



1 ~~coinsurance rate, or out-of-pocket limit established under this subdivision is subject~~
2 ~~to the approval of the board under this section may be \$400. The department may~~
3 ~~establish that only certain copayment amounts count toward the out-of-pocket~~
4 ~~limit. Subject to s. 149.14 (8) (b), the department may change, by rule under s. 149.17~~
5 ~~(4), the out-of-pocket limit. Using the procedure under s. 227.24, the department~~
6 ~~may promulgate rules under this subdivision for the period before the effective date~~
7 ~~of any permanent rules promulgated under this subdivision, but not to exceed the~~
8 ~~period authorized under s. 227.24 (1) (c) and (2). Notwithstanding s. 227.24 (1) (a),~~
9 ~~(2) (b), and (3), the department is not required to provide evidence that promulgating~~
10 ~~a rule under this subdivision as an emergency rule is necessary for the preservation~~
11 ~~of the public peace, health, safety, or welfare and is not required to make a finding~~
12 ~~of emergency for promulgating a rule under this subdivision as an emergency rule.~~
13 Copayments and coinsurance paid by an eligible person under this subdivision are
14 separate from and do not count toward the deductible and covered costs not paid by
15 the plan under subs. 1. to 3.

16 *~~0578/P5.20~~* SECTION 2061. 149.146 (2) (b) (intro.) of the statutes is amended
17 to read:

18 149.146 (2) (b) (intro.) The schedule of premiums for coverage under this
19 section shall be ~~promulgated by rule~~ set by the department, as provided in s. 149.143.
20 The rates for coverage under this section shall be set such that they differ from the
21 rates for coverage under s. 149.14 (2) (a) by the same percentage as the percentage
22 difference between the following:

23 *~~0319/P1.1~~* SECTION 2062. 149.25 of the statutes is repealed.

24 *~~1649/7.47~~* SECTION 2063. 153.01 (2) of the statutes is amended to read:

1 153.01 (2) "Board" means the health care quality and patient safety board on
2 health care information.

3 ***-1649/7.48* SECTION 2064.** 153.05 (2m) (d) of the statutes is created to read:
4 153.05 (2m) (d) By April 1, annually, the entity under contract under par. (a)
5 shall report to the board concerning the fulfillment of the entity's obligations under
6 the contract.

7 ***-0316/3.5* SECTION 2065.** 153.05 (6m) of the statutes is amended to read:
8 153.05 (6m) The department may contract with the group insurance board for
9 the provision of data collection and analysis services related to health maintenance
10 organizations and insurance companies that provide health insurance for state
11 employees. The department shall establish contract fees for the provision of the
12 services. All moneys collected under this subsection shall be credited to the
13 appropriation under s. 20.435 (4) (1) (hg).

14 ***-1649/7/6.49* SECTION 2066.** 153.07 (5) of the statutes is created to read:
15 153.07 (5) By January 1, 2006, and at least annually thereafter, the board shall
16 report to the governor on the plans, activities, accomplishments, and
17 recommendations of the board.

18 ***-1649/7.50* SECTION 2067.** 153.07 (6) of the statutes is created to read:
19 153.07 (6) The board shall annually assess the extent to which automated
20 information and decision support systems are used by health care providers in this
21 state.

22 ***-1649/7.51* SECTION 2068.** 153.07 (7) of the statutes is created to read:
23 153.07 (7) The board shall annually assess options and develop a plan and
24 specific strategies to achieve automation of all health care systems in the state by
25 2010 or as soon as practicable.

1 *~~1649/7.52~~* **SECTION 2069.** 153.07 (8) of the statutes is created to read:

2 153.07 (8) The board shall administer the health care quality improvement
3 fund.

4 *~~1649/7.53~~* **SECTION 2070.** 153.07 (9) of the statutes is created to read:

5 153.07 (9) The board may accept gifts, grants, bequests, and devises to be used
6 in the execution of its functions.

7 *~~1649/7.54~~* **SECTION 2071.** 153.076 of the statutes is created to read:

8 **153.076 Grants and loans. (1)** In this section:

9 (a) “Clinic” means a place, other than a residence, that is used primarily for the
10 provision of nursing, medical, podiatric, dental, chiropractic, or optometric care and
11 treatment.

12 (b) “Health maintenance organization” has the meaning given in s. 609.01 (2).

13 (c) “Hospital” has the meaning given in s. 50.33 (2).

14 (d) “Physician” has the meaning given in s. 448.01 (5).

15 **(2)** (a) From the appropriation under s. 20.505 (4) (qb), the board may make
16 grants or loans, under procedures and criteria determined by the board, to clinics,
17 health maintenance organizations, or other health care systems, hospitals, or
18 physicians for any of the following projects:

19 1. Installation of computer-assisted physician order entry, electronic medical
20 records, or other information system infrastructure, including clinical decision
21 support systems, to improve the quality, safety, and efficiency of patient care.

22 2. Development of health information exchanges, integrated health care data
23 repositories, and interoperable systems to facilitate the reporting of quality, safety,
24 and efficiency information for purposes of health care system improvement or
25 related purposes by informing consumers and health care purchasers.

1 3. Demonstration, through pilot projects, of rapid cycle improvement in quality,
2 safety, and efficiency of care.

3 4. Facilitation of group purchases of medical technology systems by assisting
4 health care providers in forming collaborative agreements for technology.

5 (b) Repayment of any loans made under par. (a) shall be deposited into the
6 health care quality improvement fund.

7 *~~0316/3.6~~ SECTION 2072. 153.60 (1) of the statutes is amended to read:

8 153.60 (1) The department shall, by the first October 1 after the
9 commencement of each fiscal year, estimate the total amount of expenditures under
10 this chapter for the department and the board for that fiscal year for data collection,
11 database development and maintenance, generation of data files and standard
12 reports, orientation and training provided under s. 153.05 (9) (a) and maintaining
13 the board. The department shall assess the estimated total amount for that fiscal
14 year, less the estimated total amount to be received for purposes of administration
15 of this chapter under s. 20.435 (4) (1) (hi) during the fiscal year, and the
16 unencumbered balance of the amount received for purposes of administration of this
17 chapter under s. 20.435 (4) (1) (hi) from the prior fiscal year ~~and the amount in the~~
18 ~~appropriation account under s. 20.435 (1) (dg), 1997 stats., for the fiscal year, to~~
19 health care providers, other than hospitals and ambulatory surgery centers, who are
20 in a class of health care providers from whom the department collects data under this
21 chapter in a manner specified by the department by rule. The department shall
22 obtain approval from the board for the amounts of assessments for health care
23 providers other than hospitals and ambulatory surgery centers. The department
24 shall work together with the department of regulation and licensing to develop a
25 mechanism for collecting assessments from health care providers other than

1 hospitals and ambulatory surgery centers. No health care provider that is not a
2 facility may be assessed under this subsection an amount that exceeds \$75 per fiscal
3 year. All payments of assessments shall be credited to the appropriation under s.
4 20.435 (4) (1) (hg).

5 *–0316/3.7* SECTION 2073. 153.60 (3) of the statutes is amended to read:

6 153.60 (3) The department shall, by the first October 1 after the
7 commencement of each fiscal year, estimate the total amount of expenditures
8 required for the collection, database development and maintenance and generation
9 of public data files and standard reports for health care plans that voluntarily agree
10 to supply health care data under s. 153.05 (6r). The department shall assess the
11 estimated total amount for that fiscal year to health care plans in a manner specified
12 by the department by rule and may enter into an agreement with the office of the
13 commissioner of insurance for collection of the assessments. Each health plan that
14 voluntarily agrees to supply this information shall pay the assessments on or before
15 December 1. All payments of assessments shall be deposited in the appropriation
16 under s. 20.435 (4) (1) (hg) and may be used solely for the purposes of s. 153.05 (6r).

17 *–0316/3.8* SECTION 2074. 153.65 (1) of the statutes is amended to read:

18 153.65 (1) The department may, but is not required to, provide, upon request
19 from a person, a data compilation or a special report based on the information
20 collected by the department. The department shall establish user fees for the
21 provision of these compilations or reports, payable by the requester, which shall be
22 sufficient to fund the actual necessary and direct cost of the compilation or report.
23 All moneys collected under this subsection shall be credited to the appropriation
24 under s. 20.435 (4) (1) (hi).

25 *–1649/7.55* SECTION 2075. 153.75 (title) of the statutes is amended to read:

1 **153.75 (title) Rule making and enforcement.**

2 *–1649/7.56* SECTION 2076. 153.75 (3) of the statutes is created to read:

3 153.75 (3) Notwithstanding sub. (1) (a), (b), (f), (m), (n), (o), (s), (t), and (u) and
4 ss. 153.05 (1), (5), and (8) and 153.45, after June 30, 2007, the department may not
5 enforce rules promulgated under this chapter before July 1, 2007, relating to claims
6 data to be submitted by physicians, to procedures for verification, review, and
7 comment on the claims data, to adjustment of the data, and to waiver of the data
8 submission requirement.

9 *–1649/7.57* SECTION 2077. 153.75 (4) of the statutes is created to read:

10 153.75 (4) Notwithstanding sub. (1) (a), (b), (f), (m), (n), (o), (q), (t), and (u), and
11 ss. 153.05 (1), (5) and (8), 153.21, and 153.45, after the effective date of this
12 subsection [revisor inserts date], the department may not enforce rules
13 promulgated under this chapter before the effective date of this subsection
14 [revisor inserts date], relating to any of the following:

15 (a) The collection, from physicians, of health care plan affiliations and updating
16 information, hospital privileges updating information, and workforce and practice
17 information.

18 (b) The collection, from dentists, chiropractors, and podiatrists, of workforce
19 and practice information.

20 (c) Procedures for verification, review, and comment on the information
21 specified under pars. (a) and (b), to adjustment of the information, and to waiver of
22 the information collection requirement.

23 *–1649/7.58* SECTION 2078. 153.75 (5) of the statutes is created to read:

24 153.75 (5) After the effective date of this subsection [revisor inserts date],
25 notwithstanding ss. 227.10 (1) and 227.11 (2) (a) and (d), the department may

1 promulgate under this chapter only rules that are first approved by the health care
2 quality and patient safety board.

3 *~~1649/7.59~~* SECTION 2079. 153.76 of the statutes is amended to read:

4 **153.76 Rule-making by the independent review board.**

5 Notwithstanding s. 15.01 (1r), the independent review board may promulgate only
6 those rules that are first reviewed and approved by the health care quality and
7 patient safety board on health care information.

8 *~~1243/P3.94~~* SECTION 2080. 165.065 (2) of the statutes is amended to read:

9 165.065 (2) The assistant attorney general in charge of antitrust investigations
10 and prosecutions ~~is to~~ shall cooperate actively with the antitrust division of the U.S.
11 department of justice in everything that concerns monopolistic practices in
12 Wisconsin, and also to cooperate actively with the department of agriculture, trade,
13 and ~~consumer protection~~ rural resources in the work which this agency is carrying
14 on ~~under s. 100.20 of the marketing law~~ with regard to monopolistic practices in the
15 field of agriculture and with the federal trade commission on matters arising in or
16 affecting Wisconsin which pertain to its jurisdiction.

17 *~~0546/1.1~~* SECTION 2081. 165.10 of the statutes is created to read:

18 **165.10 Civil rights enforcement.** If any person, whether or not acting under
19 color of law, interferes with the exercise or enjoyment by any individual of a right
20 secured by the constitution or laws of the United States, or of a right secured by the
21 constitution or laws of this state, the attorney general may bring an action for
22 injunction or other appropriate equitable relief to protect the peaceable exercise or
23 enjoyment of the right secured.

24 *~~1243/P3.95~~* SECTION 2082. 165.25 (4) (ar) of the statutes is amended to
25 read:

1 165.25 (4) (ar) The department of justice shall furnish all legal services
2 required by represent the department of agriculture, trade, and consumer protection
3 rural resources in any court action relating to the enforcement of ss. 100.171,
4 100.173, 100.174, 100.175, 100.177, 100.18, 100.182, 100.20, 100.205, 100.207,
5 100.209, 100.21, 100.28, 100.37, 100.42, 100.50 and 100.51 and chs. 126, 136, 344,
6 704, 707, and 779 ch. 126 and ss. 100.01 to 100.025, 100.05, 100.07, 100.14, 100.183
7 to 100.19, 100.201, 100.22, 100.235, 100.27, 100.285 to 100.297, 100.33 to 100.36,
8 100.45, 100.47, and 100.48, together with any other services as are necessarily
9 connected to the legal services.

10 ***-1243/P3.96*** SECTION 2083. 165.252 of the statutes is created to read:

11 **165.252 Consumer protection matters.** The department of justice shall
12 administer ss. 100.15 to 100.182, 100.20, 100.205, 100.207 to 100.2095, 100.28,
13 100.31, 100.37 to 100.44, 100.46, 100.50, and 100.52 and may promulgate rules to aid
14 in the administration and enforcement of these sections. The department of justice
15 may appear for the state in any court action relating to these sections.

16 ***-1059/P2.3*** SECTION 2084. 165.755 (1) (a) of the statutes is amended to read:

17 165.755 (1) (a) Except as provided in par. (b), a court shall impose under ch. 814
18 a crime laboratories and drug law enforcement surcharge of \$7 ~~\$8~~ if the court
19 imposes a sentence, places a person on probation, or imposes a forfeiture for a
20 violation of state law or for a violation of a municipal or county ordinance.

21 ***-1377/3.9*** SECTION 2085. 165.90 (title) of the statutes is repealed.

22 ***-1377/3.10*** SECTION 2086. 165.90 (1) to (5) of the statutes are renumbered
23 16.964 (7m) (a) to (e), and 16.964 (7m) (a), (b) 2. and 9., (c), (cm) (intro.), (d) (intro.),
24 1. and 2. and (e) (intro.), as renumbered, are amended to read:

1 16.964 (7m) (a) Any county that has ~~one or more~~ a reservation of a federally
2 recognized Indian reservations tribe within or partially within its boundaries or that
3 borders a reservation of a federally recognized Indian tribe may enter into an
4 agreement in accordance with s. 59.54 (12) with an ~~Indian~~ the tribe located in the
5 ~~county~~ to establish a cooperative county-tribal law enforcement program. To be
6 eligible to receive aid under this ~~section~~ subsection, a county and tribe shall develop
7 and annually submit a joint program plan, by December 1 of the year prior to the year
8 for which funding is sought, to the ~~department of justice~~ office for approval. If
9 funding is sought for the 2nd or any subsequent year of the program, the county and
10 tribe shall submit the report required under ~~sub. (4) (b) par. (d) 2.~~ together with the
11 plan.

12 (b) 2. The program's need for funding under this ~~section~~ subsection and the
13 amount of funding requested.

14 9. Any other information required by the ~~department~~ office or deemed relevant
15 by the county and tribe submitting the plan.

16 (c) Upon request, the ~~department~~ office shall provide technical assistance to a
17 county and tribe in formulating a joint program plan.

18 (cm) (intro.) In determining whether to approve a program plan and, if
19 approved, how much aid the program shall receive, the ~~department~~ office shall
20 consider the following factors:

21 (d) (intro.) If the ~~department~~ office approves a plan, the ~~department~~ office shall
22 certify the program as eligible to receive aid under s. ~~20.455 (2) (kt)~~ 20.505 (6) (kv).
23 Prior to January 15, of the year for which funding is sought, the ~~department~~ office
24 shall distribute from the appropriations under s. ~~20.455 (2) (kt)~~ 20.505 (6) (kv) to each

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1 eligible program the amount necessary to implement the plan, subject to the
2 following limitations:

3 1. A program may use funds received under s. ~~20.455 (2) (kt)~~ 20.505 (6) (kv) only
4 for law enforcement operations.

5 2. A program shall, prior to the receipt of funds under s. ~~20.455 (2) (kt)~~ 20.505
6 (6) (kv) for the 2nd and any subsequent year, submit a report to the ~~department~~ office
7 regarding the performance of law enforcement activities on the reservation in the
8 previous fiscal year.

9 (e) (intro.) Annually, on or before January 15, the ~~department~~ office shall report
10 on the performance of cooperative county-tribal law enforcement programs
11 receiving aid under this section subsection to each of the following:

12 ***-1377/3.11* SECTION 2087.** 165.92 (3) (a) of the statutes is amended to read:

13 165.92 (3) (a) Unless otherwise provided in a joint program plan under s.
14 ~~165.90 (2)~~ 16.964 (7m) (b) or an agreement between a political subdivision of this
15 state and a tribe, the tribe that employs a tribal law enforcement officer is liable for
16 all acts of the officer while acting within the scope of his or her employment and
17 neither the state nor any political subdivision of the state may be held liable for any
18 action of the officer taken under the authority of sub. (2) (a).

19 ***-1560/3.25* SECTION 2088.** 166.03 (2) (a) 5. of the statutes is amended to read:

20 166.03 (2) (a) 5. Provide assistance to the Wisconsin wing of the civil air patrol
21 from the appropriation under s. 20.465 (3) (~~f~~) (y) for the purpose of enabling the patrol
22 to perform its assigned missions and duties as prescribed by U.S. air force
23 regulations. Expenses eligible for assistance are aircraft acquisition and
24 maintenance, communications equipment acquisition and maintenance and office

1 staffing and operational expenses. The civil air patrol shall submit vouchers for
2 expenses eligible for assistance to the division.

3 *–1560/3.26* SECTION 2089. 166.215 (1) of the statutes is amended to read:

4 166.215 (1) Beginning July 1, 2001, the division shall contract with no more
5 than 9 regional emergency response teams, one of which shall be located in La Crosse
6 County. Each regional emergency response team shall assist in the emergency
7 response to level A releases in a region of this state designated by the division. The
8 division shall contract with at least one regional emergency response team in each
9 area designated under s. 166.03 (2) (b) 1. The division may only contract with a local
10 agency, as defined in s. 166.22 (1) (c), under this subsection. A member of a regional
11 emergency response team shall meet the standards for a hazardous materials
12 specialist in 29 CFR 1910.120 (q) (6) (iv) and national fire protection association
13 standards NFPA 471 and 472. Payments to regional emergency response teams
14 under this subsection shall be made from the appropriation account under s. 20.465
15 (3) ~~(dd)~~ (u).

16 *–1560/3.27* SECTION 2090. 166.215 (2) of the statutes is amended to read:

17 166.215 (2) The division shall reimburse a regional emergency response team
18 for costs incurred by the team in responding to an emergency involving a level A
19 release, or a potential level A release, if the team followed the procedures in the rules
20 promulgated under s. 166.20 (2) (bs) 1. to determine if an emergency requiring a
21 response existed. Reimbursement under this subsection is limited to amounts
22 collected under sub. (3) and the amounts appropriated under s. 20.465 (3) ~~(dr)~~ (x).
23 Reimbursement is available under s. 20.465 (3) ~~(dr)~~ (x) only if the regional emergency
24 response team has made a good faith effort to identify the person responsible under
25 sub. (3) and that person cannot be identified, or, if that person is identified, the team

1 has received reimbursement from that person to the extent that the person is
2 financially able or has determined that the person does not have adequate money or
3 other resources to reimburse the regional emergency response team.

4 ***-1560/3.28*** SECTION 2091. 166.22 (3m) of the statutes is amended to read:

5 166.22 (3m) The division shall reimburse a local emergency response team for
6 costs incurred by the team in responding to an emergency involving a hazardous
7 substance release, or potential release, if the team followed the procedures in the
8 rules promulgated under s. 166.20 (2) (bs) 2. to determine if an emergency requiring
9 the team's response existed. Reimbursement under this subsection is limited to the
10 amount appropriated under s. 20.465 (3) (~~dr~~) (x). Reimbursement is available under
11 s. 20.465 (3) (~~dr~~) (x) only if the local emergency response team has made a good faith
12 effort to identify the person responsible under sub. (4) and that person cannot be
13 identified, or, if that person is identified, the team has received reimbursement from
14 that person to the extent that the person is financially able or has determined that
15 the person does not have adequate money or other resources to reimburse the local
16 emergency response team.

17 ***-0302/4.64*** SECTION 2092. 168.01 (2) of the statutes is amended to read:

18 168.01 (2) "Supplier" includes a person who imports, or acquires immediately
19 upon import, petroleum products by pipeline or marine vessel from a state, territory
20 or possession of the United States or from a foreign country into a terminal and who
21 is registered under 26 USC 4101 for tax-free transactions in gasoline. "Supplier"
22 also includes a person who produces in this state; or imports into a terminal or bulk
23 plant; or acquires immediately upon import by truck, railcar or barge into a terminal;
24 alcohol or alcohol derivative products. "Supplier" also includes a person who
25 produces, manufactures or refines petroleum products in this state. "Supplier" also

1 includes a person who acquires petroleum products pursuant to an industry terminal
2 exchange agreement or by a 2-party exchange under section 4105 of the Internal
3 Revenue Code. “Supplier” does not include a retail dealer or wholesaler who merely
4 blends alcohol with gasoline before the sale or distribution of the product and does
5 not include a terminal operator who merely handles in a terminal petroleum
6 products consigned to the terminal operator.

7 *–1255/2.1* SECTION 2093. 180.0122 (1) (w) of the statutes is amended to read:

8 180.0122 (1) (w) Application for certificate of withdrawal, \$40, and in case that
9 application shows that the foreign corporation employs in this state capital in excess
10 of the amount of capital on which a fee has previously been paid, computed as
11 provided in s. 180.1520 (2) (f), an additional fee which, with previous payments made
12 on account of capital employed in this state, will amount to \$2 ~~\$3~~ for each \$1,000 or
13 fraction thereof of the excess.

14 *–1255/2.2* SECTION 2094. 180.0122 (1) (y) of the statutes is amended to read:

15 180.0122 (1) (y) Annual report of a foreign corporation, \$65, and in case the
16 annual report shows that the foreign corporation employs in this state capital in
17 excess of the amount of capital on which a fee has previously been paid, computed
18 as provided in s. 180.1503, an additional fee which, with previous payments made
19 on account of capital employed in this state, will amount to \$2 ~~\$3~~ for each \$1,000 or
20 fraction thereof of the excess.

21 *–1510/2.31* SECTION 2095. 182.028 of the statutes is amended to read:

22 **182.028 School corporations.** Any corporation formed for the establishment
23 and maintenance of schools, academies, seminaries, colleges, or universities or for
24 the cultivation and practice of music shall have power to enact bylaws for the
25 protection of its property, and provide fines as liquidated damages upon its members

1 and patrons for violating the bylaws, and may collect the same in tort actions, and
2 to prescribe and regulate the courses of instruction therein, and to confer such
3 degrees and grant such diplomas as are usually conferred by similar institutions or
4 as shall be appropriate to the courses of instruction prescribed, except that no
5 corporation shall operate or advertise a school that is subject to s. 45.54 38.50 (10)
6 without complying with the requirements of s. 45.54 38.50. Any stockholder may
7 transfer his or her stock to the corporation for its use; and if the written transfer so
8 provides the stock shall be perpetually held by the board of directors with all the
9 rights of a stockholder, including the right to vote.

10 ***-1786/P1.2*** SECTION 2096. 196.219 (3m) of the statutes is created to read:

11 196.219 (3m) LATE PAYMENT CHARGES. (a) *Maximum allowed.* 1. Except as
12 provided in subds. 2. and 3., a telecommunications utility may not impose a late
13 payment charge on a retail consumer at a rate that exceeds \$1.50 upon \$100 for each
14 month computed upon the declining principal balance of any amount that is not paid
15 when due.

16 2. Except as provided in subd. 3., if the maximum late payment charge for any
17 month that is allowed under subd. 1. is less than \$5 for that month, the
18 telecommunications utility may impose a late payment charge that does not exceed
19 \$5 for that month. This subdivision does not apply to residential retail consumers.

20 3. The commission may allow a telecommunications utility to impose a late
21 payment charge at a rate that is greater than that allowed under subd. 1. or 2. if the
22 commission determines that the greater amount is consistent with the factors
23 specified in s. 196.03 (6).

24 (b) *Payments to commission.* 1. A telecommunications utility that imposes late
25 payment charges that are subject to par. (a) shall pay to the commission, on a

1 semiannual basis, 5 percent of such charges that are collected from nonresidential
2 retail consumers.

3 2. The payments required under subd. 1. are due to the commission no later
4 than 60 days after the conclusion of a semiannual period.

5 (c) *Commission jurisdiction.* The commission does not have jurisdiction over
6 late payment charges except as may be necessary to enforce the requirements of this
7 subsection.

8 ***-1394/1.1* SECTION 2097.** 218.0116 (1) (gr) of the statutes is created to read:
9 218.0116 (1) (gr) Being a dealer who violates s. 218.0146 (4).

10 ***-1394/1.2* SECTION 2098.** 218.0146 (4) of the statutes is created to read:

11 218.0146 (4) A motor vehicle dealer who is required to submit to the
12 department an application for transfer of title and registration under s. 342.16 (1)
13 (a) shall comply with the requirements of s. 342.16 (1) (am).

14 ***-0303/4.208* SECTION 2099.** 218.0171 (2) (cq) of the statutes is amended to
15 read:

16 218.0171 (2) (cq) Upon payment of a refund to a consumer under par. (b) 2. b.,
17 the manufacturer shall provide to the consumer a written statement that specifies
18 the trade-in amount previously applied under s. 77.51 (4) (b) 3. or 3m. or (15) (b) 4.
19 ~~or 4m. (12m) (b) 5. or 6. or (15b) (b) 5. or 6.~~ toward the sales price of the motor vehicle
20 having the nonconformity and the date on which the manufacturer provided the
21 refund.

22 ***-1219/2.14* SECTION 2100.** 221.0903 (4) (b) of the statutes is amended to read:

23 221.0903 (4) (b) *Contracts for examination services.* The division may enter
24 into contracts with any bank supervisory agency with concurrent jurisdiction over
25 a state bank or an in-state branch of an out-of-state state bank to engage the

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1 services of the agency's examiners at a reasonable rate of compensation, or to provide
2 the services of the division's examiners to the agency at a reasonable rate of
3 compensation. Contracts entered into under this paragraph are exempt from ss.
4 16.70 to 16.76 and, 16.767 to 16.77, and 16.78 to 16.82.

5 ***-0578/P5.21*** SECTION 2101. 227.01 (13) (nm) of the statutes is created to
6 read:

7 227.01 (13) (nm) Sets or adjusts premium rates, insurer assessments, or
8 provider payment rates under ch. 149.

9 ***-0335/2.15*** SECTION 2102. 227.01 (13) (zL) of the statutes is created to read:
10 227.01 (13) (zL) Relates to the trial jobs plus pilot project under s. 49.147 (3)
11 (d).

12 ***-0335/2.16*** SECTION 2103. 227.01 (13) (zL) of the statutes, as created by 2005
13 Wisconsin Act (this act), is repealed.

14 ***-0955/10.9*** SECTION 2104. 230.08 (2) (e) 1. of the statutes is amended to read:
15 230.08 (2) (e) 1. Administration — ~~13~~ 14.

16 ***-1826/1.1*** SECTION 2105. 230.08 (2) (e) 5m. of the statutes is amended to
17 read:

18 230.08 (2) (e) 5m. Historical society — ~~6~~ 5.

19 ***-0955/10.10*** SECTION 2106. 230.08 (2) (eg) of the statutes is created to read:
20 230.08 (2) (eg) A general counsel position in each of the following agencies:

- 21 1. Department of administration.
- 22 2. Department of agriculture, trade, and rural resources.
- 23 3. Department of commerce.
- 24 4. Department of corrections.
- 25 5. Department of financial institutions.

1 6. Department of health and family services.

2 7. Department of natural resources.

3 8. Department of regulation and licensing.

4 9. Department of revenue.

5 10. Department of transportation.

6 11. Department of workforce development.

7 12. Office of the commissioner of insurance.

8 ***-0745/2.4* SECTION 2107.** 230.08 (2) (x) of the statutes is amended to read:

9 230.08 (2) (x) The executive director of the waste facility siting board, unless
10 the board chooses to appoint the executive director under the classified service.

11 ***-0282/1.2* SECTION 2108.** 230.12 (7m) of the statutes is amended to read:

12 230.12 (7m) PAY ADJUSTMENT FILING REQUIREMENTS. Except as provided in the
13 rules of the director and in the compensation plan, pay increases shall be made only
14 on the dates prescribed under sub. (8). Appointing authorities shall at such times
15 each year as specified by the ~~secretary~~ director file with the director and with the
16 secretary of administration a list of employees showing their then existing pay rates
17 and their proposed new pay rates.

18 ***-0648/1.2* SECTION 2109.** 230.45 (3) of the statutes is amended to read:

19 230.45 (3) The commission shall promulgate rules establishing a schedule of
20 filing fees to be paid by any person who files an appeal under sub. (1) (c) or (e) or s.
21 230.44 (1) (a) or (b) with the commission on or after the effective date of the rules
22 promulgated under this subsection. Fees paid under this subsection shall be
23 ~~deposited in the general fund as general purpose revenue – earned~~ credited to the
24 appropriation account under s. 20.425 (1) (i).

25 ***-1300/1.1* SECTION 2110.** 230.85 (3) (b) of the statutes is amended to read:

SECTION 2110

1 230.85 (3) (b) If, after hearing, the division of equal rights finds that the
2 respondent did not engage in or threaten a retaliatory action it shall order the
3 complaint dismissed. The division of equal rights shall order the employee's
4 appointing authority to insert a copy of the findings and orders into the employee's
5 personnel file and, if the respondent is a natural person, order the respondent's
6 appointing authority to insert such a copy into the respondent's personnel file. If the
7 division of equal rights finds ~~by unanimous vote~~ that the employee filed a frivolous
8 complaint it may order payment of the respondent's reasonable actual attorney fees
9 and actual costs. Payment may be assessed against either the employee or the
10 employee's attorney, or assessed so that the employee and the employee's attorney
11 each pay a portion. To find a complaint frivolous the division of equal rights must
12 find that either s. 814.025 (3) (a) or (b) applies or that both s. 814.025 (3) (a) and (b)
13 apply.

14 *~~1300/1.2~~* SECTION 2111. 230.89 (1) of the statutes is renumbered 230.89.

15 *~~1300/1.3~~* SECTION 2112. 230.89 (2) of the statutes is repealed.

16 *~~0404/4.115~~* SECTION 2113. 231.01 (3m) (a) of the statutes is amended to
17 read:

18 231.01 (3m) (a) Holds a license under s. ~~48.65~~ 49.98, is certified under s. ~~48.651~~
19 49.156, is provisionally licensed under s. ~~48.69~~ 49.99, or is established or contracted
20 for under s. 120.13 (14).

21 *~~1649/7.60~~* SECTION 2114. 231.03 (intro.) of the statutes is amended to read:

22 **231.03 Powers.** (intro.) The authority has all the powers necessary or
23 convenient to carry out and effectuate the purposes and provisions of this chapter.
24 In addition to all other powers granted by this chapter, subject to s. 231.035 the
25 authority may:

1 ***-1649/7.61*** SECTION 2115. 231.035 of the statutes is created to read:

2 **231.035 Health care quality and patient safety board approval.**

3 Beginning on the effective date of this section ... [revisor inserts date], the authority
4 may not provide any financial assistance to a health facility, hospital, or
5 participating health institution unless the health facility, hospital, or participating
6 health institution demonstrates to the health care quality and patient safety board
7 that it is making efforts to improve medical technology.

8 ***-0774/P4.6*** SECTION 2116. 234.01 (4n) (a) 3m. e. of the statutes is amended
9 to read:

10 234.01 (4n) (a) 3m. e. The facility is located in a targeted area, as determined
11 by the authority after considering the factors set out in s. ~~560.605 (2m) (a) to (h)~~
12 560.605 (2m) (c), 2003 stats., s. 560.605 (2m) (d), 2003 stats., s. 560.605 (2m) (e), 2003
13 stats., and s.560.605 (2m) (a), (b), and (f) to (h).

14 ***-1363/1.8*** SECTION 2117. 237.15 of the statutes is repealed.

15 ***-0347/2.4*** SECTION 2118. 250.041 (1) (a) of the statutes is repealed.

16 ***-0347/2.5*** SECTION 2119. 250.05 (title) of the statutes is renumbered 440.70
17 (title).

18 ***-0347/2.6*** SECTION 2120. 250.05 (1) of the statutes is renumbered 440.70 (1).

19 ***-0347/2.7*** SECTION 2121. 250.05 (2) of the statutes is renumbered 440.70 (2).

20 ***-0347/2.8*** SECTION 2122. 250.05 (3) of the statutes is renumbered 440.70 (3)
21 and amended to read:

22 440.70 (3) SANITARIANS; EMPLOYMENT OR CONTRACTUAL SERVICES. Any agency of
23 the state may employ or contract for the services of sanitarians, registered under this
24 section, who shall enforce the public health statutes under chs. 250 to 255 or rules
25 promulgated under those statutes.

1 *~~0347/2.9~~* SECTION 2123. 250.05 (5) of the statutes is renumbered 440.70 (5)
2 and amended to read:

3 440.70 (5) REGISTRATION. Except as provided in sub. ~~(8m)~~ and ~~s. 250.041 s.~~
4 440.12 or 440.13, the department, upon application on forms prescribed by it and
5 payment of the prescribed fee, shall register as a sanitarian any person who has
6 presented evidence satisfactory to the department that standards and qualifications
7 of the department, as established by rule, have been met.

8 *~~0347/2.10~~* SECTION 2124. 250.05 (6) of the statutes is renumbered 440.70
9 (6) and amended to read:

10 440.70 (6) FEES: RENEWAL OF REGISTRATION; DELINQUENCY AND REINSTATEMENT. ~~A~~
11 ~~fee fixed by rule of the department shall accompany the application under sub. (5)~~
12 ~~and, beginning January 1, 1988, a biennial fee of \$25 shall be paid by every~~
13 ~~registered sanitarian who desires to continue registration. The amounts of the fees~~
14 ~~may be adjusted by the department by rule. All certificates of registration shall~~
15 ~~expire on December 31 in each odd-numbered year. Except as provided in sub. (8m)~~
16 ~~and s. 250.041, the department may renew registrations upon application made after~~
17 ~~January 1 of each even-numbered year if it is satisfied that the applicant has good~~
18 ~~cause for not making application in December of the immediately preceding year and~~
19 ~~upon payment of the biennial fee and any additional fees prescribed by the~~
20 ~~department).~~

21 *~~0347/2.11~~* SECTION 2125. 250.05 (7) of the statutes is renumbered 440.70
22 (7).

23 *~~0347/2.12~~* SECTION 2126. 250.05 (8) of the statutes is renumbered 440.70
24 (8) and amended to read:

1 440.70 (8) REVOCATION OF REGISTRATION. The department may, after a hearing
2 held in conformance with ch. 227, ~~except as provided in sub. (8m) (e), revoke or, deny,~~
3 ~~suspend, or limit~~ under this section subchapter the registration of any sanitarian,
4 or reprimand the sanitarian, for practice of fraud or deceit in obtaining the
5 registration or any ~~gross professional negligence~~ unprofessional conduct,
6 incompetence, or ~~misconduct~~ professional negligence.

7 *~~-0347/2.13~~* SECTION 2127. 250.05 (8m) of the statutes is repealed.

8 *~~-0347/2.14~~* SECTION 2128. 250.05 (9) of the statutes is repealed.

9 *~~-0317/2.2~~* SECTION 2129. 250.10 of the statutes is renumbered 250.10 (intro.)
10 and amended to read:

11 **250.10 Grant Grants for dental and oral health services.** (intro.) From
12 the appropriation under s. 20.435 (5) (de), ~~the:~~

13 (1) The department shall provide funding in each fiscal year to the Marquette
14 University School of Dentistry for clinical education of Marquette University School
15 of Dentistry students through the provision of dental services by the students and
16 faculty of the Marquette University School of Dentistry in underserved areas and to
17 underserved populations in the state, as determined by the department in
18 conjunction with the Marquette University School of Dentistry; to inmates of
19 correctional centers in Milwaukee County; and in clinics in the city of Milwaukee.
20 Beginning July 1, 2000, ~~the:~~

21 (2) The department shall also distribute in each fiscal year to qualified
22 applicants grants totaling \$25,000 for fluoride supplements, \$25,000 for a fluoride
23 mouth-rinse program, and ~~\$60,000~~ \$120,000 for a school-based dental sealant
24 program.

25 *~~-0317/2.3~~* SECTION 2130. 250.10 (3) of the statutes is created to read:

1 250.10 (3) The department may provide funding to technical college district
2 boards to provide oral health services.

3 *~~0315/2.1~~* SECTION 2131. 254.15 (1) of the statutes is amended to read:

4 254.15 (1) Develop and implement a comprehensive statewide lead poisoning
5 or lead exposure prevention and treatment program that includes lead poisoning or
6 lead exposure prevention grants under s. 254.151; any childhood lead poisoning
7 screening requirement under rules promulgated under ss. 254.158 and 254.162; any
8 requirements regarding care coordination and follow-up for children with lead
9 poisoning or lead exposure required under rules promulgated under s. 254.164;
10 departmental responses to reports of lead poisoning or lead exposure under s.
11 254.166; any lead investigation requirements under rules promulgated under ss.
12 254.167; any lead inspection requirements under rules promulgated under 254.168;
13 any lead hazard reduction requirements under rules promulgated under s. 254.172;
14 certification, accreditation and approval requirements under ss. 254.176 and
15 254.178; any certification requirements and procedures under rules promulgated
16 under s. 254.179; and any fees imposed under s. 254.181.

17 *~~0404/4.116~~* SECTION 2132. 254.162 (1) (c) of the statutes is amended to read:

18 254.162 (1) (c) Day care providers certified under s. ~~48.651~~ 49.156 and day care
19 centers licensed under s. ~~48.65~~ 49.98, provisionally licensed under s. ~~48.65~~ 49.99, or
20 established or contracted for under s. 120.13 (14).

21 *~~0315/2.2~~* SECTION 2133. 254.166 (title) of the statutes is amended to read:

22 254.166 (title) ~~Departmental response~~ Response to reports of lead
23 poisoning or lead exposure.

24 *~~0315/2.3~~* SECTION 2134. 254.166 (2) (d) of the statutes is amended to read:

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DAK
1987

DOA:.....Johnston - HIV life care and early intervention services
FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES

HEALTH

Under current law, DHFS must award not more than \$2,069,900 in general purpose revenues and \$74,000 in federal funds in each fiscal year as grants to organizations for life care and early intervention services for individuals with or at risk of contracting HIV infection.

This bill increases to \$2,569,900 the amount of general purpose revenues in each fiscal year that DHFS may award as grants for life care and early intervention services.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

insert dots

2 SECTION ~~II~~ 252.12 (2) (a) 8. of the statutes is amended to read:

3 252.12 (2) (a) 8. 'Life care and early intervention services.' The department

4 shall award not more than ~~\$1,994,900~~ \$2,569,900 in fiscal year ~~2001-02~~ 2005-06 and

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1 ~~not more than \$2,069,900~~ in each fiscal year thereafter in grants to applying
2 organizations for the provision of needs assessments; assistance in procuring
3 financial, medical, legal, social and pastoral services; counseling and therapy;
4 homecare services and supplies; advocacy; and case management services. These
5 services shall include early intervention services. The department shall also award
6 not more than \$74,000 in each year from the appropriation under s. 20.435 (7) (md)
7 for the services under this subdivision. The state share of payment for case
8 management services that are provided under s. 49.45 (25) (be) to recipients of
9 medical assistance shall be paid from the appropriation under s. 20.435 (5) (am).

10

(END)

End of DAK 1987

1 254.166 (2) (d) Notify the owner of the dwelling or premises of the presence of
2 a lead hazard. The

3 (2m) If the department determines that a lead hazard is present in any
4 dwelling or premises, the local health department shall and the department may
5 issue an order that requires reduction or elimination of an imminent lead hazard
6 within 5 days after the order's issuance and reduction or elimination of other lead
7 hazards within 30 days after the order's issuance, except that, for orders that are
8 issued between October 1 and May 1 and that relate only to exterior lead hazards
9 that are not imminent lead hazards, the order may require elimination or reduction
10 of the lead hazard no earlier than the June 1 immediately following the order's
11 issuance. ~~If the department~~ agency that issued the order determines that the owner
12 has good cause for not complying with the order within the 5-day or 30-day time
13 period, ~~the department~~ the agency may extend the time period within which the
14 owner is required to comply with the order. The failure to comply with ~~the~~
15 ~~department's~~ an order within the time prescribed or as extended ~~by the department~~
16 shall be prima facie evidence of negligence in any action brought to recover damages
17 for injuries incurred after the time period expires. If an order to conduct lead hazard
18 reduction is issued by the department or by a local health department and if the
19 owner of the dwelling or premises complies with that order, there is a rebuttable
20 presumption that the owner of the dwelling or premises has exercised reasonable
21 care with respect to lead poisoning or lead exposure caused, after the order has been
22 complied with, by lead hazards covered by the order, except that with respect to
23 interim control activities the rebuttable presumption continues only for the period
24 for which the interim control activity is reasonably expected to reduce or eliminate
25 the lead hazard.

SECTION 2135

1 *~~0315/2.4~~* SECTION 2135. 254.166 (2) (e) of the statutes is renumbered
2 254.166 (2r) and amended to read:

3 254.166 (2r) ~~If an order is issued under par. (d),~~ The department may conduct
4 or require a certified lead risk assessor or other person certified under s. 254.176 to
5 conduct a lead investigation, a check of work completed, and dust tests for the
6 presence of hazardous levels of lead to ensure compliance with the an order issued
7 under sub. (2m).

8 *~~0404/4.117~~* SECTION 2136. 254.168 (4) of the statutes is amended to read:
9 254.168 (4) A day care provider certified under s. ~~48.651~~ 49.156.

10 *~~0404/4.118~~* SECTION 2137. 254.168 (5) of the statutes is amended to read:
11 254.168 (5) A day care center licensed under s. ~~48.65~~ 49.98, provisionally
12 licensed under s. ~~48.65~~ 49.99, or established or contracted for under s. 120.13 (14).

13 *~~0315/2.5~~* SECTION 2138. 254.171 of the statutes is repealed.

14 *~~0315/2.6~~* SECTION 2139. 254.173 (3) (c) 1. of the statutes, as affected by 1999
15 Wisconsin Act 113, is amended to read:

16 254.173 (3) (c) 1. The owner receives an order under s. 254.166 (2) (d) (2m) and
17 fails to comply with the order.

18 *~~0315/2.7~~* SECTION 2140. 254.179 (1) (c) 2. (intro.) of the statutes is amended
19 to read:

20 254.179 (1) (c) 2. (intro.) The standards limiting the length of validity of a
21 certificate of lead-safe status, including the condition of a premises, dwelling, or unit
22 of a dwelling, the type of lead hazard reduction activity that was performed, if any,
23 and any other requirements that must be met to maintain certification, unless the
24 certificate is earlier revoked because of erroneous issuance or because the premises,
25 dwelling, or unit of the dwelling is not safe from lead-bearing paint hazards. The

1 rules shall specify that the face of the certificate shall indicate the certificate's length
2 of validity. ~~The rules shall further specify that applications for certificates of~~
3 ~~lead-safe status for identical premises may be made only as follows:~~

4 *~~0315/2.8~~* SECTION 2141. 254.179 (1) (c) 2. a., b. and c. of the statutes are
5 repealed.

6 *~~1598/7.78~~* SECTION 2142. 254.911 (1) of the statutes is amended to read:

7 254.911 (1) "Cigarette" has the meaning given in s. 139.30 ~~(1)~~ (1m).

8 *~~0060/1.1~~* SECTION 2143. 255.06 (2) (intro.) of the statutes is amended to
9 read:

10 255.06 (2) WELL-WOMAN PROGRAM. (intro.) From the appropriation under s.
11 20.435 (5) (cb), the department shall administer a well-woman program to provide
12 reimbursement for health care screenings, referrals, follow-ups, case management,
13 and patient education provided to low-income, underinsured, and uninsured
14 women. Reimbursement to service providers under this section shall be at the rate
15 of reimbursement for identical services provided under medicare, except that, if
16 projected costs under this section exceed the amounts appropriated under s. 20.435
17 (5) (cb), the department shall modify services or reimbursement accordingly. Within
18 this limitation, the department shall implement the well-woman program to do all
19 of the following:

20 *~~0060/1.2~~* SECTION 2144. 255.06 (2) (a) (intro.) of the statutes is renumbered
21 255.06 (2) (a) and amended to read:

22 255.06 (2) (a) *Breast cancer screening services*. Provide not more than \$422,600
23 in each fiscal year as reimbursement for the provision of breast cancer screening
24 services to women who are aged 40 years or older and whose income does not exceed
25 250 percent of the poverty line, by a hospital or organization that has a

1 mammography unit available for use and that is selected by the department under
2 procedures established by the department. ~~Recipients of services under this~~
3 ~~paragraph are subject to a copayment, payable to the service provider, for which the~~
4 ~~department shall reduce reimbursement to the service provider, as follows: The~~
5 ~~department shall reduce reimbursement for a service provided under this paragraph~~
6 ~~by the amount of any applicable 3rd-party coverage.~~

7 *~~0060/1.3~~* SECTION 2145. 255.06 (2) (a) 1. to 3. of the statutes are repealed.

8 *~~0060/1.4~~* SECTION 2146. 255.06 (2) (e) of the statutes is amended to read:

9 255.06 (2) (e) *Health care screening, referral, follow-up, case management, and*
10 *patient education.* Reimburse service providers for the provision of health care
11 screening, referral, follow-up, case management, and patient education to
12 low-income, underinsured, and uninsured women.

13 *~~0469/1.3~~* SECTION 2147. 281.22 (2) (c) of the statutes is repealed.

14 *~~1330/1.1~~* SECTION 2148. 281.58 (1) (cg) of the statutes is amended to read:

15 281.58 (1) (cg) “Market interest rate” ~~means the interest at the effective rate~~
16 ~~of a revenue obligation issued by the state to fund a project loan or a portion of a~~
17 ~~project loan under the clean water fund program has the meaning given in s. 281.59~~
18 (1) (b).

19 *~~0460/1.1~~* SECTION 2149. 281.58 (2m) (e) of the statutes is amended to read:

20 281.58 (2m) (e) Inspect periodically clean water fund project construction to
21 determine project compliance with construction plans and specifications ~~approved~~
22 ~~by the department~~ and the requirements of this section and s. 281.59 and, if
23 applicable, of 33 USC 1251 to 1376 and 33 USC 1381 to 1387 and the regulations
24 promulgated thereunder.

25 *~~0460/1.2~~* SECTION 2150. 281.58 (9) (ae) of the statutes is amended to read:

1 281.58 (9) (ae) A municipality that submits an application under par. (a)
2 without design plans and specifications may obtain an initial determination of
3 financial eligibility from the department of administration. The department of
4 natural resources may not approve a municipality's application until the
5 municipality submits ~~approvable~~ design plans and specifications.

6 *~~-0460/1.3~~* SECTION 2151. 281.58 (15) (a) (intro.) and 1. of the statutes are
7 consolidated, renumbered 281.58 (15) (a) and amended to read:

8 281.58 (15) (a) The department and the department of administration may, at
9 the request of a municipality, issue a notice of financial assistance commitment to the
10 municipality after ~~all of the following occur~~: 1. ~~The~~ the department approves the
11 municipality's application under sub. (9m) (a) and the department of administration
12 has allocated subsidy for the municipality's project.

13 *~~-0460/1.4~~* SECTION 2152. 281.58 (15) (a) 2. of the statutes is repealed.

14 *~~-1330/1.2~~* SECTION 2153. 281.59 (1) (b) of the statutes is amended to read:

15 281.59 (1) (b) "Market interest rate" means ~~the interest at the effective interest~~
16 ~~rate of a~~ on a fixed-rate revenue obligation issued by the state to fund a loan ~~or a~~
17 ~~portion of a loan for a project under the clean water fund program~~ made under this
18 section or, for a variable rate obligation, the effective interest rate that the
19 department of administration determines would have been paid if the variable rate
20 obligation had been sold at a fixed rate.

21 *~~-0462/1.3~~* SECTION 2154. 281.59 (3e) (b) 1. and 3. of the statutes are amended
22 to read:

23 281.59 (3e) (b) 1. Equal to \$90,000,000 \$136,600,000 during the 2003–05
24 2005–07 biennium.

25 3. Equal to \$1,000 for any biennium after the 2003–05 2005–07 biennium.

SECTION 2155

1 *~~0462/1.4~~* **SECTION 2155.** 281.59 (3m) (b) 1. and 2. of the statutes are
2 amended to read:

3 281.59 (3m) (b) 1. Equal to ~~\$4,000,000~~ \$3,300,000 during the ~~2003–05~~ 2005–07
4 biennium.

5 2. Equal to \$1,000 for any biennium after the ~~2003–05~~ 2005–07 biennium.

6 *~~0462/1.5~~* **SECTION 2156.** 281.59 (3s) (b) 1. and 2. of the statutes are amended
7 to read:

8 281.59 (3s) (b) 1. Equal to ~~\$12,800,000~~ \$13,500,000 during the ~~2003–05~~
9 2005–07 biennium.

10 2. Equal to \$1,000 for any biennium after the ~~2003–05~~ 2005–07 biennium.

11 *~~1330/1.3~~* **SECTION 2157.** 281.61 (1) (b) of the statutes is amended to read:

12 281.61 (1) (b) “Market interest rate” means ~~the interest at the effective rate of~~
13 ~~a revenue obligation issued by this state to fund a loan or portion of a loan for a clean~~
14 ~~water fund program project under s. 281.58~~ has the meaning given in s. 281.59 (1)
15 (b).

16 *~~0458/2.2~~* **SECTION 2158.** 281.75 (title) of the statutes is amended to read:

17 **281.75 (title) Compensation for well contamination and abandonment.**

18 *~~0458/2.3~~* **SECTION 2159.** 281.75 (1) (h) of the statutes is amended to read:

19 281.75 (1) (h) “Well,” if not followed by the words, “subject to abandonment,”
20 means an excavation or opening in the ground made by boring, drilling or driving for
21 the purpose of obtaining a supply of groundwater. “Well” does not include dug wells.

22 *~~0458/2.4~~* **SECTION 2160.** 281.75 (1) (i) of the statutes is created to read:

23 281.75 (1) (i) “Well subject to abandonment” means a well that is required to
24 be abandoned under s. NR 812.26 (2) (a), Wis. Adm. Code, or that the department
25 may require to be abandoned under s. NR 812.26 (2) (b), Wis. Adm. Code.

1 *~~0458/2.5~~* SECTION 2161. 281.75 (2) (e) of the statutes is created to read:

2 281.75 (2) (e) Establish requirements for the filling and sealing of wells subject
3 to abandonment.

4 *~~0458/2.6~~* SECTION 2162. 281.75 (3) (a) of the statutes is renumbered 281.75
5 (3) and amended to read:

6 281.75 (3) WELLS FOR WHICH A CLAIM MAY BE SUBMITTED; ~~SUNSET DATE~~. A claim
7 may be submitted for a private water supply which, at the time of submitting the
8 claim, is contaminated or for a well subject to abandonment.

9 *~~0458/2.7~~* SECTION 2163. 281.75 (3) (b) of the statutes is repealed.

10 *~~0458/2.8~~* SECTION 2164. 281.75 (4) (a) of the statutes is amended to read:

11 281.75 (4) (a) Except as provided under par. (b), a landowner or lessee of
12 property on which is located a contaminated private water supply or a well subject
13 to abandonment, or the spouse, dependent, heir, assign or legal representative of the
14 landowner or lessee, may submit a claim under this section.

15 *~~0458/2.9~~* SECTION 2165. 281.75 (4m) (a) of the statutes is amended to read:

16 281.75 (4m) (a) In order to be eligible for an award under this section, the
17 annual family income of the landowner or lessee of property on which is located a
18 contaminated water supply or a well subject to abandonment may not exceed
19 \$65,000.

20 *~~0458/2.10~~* SECTION 2166. 281.75 (5) (b) 1. of the statutes is amended to read:

21 281.75 (5) (b) 1. Test results which show that the private water supply is
22 contaminated, as defined under sub. (1) (b) 1. or 2., ~~or~~ information to show that the
23 private water supply is contaminated as defined under sub. (1) (b) 3., or information
24 to show that the well is a well subject to abandonment;

25 *~~0458/2.11~~* SECTION 2167. 281.75 (5) (b) 2. of the statutes is amended to read:

1 281.75 (5) (b) 2. Any If the claim is based on a contaminated private water
2 supply, any information available to the claimant regarding possible sources of
3 contamination of the private water supply; and

4 ***-0458/2.12*** SECTION 2168. 281.75 (5) (d) 1. of the statutes is amended to read:

5 281.75 (5) (d) 1. Enter the property where the private water supply or well
6 subject to abandonment is located during normal business hours and conduct any
7 investigations or tests necessary to verify the claim; and

8 ***-0458/2.13*** SECTION 2169. 281.75 (5) (d) 2. of the statutes is amended to read:

9 281.75 (5) (d) 2. Cooperate If the claim is based on a contaminated private
10 water supply, cooperate with the state in any administrative, civil or criminal action
11 involving a person or activity alleged to have caused the private water supply to
12 become contaminated.

13 ***-0458/2.14*** SECTION 2170. 281.75 (5) (e) of the statutes is amended to read:

14 281.75 (5) (e) The department shall consolidate claims if more than one
15 claimant submits a claim for the same private water supply or for the same well
16 subject to abandonment.

17 ***-0458/2.15*** SECTION 2171. 281.75 (7) (a) of the statutes is amended to read:

18 281.75 (7) (a) If the department finds that the claimant meets all the
19 requirements of this section and rules promulgated under this section and that the
20 private water supply is contaminated or that the well is a well subject to
21 abandonment, the department shall issue an award. The award may not pay more
22 than 75% of the eligible costs. The award may not pay any portion of eligible costs
23 in excess of \$12,000.

24 ***-0458/2.16*** SECTION 2172. 281.75 (7) (c) 1. of the statutes is amended to read:

1 281.75 (7) (c) 1. ~~The~~ If the claim is based on a contaminated private water
2 supply, the cost of obtaining an alternate water supply;

3 *~~-0458/2.17~~* SECTION 2173. 281.75 (7) (c) 2. (intro.) of the statutes is amended
4 to read:

5 281.75 (7) (c) 2. (intro.) ~~The~~ If the claim is based on a contaminated private
6 water supply, the cost of any one of the following:

7 *~~-0458/2.18~~* SECTION 2174. 281.75 (7) (c) 3. of the statutes is amended to read:

8 281.75 (7) (c) 3. The cost of abandoning a contaminated private water supply,
9 if a new private water supply is constructed ~~or~~, if connection to a public or private
10 water supply is provided, or if the claim is based on a well subject to abandonment;

11 *~~-0458/2.19~~* SECTION 2175. 281.75 (7) (c) 4. of the statutes is amended to read:

12 281.75 (7) (c) 4. The cost of obtaining 2 tests to show that the private water
13 supply was contaminated if the claim is based on a contaminated private water
14 supply and the cost of those tests was originally paid by the claimant;

15 *~~-0458/2.20~~* SECTION 2176. 281.75 (7) (c) 5. of the statutes is amended to read:

16 281.75 (7) (c) 5. ~~Purchasing~~ The cost of purchasing and installing a pump, if
17 the claim is based on a contaminated private water supply and a new pump is
18 necessary for the new or reconstructed private water supply; and

19 *~~-0458/2.21~~* SECTION 2177. 281.75 (7) (c) 6. of the statutes is amended to read:

20 281.75 (7) (c) 6. ~~Relocating~~ If the claim is based on a contaminated private
21 water supply, the cost of relocating pipes, as necessary, to connect the replacement
22 water supply to the buildings served by it.

23 *~~-0458/2.22~~* SECTION 2178. 281.75 (8) (intro.) of the statutes is renumbered

24 281.75 (8) and amended to read:

SECTION 2178

1 281.75 (8) COPAYMENT. The department shall require a payment by the
2 claimant equal to the total of the following: copayment of \$250 unless the claim is
3 solely for well abandonment.

4 *~~0458/2.23~~* SECTION 2179. 281.75 (8) (a) and (b) of the statutes are repealed.

5 *~~0458/2.24~~* SECTION 2180. 281.75 (11) (a) 4. of the statutes is amended to
6 read:

7 281.75 (11) (a) 4. ~~One~~ If the claim is based on a contaminated private water
8 supply, one or more of the contaminants upon which the claim is based was
9 introduced into the well through the plumbing connected to the well.

10 *~~0458/2.25~~* SECTION 2181. 281.75 (11) (a) 5. of the statutes is amended to
11 read:

12 281.75 (11) (a) 5. ~~One~~ If the claim is based on a contaminated private water
13 supply, one or more of the contaminants upon which the claim is based was
14 introduced into the well intentionally by a claimant or a person who would be directly
15 benefited by payment of the claim.

16 *~~0458/2.26~~* SECTION 2182. 281.75 (11) (a) 6. of the statutes is amended to
17 read:

18 281.75 (11) (a) 6. ~~All~~ If the claim is based on a contaminated private water
19 supply, all of the contaminants upon which the claim is based are naturally occurring
20 substances and the concentration of the contaminants in water produced by the well
21 does not significantly exceed the background concentration of the contaminants in
22 groundwater at that location.

23 *~~0458/2.27~~* SECTION 2183. 281.75 (11) (a) 7. of the statutes is amended to
24 read:

1 281.75 (11) (a) 7. Except as provided in sub. (14), an award has been made
2 under this section within the previous 10 years for the parcel of land where the
3 private water supply is located and the claim is based on a contaminated private
4 water supply.

5 *~~0458/2.28~~* SECTION 2184. 281.75 (11) (a) 8. of the statutes is amended to
6 read:

7 281.75 (11) (a) 8. A If the claim is based on a contaminated private water supply,
8 the contaminated private water supply is a residential water supply, is contaminated
9 by bacteria or nitrates or both, and is not contaminated by any other substance.

10 *~~0458/2.29~~* SECTION 2185. 281.75 (11) (a) 9. of the statutes is amended to
11 read:

12 281.75 (11) (a) 9. A If the claim is based on a contaminated private water supply,
13 the contaminated private water supply is a livestock water supply, is contaminated
14 by bacteria, and is not contaminated by any other substance.

15 *~~0458/2.30~~* SECTION 2186. 281.75 (11) (b) (title) of the statutes is amended
16 to read:

17 281.75 (11) (b) (title) *Limits on awards for contaminated wells; purposes.*

18 *~~0458/2.31~~* SECTION 2187. 281.75 (11) (d) (title) of the statutes is amended
19 to read:

20 281.75 (11) (d) (title) *Limits on awards for contaminated wells; amount.*

21 *~~0458/2.32~~* SECTION 2188. 281.75 (17) (a) of the statutes is amended to read:
22 281.75 (17) (a) A claim based on a contaminated private water supply may be
23 submitted irrespective of the time when the contamination is or could have been
24 discovered in the private water supply. A claim may be submitted for contamination

1 which commenced before May 11, 1984, and continues at the time a claim is
2 submitted under this section.

3 ***-1360/2.3*** SECTION 2189. 285.01 (17m) of the statutes is created to read:

4 285.01 (17m) "Entire facility" means all stationary sources that are under the
5 control of one person or under the control of persons who are under common control
6 and that are located on contiguous properties.

7 ***-1360/2.4*** SECTION 2190. 285.69 (1d) of the statutes is created to read:

8 285.69 (1d) REQUEST FOR WAIVER OF CONSTRUCTION PERMIT REQUIREMENT. An
9 owner or operator that requests a waiver under s. 285.60 (5m) of the requirement to
10 obtain a construction permit shall pay to the department a fee of \$300.

11 ***-1360/2.5*** SECTION 2191. 285.69 (1g) of the statutes is created to read:

12 285.69 (1g) ANNUAL FEES FOR OPERATION PERMIT EXEMPTION. The owner or
13 operator of a stationary source that is exempt from the requirement to obtain an
14 operation permit under s. 285.62 shall pay to the department a fee of \$300 per year
15 if the stationary source had actual emissions of a regulated pollutant in excess of 3
16 tons in the preceding year.

17 ***-1360/2.6*** SECTION 2192. 285.69 (2) (title) of the statutes is amended to read:

18 285.69 (2) (title) FEES FOR PERSONS REQUIRED TO HAVE OPERATION PERMITS UNDER
19 FEDERAL LAW.

20 ***-1360/2.7*** SECTION 2193. 285.69 (2) (a) (intro.) of the statutes is amended to
21 read:

22 285.69 (2) (a) (intro.) The department shall promulgate rules for the payment
23 and collection of fees by the owner or operator of a stationary source for which an
24 operation permit is required under the federal clean air act. The rules shall provide
25 all of the following:

1 *–1360/2.8* SECTION 2194. 285.69 (2m) of the statutes is created to read:

2 285.69 (2m) FEES FOR PERSONS REQUIRED TO HAVE OPERATION PERMITS UNDER STATE
3 LAW. (a) *Registration operation permits.* The owner or operator of an entire facility
4 for which an operation permit is required under s. 285.60 but not under the federal
5 clean air act shall pay to the department a fee of \$1,500 per year if the entire facility
6 was covered by a registration operation permit under s. 285.60 (2g) in the preceding
7 year.

8 (b) *General operation permits.* The owner or operator of an entire facility for
9 which an operation permit is required under s. 285.60 but not under the federal clean
10 air act shall pay to the department a fee of \$1,500 per year if the entire facility was
11 covered by a general operation permit under s. 285.60 (3) in the preceding year.

12 (c) *Operation permits for other sources.* The owner or operator of an entire
13 facility for which an operation permit is required under s. 285.60 but not under the
14 federal clean air act shall pay to the department a fee of \$3,000 per year if the entire
15 facility was not covered by a registration operation permit under s. 285.60 (2g) or by
16 a general operation permit under s. 285.60 (3) in the preceding year.

17 (d) *Use of fees.* The fees collected under this subsection and sub. (1g) shall be
18 credited to the appropriation account under s. 20.370 (2) (bh) for the following
19 purposes as they relate to stationary sources for which an operation permit is
20 required under s. 285.60 but not under the federal clean air act:

21 1. The costs of reviewing and acting on applications for operation permits;
22 implementing and enforcing operation permits except for court costs or other costs
23 associated with an enforcement action; monitoring emissions and ambient air
24 quality; preparing rules and materials to assist persons who are subject to the
25 operation permit program; ambient air quality modeling; preparing and

1 maintaining emission inventories; and any other direct and indirect costs of the
2 operation permit program.

3 2. Costs of any other activities related to stationary sources of air
4 contaminants.

5 ***-1362/1.2* SECTION 2195.** 287.26 of the statutes is created to read:

6 **287.26 Business waste reduction and recycling assistance.** The
7 department may contract with a nonprofit organization for services to assist
8 businesses to reduce the amount of solid waste generated or to reuse or recycle solid
9 waste. The department may not provide more than \$500,000 annually under a
10 contract under this section.

11 ***-1612/3.1* SECTION 2196.** 289.645 (4) (e) of the statutes is created to read:

12 289.645 (4) (e) 1. Subject to subd. 2., the recycling fee does not apply to waste
13 material that is acquired during the normal course of recycling operations by a
14 person that makes paper or paperboard from wastepaper, if the waste material
15 cannot be used to make paper or paperboard.

16 2. The maximum weight of waste material to which the exemption in subd. 1.
17 applies in a year is 5 percent of the weight of all waste material from the facility at
18 which the person makes paper or paperboard from wastepaper that is disposed of in
19 that year.

20 ***-0774/P4.7* SECTION 2197.** 292.11 (7) (d) 1m. b. of the statutes is amended
21 to read:

22 292.11 (7) (d) 1m. b. An area designated by the local governmental unit if the
23 area consists of 2 or more properties affected by a contiguous region of groundwater
24 contamination or contains 2 or more properties that are brownfields, as defined in
25 s. 560.60 ~~(1v)~~ 560.13 (1) (a).

1 *~~0774/P4.8~~* SECTION 2198. 292.255 of the statutes is amended to read:

2 **292.255 Report on brownfield efforts.** The department of natural
3 resources, the department of administration, and the department of commerce shall
4 submit a report evaluating the effectiveness of this state's efforts to remedy the
5 contamination of, and to redevelop, brownfields, as defined in s. ~~560.60 (1v)~~ 560.13
6 (1) (a).

7 *~~0455/1.2~~* SECTION 2199. 292.57 (2) (b) of the statutes is amended to read:

8 292.57 (2) (b) Any moneys collected under this subsection shall be credited to
9 the appropriation account under s. 20.370 (2) (~~mi~~) (dh).

10 *~~0461/2.2~~* SECTION 2200. 299.19 of the statutes is created to read:

11 **299.19 Processing electronic information.** The department may
12 promulgate rules specifying fees to cover the costs of electronically receiving and
13 providing information under the programs in chs. 280 to 299 through agreements
14 authorizing the electronic receipt and provision of information, as provided in ss.
15 137.13, 137.15, and 137.25. The department shall consult with persons regulated
16 under chs. 280 to 299 concerning rules under this section.

17 *~~1513/4.20~~* SECTION 2201. 301.235 (2) (a) (intro.) of the statutes is amended
18 to read:

19 301.235 (2) (a) (intro.) In order to provide new buildings and to enable the
20 construction and financing thereof, to refinance indebtedness created by a nonprofit
21 corporation for the purpose of providing a new building or buildings or additions or
22 improvements thereto which are located on land owned by, or owned by the state and
23 held for, the department or on lands of the institutions under the jurisdiction of the
24 department or owned by the nonprofit corporation, or for any one or more of those

1 purposes, but for no other purpose unless authorized by law, the department, subject
2 to s. 16.848, has the following powers and duties:

3 *–1513/4.21* SECTION 2202. 301.235 (2) (a) 1. of the statutes is amended to
4 read:

5 301.235 (2) (a) 1. Without limitation by reason of any other statute except s.
6 16.848, the power to sell and to convey title in fee simple to a nonprofit corporation
7 any land and any existing buildings thereon owned by, or owned by the state and held
8 for, the department or any of the institutions under the jurisdiction of the
9 department for such consideration and upon such terms and conditions as in the
10 judgment of the secretary are in the public interest.

11 *–1513/4.22* SECTION 2203. 301.24 (4) of the statutes is amended to read:

12 301.24 (4) SALES. The Except where a sale occurs under s. 16.848, the
13 department, with the approval of the building commission, may sell and convey such
14 lands under the jurisdiction of the department as the secretary deems to be in excess
15 of the present or future requirements of the department for either the operation of
16 its facilities or programs, for the maintenance of buffer zones adjacent to its facilities
17 or for other public purposes. The proceeds of the sales shall be credited to the state
18 building trust fund.

19 *–1513/4.23* SECTION 2204. 301.24 (4m) of the statutes is amended to read:

20 301.24 (4m) CORRECTIONAL INSTITUTION PROPERTY DISPOSITION. In addition to
21 any other requirements under this section, except where a sale occurs under s.
22 16.848, the department may sell or otherwise transfer or dispose of the property
23 acquired for the correctional institution under s. 46.05 (1o), 1985 stats., only if the
24 sale, transfer or disposition is approved by the joint committee on finance. The

1 department shall submit a plan for any such proposed sale, transfer or disposition
2 to the committee.

3 *~~1513/4.24~~* SECTION 2205. 301.25 of the statutes is amended to read:

4 **301.25 Sewer system at Taycheedah Correctional Institution.** The
5 department, with the approval of the governor, may enter into an agreement
6 containing terms, conditions and covenants approved by the building commission,
7 to participate in the construction of a sanitary sewer system in the area adjacent to
8 the Taycheedah Correctional Institution in the town of Taycheedah, Fond du Lac
9 County; to connect the sewer system of the Taycheedah Correctional Institution
10 thereto; to pay sewage disposal charges; and to grant easements or, subject to s.
11 16.848, convey land to meet construction requirements.

12 *~~0247/3.1~~* SECTION 2206. 301.26 (4) (d) 2. of the statutes is amended to read:

13 301.26 (4) (d) 2. Beginning on July 1, 2003 2005, and ending on June 30, 2004
14 2006, the per person daily cost assessment to counties shall be ~~\$183~~ \$218 for care in
15 a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~\$183~~ \$218 for care
16 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),
17 ~~\$225~~ \$227 for care in a residential care center for children and youth, ~~\$142~~ \$170 for
18 care in a group home for children, ~~\$47~~ \$51 for care in a foster home, ~~\$88~~ \$85 for care
19 in a treatment foster home, ~~\$86~~ \$89 for departmental corrective sanctions services,
20 and ~~\$25~~ \$27 for departmental aftercare services.

21 *~~0247/3.2~~* SECTION 2207. 301.26 (4) (d) 3. of the statutes is amended to read:

22 301.26 (4) (d) 3. Beginning on July 1, 2004 2006, and ending on June 30, 2005
23 2007, the per person daily cost assessment to counties shall be ~~\$187~~ \$224 for care in
24 a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~\$187~~ \$224 for care
25 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),

SECTION 2207

1 ~~\$239~~ \$235 for care in a residential care center for children and youth, ~~\$149~~ \$179 for
2 care in a group home for children, ~~\$49~~ \$54 for care in a foster home, ~~\$92~~ \$89 for care
3 in a treatment foster home, ~~\$87~~ \$91 for departmental corrective sanctions services,
4 and ~~\$26~~ \$27 for departmental aftercare services.

5 *~~0249/2.1~~* SECTION 2208. 301.26 (7) (intro.) of the statutes is amended to
6 read:

7 301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
8 of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the
9 department shall allocate funds for community youth and family aids for the period
10 beginning on July 1, ~~2003~~ 2005, and ending on June 30, ~~2005~~ 2007, as provided in
11 this subsection to county departments under ss. 46.215, 46.22, and 46.23 as follows:

12 *~~0249/2.2~~* SECTION 2209. 301.26 (7) (a) of the statutes is amended to read:

13 301.26 (7) (a) For community youth and family aids under this section,
14 amounts not to exceed \$44,145,100 for the last 6 months of ~~2003~~ 2005, \$88,290,200
15 for ~~2004~~ 2006, and \$44,145,100 for the first 6 months of ~~2005~~ 2007.

16 *~~0249/2.3~~* SECTION 2210. 301.26 (7) (b) (intro.) of the statutes is amended to
17 read:

18 301.26 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
19 allocate \$2,000,000 for the last 6 months of ~~2003~~ 2005, \$4,000,000 for ~~2004~~ 2006, and
20 \$2,000,000 for the first 6 months of ~~2005~~ 2007 to counties based on each of the
21 following factors weighted equally:

22 *~~0249/2.4~~* SECTION 2211. 301.26 (7) (c) of the statutes is amended to read:

23 301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate
24 \$1,053,200 for the last 6 months of ~~2003~~ 2005, \$2,106,500 for ~~2004~~ 2006, and
25 \$1,053,300 for the first 6 months of ~~2005~~ 2007 to counties based on each of the factors

1 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
2 allocation under this paragraph that is less than 93% nor more than 115% of the
3 amount that the county would have received under this paragraph if the allocation
4 had been distributed only on the basis of the factor specified in par. (b) 3.

5 ***-0249/2.5* SECTION 2212.** 301.26 (7) (e) of the statutes is amended to read:
6 301.26 (7) (e) For emergencies related to community youth and family aids
7 under this section, amounts not to exceed \$125,000 for the last 6 months of 2003
8 2005, \$250,000 for 2004 2006, and \$125,000 for the first 6 months of 2005 2007. A
9 county is eligible for payments under this paragraph only if it has a population of not
10 more than 45,000.

11 ***-0249/2.6* SECTION 2213.** 301.26 (7) (h) of the statutes is amended to read:
12 301.26 (7) (h) For counties that are participating in the corrective sanctions
13 program under s. 938.533 (2), \$1,062,400 in the last 6 months of 2003 2005,
14 \$2,124,800 in 2004 2006, and \$1,062,400 in the first 6 months of 2005 2007 for the
15 provision of corrective sanctions services for juveniles from that county. In
16 distributing funds to counties under this paragraph, the department shall determine
17 a county's distribution by dividing the amount allocated under this paragraph by the
18 number of slots authorized for the program under s. 938.533 (2) and multiplying the
19 quotient by the number of slots allocated to that county by agreement between the
20 department and the county. The department may transfer funds among counties as
21 necessary to distribute funds based on the number of slots allocated to each county.

22 ***-0249/2.7* SECTION 2214.** 301.26 (8) of the statutes is amended to read:
23 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
24 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last

1 6 months of ~~2003~~ 2005, \$1,333,400 in ~~2004~~ 2006, and \$666,700 in the first 6 months
2 of ~~2005~~ 2007 for alcohol and other drug abuse treatment programs.

3 *~~1624/2.2~~* SECTION 2215. 301.263 (title) of the statutes is repealed.

4 *~~1624/2.3~~* SECTION 2216. 301.263 (1) of the statutes is renumbered 16.964
5 (11) (a) and amended to read:

6 16.964 (11) (a) From the appropriation under s. ~~20.410 (3) (f)~~ 20.505 (6) (f), the
7 department office shall distribute \$3,750,000 in each year to counties for early
8 intervention services for first offenders and for intensive community-based
9 intervention services for seriously chronic offenders.

****NOTE: This is reconciled s. 301.263 (1). This SECTION has been affected by drafts
with the following LRB #s: LRB-1624/1 and LRB-1670/3.

10 *~~1624/2.4~~* SECTION 2217. 301.263 (2) of the statutes is renumbered 16.964
11 (11) (b) and amended to read:

12 16.964 (11) (b) To determine eligibility for a payment under ~~sub. (1) par. (a)~~, the
13 department office shall require a county to submit a plan for the expenditure of that
14 payment that ensures that the county targets the programs to be funded under that
15 payment appropriately.

****NOTE: This is reconciled s. 301.263 (2). This SECTION has been affected by drafts
with the following LRB #s: LRB-1624/1 and LRB-1670/3.

16 *~~1624/2.5~~* SECTION 2218. 301.263 (3) of the statutes is renumbered 16.964
17 (11) (c) and amended to read:

18 16.964 (11) (c) The department office shall distribute 33% of the amounts
19 distributed under ~~sub. (1) par. (a)~~ based on each county's proportion of the violent
20 Part I juvenile arrests reported statewide under the uniform crime reporting system
21 of the office of justice assistance in the department of administration, during the
22 most recent 2-year period for which that information is available. The department

1 office shall distribute 33% of the amounts distributed under ~~sub. (1)~~ par. (a) based
2 on each county's proportion of the number of juveniles statewide who are placed in
3 a secured correctional facility, a secured child caring institution, or a secured group
4 home during the most recent 2-year period for which that information is available.
5 The ~~department~~ office shall distribute 34% of the amounts distributed under ~~sub. (1)~~
6 par. (a) based on each county's proportion of the total Part I juvenile arrests reported
7 statewide under the uniform crime reporting system of the office of ~~justice~~
8 ~~assistance~~, during the most recent 2-year period for which that information is
9 available.

****NOTE: This is reconciled s. 301.263 (3). This SECTION has been affected by drafts
with the following LRB #s: LRB–1624/1 and LRB–1670/3.

10 ***-1417/P4.4* SECTION 2219.** 301.32 (1) of the statutes is amended to read:
11 301.32 (1) PROPERTY DELIVERED TO WARDEN OR SUPERINTENDENT; CREDIT AND DEBIT.
12 All money and other property delivered to an employee of any state correctional
13 institution for the benefit of a prisoner or resident shall be delivered to the warden
14 or superintendent, who shall enter the property upon his or her accounts to the credit
15 of the prisoner or resident. The property may be used only under the direction and
16 with the approval of the superintendent or warden and for the crime victim and
17 witness assistance surcharge under s. 973.045 (4), the child abuse prevention and
18 child mental health surcharge under s. 973.044 (4), the delinquency victim and
19 witness assistance surcharge under s. 938.34 (8d) (c), the deoxyribonucleic acid
20 analysis surcharge under s. 973.046 or the benefit of the prisoner or resident. If the
21 money remains uncalled for for one year after the prisoner's or resident's death or
22 departure from the state correctional institution, the superintendent shall deposit
23 it in the general fund. If any prisoner or resident leaves property, other than money,

1 uncalled for at a state correctional institution for one year, the superintendent shall
2 sell the property and deposit the proceeds in the general fund, donate the property
3 to a public agency or private, nonprofit organization or destroy the property. If any
4 person satisfies the department, within 5 years after the deposit, of his or her right
5 to the deposit, the department shall direct the department of administration to draw
6 its warrant in favor of the claimant and it shall charge the same to the appropriation
7 made by s. 20.913 (3) (bm).

8 *~~0251/1.2~~* SECTION 2220. 301.45 (10) of the statutes is created to read:

9 301.45 (10) The department may require a person who must register as a sex
10 offender and who is in its custody or on probation, parole, or extended supervision
11 to pay an annual fee to partially offset its costs in monitoring persons on probation,
12 parole, or extended supervision. The department shall establish any such fee by rule,
13 but the fee may not exceed \$50.

14 *~~0404/4.119~~* SECTION 2221. 301.46 (4) (a) 2. of the statutes is amended to
15 read:

16 301.46 (4) (a) 2. A day care provider that holds a license under s. ~~48.65~~ 49.98,
17 that is certified under s. ~~48.651~~ 49.156, that holds a probationary license under s.
18 ~~48.65~~ 49.99, or that is established or contracted for under s. 120.13 (14).

19 *~~1513/4.25~~* SECTION 2222. 302.04 of the statutes is amended to read:

20 **302.04 Duties of warden and superintendents.** ~~The~~ Except as provided in
21 s. 16.848, the warden or the superintendent of each state prison shall have charge
22 and custody of the prison and all lands, belongings, furniture, implements, stock and
23 provisions and every other species of property within the same or pertaining thereto.
24 The warden or superintendent shall enforce the ~~regulations~~ rules of the department

1 for the administration of the prison and for the government of its officers and the
2 discipline of its inmates.

3 *–1660/3.1* SECTION 2223. 302.05 (1) of the statutes is renumbered 302.05 (1)
4 (a), and 302.05 (1) (a) (intro.), as renumbered, is amended to read:

5 302.05 (1) (a) (intro.) The department of corrections and the department of
6 health and family services may designate a section of a mental health institute as
7 a correctional treatment facility for the treatment of substance abuse of inmates
8 transferred from Wisconsin state prisons. This section shall be administered by the
9 department of corrections and shall be known as the Wisconsin substance abuse
10 program. The department of corrections and the department of health and family
11 services shall ensure that the residents at the institution and the residents in the
12 substance abuse program:

13 *–1660/3.2* SECTION 2224. 302.05 (1) (b) of the statutes is created to read:

14 302.05 (1) (b) The department of corrections may designate all or part of any
15 state prison as a correctional treatment facility and provide, at that facility,
16 programs for treating the abuse of alcohol or other drugs by inmates.

17 *–1660/3.3* SECTION 2225. 302.05 (3) (b) of the statutes is amended to read:

18 302.05 (3) (b) Except as provided in par. (d), if the department determines that
19 an eligible inmate serving a sentence other than one imposed under s. 973.01 has
20 successfully completed the a treatment program described in sub. (1), the parole
21 commission shall parole the inmate for that sentence under s. 304.06, regardless of
22 the time the inmate has served. If the parole commission grants parole under this
23 paragraph, it shall require the parolee to participate in an intensive supervision
24 program for drug abusers as a condition of parole.

25 *–1660/3.4* SECTION 2226. 302.05 (3) (c) 1. of the statutes is amended to read:

1 302.05 (3) (c) 1. Except as provided in par. (d), if the department determines
2 that an eligible inmate serving the term of confinement in prison portion of a
3 bifurcated sentence imposed under s. 973.01 has successfully completed the a
4 treatment program described in sub. (1), the department shall inform the court that
5 sentenced the inmate.

6 ***-1660/3.5*** SECTION 2227. 302.05 (3) (c) 2. (intro.) of the statutes is amended
7 to read:

8 302.05 (3) (c) 2. (intro.) Upon being informed by the department under subd.
9 1. that an inmate whom the court sentenced under s. 973.01 has successfully
10 completed the a treatment program described in sub. (1), the court shall modify the
11 inmate's bifurcated sentence as follows:

12 ***-1660/3.6*** SECTION 2228. 302.05 (3) (d) of the statutes is amended to read:

13 302.05 (3) (d) The department may place intensive sanctions program
14 participants in the a treatment program described in sub. (1), but pars. (b) and (c)
15 do not apply to those participants.

16 ***-1417/P4.5*** SECTION 2229. 302.12 (2) of the statutes is amended to read:

17 302.12 (2) Money accruing under this section remains under the control of the
18 department, to be used for the crime victim and witness assistance surcharge under
19 s. 973.045 (4), the child abuse prevention and child mental health surcharge under
20 s. 973.044 (4), the deoxyribonucleic acid analysis surcharge under s. 973.046, and the
21 benefit of the inmate or the inmate's family or dependents, under rules promulgated
22 by the department as to time, manner and amount of disbursements.

23 ***-1417/P4.6*** SECTION 2230. 302.13 of the statutes is amended to read:

24 **302.13 Preservation of property an inmate brings to prison.** The
25 department shall preserve money and effects, except clothes, in the possession of an

1 inmate when admitted to the prison and, subject to the crime victim and witness
2 assistance surcharge under s. 973.045 (4), the child abuse prevention and child
3 mental health surcharge under s. 973.044 (4), and the deoxyribonucleic acid analysis
4 surcharge under s. 973.046, shall restore the money and effects to the inmate when
5 discharged.

6 *~~0252/2.6~~* SECTION 2231. 303.01 (2) (em) of the statutes is repealed.

7 *~~1417/P4.7~~* SECTION 2232. 303.01 (8) (b) of the statutes is amended to read:

8 303.01 (8) (b) The department shall distribute earnings of an inmate or
9 resident, ~~other than an inmate or resident employed under sub. (2) (em)~~, for the crime
10 victim and witness assistance surcharge under s. 973.045 (4), the child abuse
11 prevention and child mental health surcharge under s. 973.044 (4), for the
12 delinquency victim and witness assistance surcharge under s. 938.34 (8d) (c), for the
13 deoxyribonucleic acid analysis surcharge under s. 973.046 (4) and for compliance
14 with s. 303.06 (2) and may distribute earnings for the support of the inmate's or
15 resident's dependents and for other obligations either acknowledged by the inmate
16 or resident in writing or which have been reduced to judgment that may be satisfied
17 according to law.

***NOTE: This is reconciled s. 303.01 (8) (b). This SECTION has been affected by
drafts with the following LRB numbers: LRB-1417 and LRB-0252.

18 *~~0252/2.7~~* SECTION 2233. 303.01 (8) (c) of the statutes is repealed.

***NOTE: This is reconciled s. 303.01 (8) (c). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0252 and LRB-1417.

19 *~~0252/2.8~~* SECTION 2234. 303.01 (8) (d) of the statutes is repealed.

20 *~~0252/2.9~~* SECTION 2235. 303.01 (8) (e) of the statutes is repealed.

21 *~~0252/2.10~~* SECTION 2236. 303.01 (11) of the statutes is repealed.

22 *~~0252/2.11~~* SECTION 2237. 303.06 (3) of the statutes is repealed.

1 *–1417/P4.8* SECTION 2238. 303.065 (5) (bo) of the statutes is created to read:

2 303.065 (5) (bo) Payment of the child abuse prevention and child mental health
3 surcharge under s. 973.044 (4).

4 *–0252/2.12* SECTION 2239. 303.21 (1) (b) of the statutes is amended to read:

5 303.21 (1) (b) Inmates are included under par. (a) if they are participating in
6 a structured work program away from the institution grounds under s. 302.15 or a
7 secure work program under s. 303.063. Inmates are not included under par. (a) if
8 they are employed in a prison industry under s. 303.06 (2), participating in a work
9 release program under s. 303.065 (2), ~~participating in employment with a private~~
10 ~~business under s. 303.01 (2) (em)~~ or participating in the transitional employment
11 program, but they are eligible for worker's compensation benefits under ch. 102.
12 Residents subject to s. 303.01 (1) (b) are not included under par. (a) but they are
13 eligible for worker's compensation benefits under ch. 102.

14 *–1394/1.3* SECTION 2240. 341.09 (2m) (a) 1., 2. and 3. and (d) of the statutes
15 are amended to read:

16 341.09 (2m) (a) 1. Upon request by a dealer licensed in this state, the
17 department may issue any number of temporary operation plates and temporary
18 permits to a dealer under sub. (2) at a fee of \$3 per plate item. The dealer may issue
19 the temporary operation plate or permit at a fee of \$3 to any of the following:

20 2. Notwithstanding subd. 1., the department shall issue a sufficient number
21 of temporary operation plates and temporary permits without charge to each dealer
22 licensed in this state for issuance under this subdivision. Each dealer shall issue a
23 temporary operation plate or a temporary permit without charge to any state
24 resident who purchases or leases from the dealer an automobile or motor truck
25 having a registered weight of 8,000 pounds or less, for use on such vehicle if the state

1 resident submits to the dealer a complete application for registration of the vehicle,
2 including evidence of inspection under s. 110.20 when required, and for a new
3 certificate of title for a purchased vehicle, together with a check or money order made
4 payable to the department for all applicable title, registration, security interest and
5 sales tax moneys, for transmittal to the department by the dealer.

6 3. The department shall prescribe the manner in which a dealer shall keep
7 records of temporary operation plates and temporary permits issued by the dealer.

8 (d) If the department determines that a dealer has misused plates or permits
9 issued under this subsection or sub. (4) or has failed to comply with the requirements
10 of this section or rules issued under this section, the department may order the dealer
11 to return all temporary operation plates and permits in the dealer's possession.
12 Within 30 days after the issuance of the order, the dealer may request a hearing
13 before the division of hearings and appeals. The division of hearings and appeals
14 shall schedule a hearing with reasonable promptness. The dealer may not issue any
15 temporary operation plates or permits until after the division of hearings and
16 appeals holds its scheduled hearing and issues its findings.

17 *~~1394/1.4~~* SECTION 2241. 341.09 (9) of the statutes is amended to read:

18 341.09 (9) Notwithstanding any other provision of this section, the department
19 shall issue a temporary operation plate or a temporary permit without charge for an
20 automobile or motor truck having a registered weight of 8,000 pounds or less upon
21 receipt of a complete application accompanied by the required fee for registration of
22 the vehicle, including evidence of any inspection under s. 110.20 when required, if
23 the department does not immediately issue the regular registration plates for the
24 vehicle and the department determines that the applicant has not otherwise been
25 issued a temporary operation plate or a temporary permit under this section.

SECTION 2242

1 *~~1559~~/1.1* **SECTION 2242.** 341.135 of the statutes is repealed.

2 *~~0374~~/3.1* **SECTION 2243.** 341.14 (6r) (b) 9. of the statutes is created to read:

3 341.14 (6r) (b) 9. An additional fee of \$15 that is in addition to the fee under
4 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual
5 basis for a special group specified under par. (f) 1. to 32., 49., 49m., 51., or 56. An
6 additional fee of \$30 that is in addition to the fee under subd. 2. shall be charged for
7 the issuance or renewal of a plate issued on the biennial basis for a special group
8 specified under par. (f) 1. to 32., 49., 49m., 51., or 56. if the plate is issued or renewed
9 during the first year of the biennial registration period or \$15 for the issuance or
10 renewal if the plate is issued or renewed during the 2nd year of the biennial
11 registration period. All moneys received under this subdivision shall be deposited
12 in the veterans trust fund. To the extent permitted under ch. 71, the fee collected
13 under this subdivision for the issuance or reissuance of a special plate under par. (f)
14 1. to 32., 49., 49m., 51., or 56. is deductible as a charitable contribution for purposes
15 of taxes under ch. 71.

16 *~~0374~~/3.2* **SECTION 2244.** 341.14 (6r) (f) 56. of the statutes is created to read:
17 341.14 (6r) (f) 56. Persons interested in supporting veterans.

18 *~~1051~~/1.1* **SECTION 2245.** 341.25 (1) (a) of the statutes is amended to read:
19 341.25 (1) (a) For each automobile, a fee of ~~\$55~~ \$65, except that an automobile
20 registered in this state prior to September 1, 1947, at a fee of less than \$18 shall be
21 registered at such lesser fee plus an additional fee of \$2.

22 *~~1051~~/1.2* **SECTION 2246.** 341.25 (2) (a) of the statutes is amended to read:
23 341.25 (2) (a) Not more than 4,500 \$ ~~48.50~~ 65.00

24 *~~1051~~/1.3* **SECTION 2247.** 341.25 (2) (b) of the statutes is amended to read:
25 341.25 (2) (b) Not more than 6,000 ~~61.50~~ 71.00