
8 monthly service rate determined by the department.

9 *~~b0241/2.5~~* SECTION 3412k. 343.24 (2) (c) of the statutes, as affected by 2001
10 Wisconsin Act (this act), is amended to read:

11 343.24 (2) (c) For each search requested by telephone, ~~\$6~~ \$6.20, or an
12 established monthly service rate determined by the department.

13 *~~0272/2.4~~* SECTION 3413. 343.24 (2m) of the statutes is amended to read:

14 343.24 (2m) If the department, in maintaining a computerized operating
15 record system, makes copies of its operating record file database, or a portion thereof,
16 on computer tape or other electronic media, copies of the tape or media may be
17 furnished to any person on request. The department may also furnish to any person
18 upon request records on computer tape or other electronic media that contain
19 information from files of uniform traffic citations or motor vehicle accidents and that
20 were produced for or developed by the department for purposes related to
21 maintenance of the operating record file database. The department shall charge a
22 fee of ~~\$3~~ \$5 for each file of vehicle operators' records contained in the tape or media.
23 The department shall charge a fee of not more than ~~\$3~~ \$5 for each file of uniform
24 traffic citations or motor vehicle accidents contained in the tape or media. Nothing
25 in this subsection requires the department to produce records of particular files or

1 data in a particular format except as those records or data are made by the
2 department for its purposes.

3 *b0241/2.6* **SECTION 3413k.** 343.24 (2m) of the statutes, as affected by 2001
4 Wisconsin Act (this act), is amended to read:

5 343.24 (2m) If the department, in maintaining a computerized operating
6 record system, makes copies of its operating record file database, or a portion thereof,
7 on computer tape or other electronic media, copies of the tape or media may be
8 furnished to any person on request. The department may also furnish to any person
9 upon request records on computer tape or other electronic media that contain
10 information from files of uniform traffic citations or motor vehicle accidents and that
11 were produced for or developed by the department for purposes related to
12 maintenance of the operating record file database. The department shall charge a
13 fee of \$5 \$5.20 for each file of vehicle operators' records contained in the tape or
14 media. The department shall charge a fee of not more than \$5 \$5.20 for each file of
15 uniform traffic citations or motor vehicle accidents contained in the tape or media.
16 Nothing in this subsection requires the department to produce records of particular
17 files or data in a particular format except as those records or data are made by the
18 department for its purposes.

19 *-0272/2.5* **SECTION 3414.** 343.245 (3m) (b) of the statutes is amended to read:

20 343.245 (3m) (b) The department shall establish and collect reasonable fees
21 from employers in the program sufficient to defray the costs of instituting and
22 maintaining the program, including the registration and withdrawal of employees.
23 The fee for each notification by the department to an employer under par. (a) shall
24 be \$3 \$5.

1 ***b0241/2.7* SECTION 3414k.** 343.245 (3m) (b) of the statutes, as affected by
2 2001 Wisconsin Act (this act), is amended to read:

3 343.245 (3m) (b) The department shall establish and collect reasonable fees
4 from employers in the program sufficient to defray the costs of instituting and
5 maintaining the program, including the registration and withdrawal of employees.
6 The fee for each notification by the department to an employer under par. (a) shall
7 be \$5 \$5.20.

8 ***b0493/3.2* SECTION 3415m.** 343.30 (1q) (b) 3. of the statutes is amended to
9 read:

10 343.30 (1q) (b) 3. Except as provided in subd. 4m., if the number of convictions
11 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
12 convictions, suspensions, and revocations counted under s. 343.307 (1) within a
13 10-year period, equals 2, the court shall revoke the person's operating privilege for
14 not less than one year nor more than 18 months. After the first 60 days of the
15 revocation period or, if the total number of convictions, suspensions, and revocations
16 counted under this subdivision within any 5-year period equals 2, after one year of
17 the revocation period has elapsed, the person is eligible for an occupational license
18 under s. 343.10 if he or she has completed the assessment and is complying with the
19 driver safety plan ordered under par. (c).

20 ***b0493/3.2* SECTION 3416m.** 343.30 (1q) (b) 4. of the statutes is amended to
21 read:

22 343.30 (1q) (b) 4. Except as provided in subd. 4m., if the number of convictions
23 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
24 convictions, suspensions, and revocations counted under s. 343.307 (1), equals 3 or
25 more, the court shall revoke the person's operating privilege for not less than 2 years

or
more

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a38.15

1 nor more than 3 years. After the first 90 days of the revocation period or, if the total
2 number of convictions, suspensions, and revocations counted under this subdivision
3 within any 5-year period equals 2 or more, after one year of the revocation period has
4 elapsed, the person is eligible for an occupational license under s. 343.10 if he or she
5 has completed the assessment and is complying with the driver safety plan ordered
6 under par. (c).

7 *b0493/3.2* SECTION 3417m. 343.301 of the statutes is created to read:

8 **343.301 Installation of ignition interlock device or immobilization of**
9 **a motor vehicle. (1) IGNITION INTERLOCK.** (a) If a person improperly refuses to take
10 a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the
11 person has a total of 2 or more convictions, suspensions, or revocations, counted
12 under s. 343.307 (1) within any 5-year period, the court shall order that the person's
13 operating privilege for the operation of "Class D" vehicles be restricted to operating
14 vehicles that are equipped with an ignition interlock device and shall order that each
15 ~~motor vehicle titled in the name of the person be equipped with an ignition interlock~~
16 ~~device. This paragraph does not apply if the court orders the immobilization of each~~
17 ~~motor vehicle titled in the name of the person under sub. (2) or, if the person has 2~~
18 ~~or more prior convictions, suspensions, or revocations for purposes of this paragraph,~~
19 ~~to the motor vehicle that the court orders to be seized and forfeited under s. 346.65~~
20 (6).

21 (b) The court shall order the operating privilege restriction and the installation
22 of an ignition interlock device under par. (a) for a period of not less than one year nor
23 more than the maximum operating privilege revocation period permitted for the
24 refusal or violation, beginning one year after the operating privilege revocation
25 period begins.

✓

Insert 938.15

1 elapsed, the person is eligible for an occupational license under s. 343.10 if he or she
2 has completed the assessment and is complying with the driver safety plan ordered
3 under par. (c).

4 **SECTION 3417m.** 343.301 of the statutes is created to read:

5 **343.301 Installation of ignition interlock device or immobilization of**
6 **a motor vehicle. (1) IGNITION INTERLOCK.** (a) If a person improperly refuses to take
7 a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the
8 person has a total of 2 or more convictions, suspensions, or revocations, counted
9 under s. 343.307 (1) within any 5-year period, the court shall order that the person's
10 operating privilege for the operation of "Class D" vehicles be restricted to operating
11 vehicles that are equipped with an ignition interlock device and shall order that each

12 motor vehicle for which the person's name appears on the vehicle's certificate of title
13 or registration be equipped with an ignition interlock device. If equipping each motor
14 vehicle with an ignition interlock device under this paragraph would cause an undue
15 financial hardship, the court may order that one or more motor vehicles subject to
16 this paragraph not be equipped with an ignition interlock device. This paragraph
17 does not apply if the court enters an order under sub. (2) (a) or, if the person has 2
18 or more prior convictions, suspensions, or revocations for purposes of this paragraph,
19 to the motor vehicle owned by the person and used in the violation or refusal if the
20 court orders the vehicle to be seized and forfeited under s. 346.65 (6).

21 (b) The court shall order the operating privilege restriction and the installation
22 of an ignition interlock device under par. (a) for a period of not less than one year nor
23 more than the maximum operating privilege revocation period permitted for the
24 refusal or violation, beginning one year after the operating privilege revocation
25 period begins.

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order

1 (c) If the court restricts the person's operating privilege under par. (a), the
2 person shall be liable for the reasonable cost of equipping and maintaining any
3 ignition interlock device installed ⁱⁿ ~~in~~ his or her motor vehicle. ✓

4 (d) A person to whom an order under par. (a) applies violates that order if he
5 or she requests or permits another to blow into an ignition interlock device or to start
6 a motor vehicle equipped with an ignition interlock device for the purpose of
7 providing the person an operable motor vehicle without the necessity of first
8 submitting a sample of his or her breath to analysis by the ignition interlock device. ✓

9 ~~(e) The court may not order a motor vehicle equipped with an ignition interlock~~
10 ~~device if that would result in undue hardship or extreme inconvenience or would~~
11 ~~endanger the health and safety of a person.~~ ✓

12 (2) IMMOBILIZATION. (a) If a person improperly refuses to take a test under s.
13 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total
14 of 2 or more convictions, suspensions, or revocations counted under s. 343.307 (1)

~~15 within any 5-year period, the court shall order that each motor vehicle titled in the
16 name of the person be immobilized. This paragraph does not apply if the court orders
17 the operating privilege restriction and the installation of an ignition interlock device
18 in each motor vehicle titled in the name of the person under sub. (1) or, if the person
19 has 2 or more prior convictions, suspensions, or revocations for purposes of this
20 paragraph, to the motor vehicle that the court orders to be seized and forfeited under
21 s. 346.65 (6).~~

22 (b) The court shall order the immobilization under par. (a) for a period of not
23 less than one year nor more than the maximum operating privilege revocation period
24 permitted for the refusal or violation, beginning on the first day of the operating
25 privilege revocation period.

Insert 939.15

1 (c) If the court enters an order under par. (a), the person shall be liable for the
2 reasonable cost of equipping and maintaining any ignition interlock device installed
3 on his or her motor vehicle.

4 (d) A person to whom an order under par. (a) applies violates that order if he
5 or she requests or permits another to blow into an ignition interlock device or to start
6 a motor vehicle equipped with an ignition interlock device for the purpose of
7 providing the person an operable motor vehicle without the necessity of first
8 submitting a sample of his or her breath to analysis by the ignition interlock device.

9 (2) IMMOBILIZATION. (a) If a person improperly refuses to take a test under s.
10 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total
11 of 2 or more convictions, suspensions, or revocations counted under s. 343.307 (1)

12 within any 5-year period, the court shall order that each motor vehicle for which the
13 person's name appears on the vehicle's certificate of title or registration be
14 immobilized. If immobilizing each motor vehicle under this paragraph would cause
15 undue hardship to any person, except the person to whom the order applies, who is
16 completely dependent on a motor vehicle subject to immobilization for the necessities
17 of life, including a family member or any person who holds legal title to a motor
18 vehicle with the person to whom the order applies, the court may order that one or
19 more motor vehicles subject to this paragraph not be immobilized. This paragraph
20 does not apply if the court enters an order under sub. (1) (a) or, if the person has 2
21 or more prior convictions, suspensions, or revocations for purposes of this paragraph,
22 to the motor vehicle owned by the person and used in the violation or refusal if the
23 court orders the vehicle to be seized and forfeited under s. 346.65 (6).

24 (b) The court shall order the immobilization under par. (a) for a period of not
25 less than one year nor more than the maximum operating privilege revocation period

1 (c) If the court orders that the person's motor vehicle be immobilized, the person
2 shall be liable for the reasonable cost of equipping and maintaining any
3 immobilization device installed on his or her motor vehicle.

4 (d) The court shall notify the department, in a form and manner prescribed by
5 the department, that an order to immobilize a motor vehicle has been entered. The
6 registration records of the department shall reflect that the order has been entered
7 against the motor vehicle and remains unexecuted. Any law enforcement officer may
8 execute that order based on the information provided by the department. The law
9 enforcement agency shall notify the department when an order has been executed
10 under this paragraph and the department shall amend its vehicle registration
11 records to reflect that notification.

12 (e) Within 10 days after immobilizing a motor vehicle under par. (d), the law
13 enforcement agency that immobilized the vehicle shall provide notice of the
14 immobilization to all lienholders of record. The notice shall set forth the year, make,
15 model, and vehicle identification number of the motor vehicle, where the motor
16 vehicle is located and the reason for the immobilization.

17 (f) The court may not order a motor vehicle immobilized if that would result in
18 undue hardship or extreme inconvenience or would endanger the health and safety
19 of a person.

20 *b0493/3.2* SECTION 3418m. 343.301 (1) (a) of the statutes, as created by 2001
21 Wisconsin Act (this act), is renumbered 343.301 (1) (a) 2. and amended to read:

22 343.301 (1) (a) 2. If a person improperly refuses to take a test under s. 343.305
23 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total of 2
24 or more convictions, suspensions, or revocations, counted under s. 343.307 (1) within
25 any 5-year period, the court shall order that the person's operating privilege for the