



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-4446/F<sup>2</sup>  
ALL:ALL:ch

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1       **AN ACT to repeal** 16.54 (11m), 100.207 (6) (em), 118.43 (2) (br) 3., 118.43 (2) (f),  
2           165.25 (4) (ar), 351.07 (2) (b), 939.32 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc),  
3           939.615 (7) (c), 939.622, 939.623, 939.624, 939.625, 939.63 (2), 939.635, 939.64,  
4           939.641, 939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195 (3), 940.195  
5           (6), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.01 (2g), 943.23  
6           (1m), 943.23 (1r), 946.42 (4), 946.425 (2), 948.02 (3m), 948.025 (2m), 948.03 (5),  
7           948.35, 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6.,  
8           961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41  
9           (1m) (d) 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (2) (c), 961.41 (3g) (a)  
10          2., 961.41 (3g) (a) 3., 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48 (2), 961.48  
11          (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3.; **to**  
12          **renumber** 100.207 (title) and (1) to (5), 351.07 (2) (a) and 961.49 (1); **to**  
13          **renumber and amend** 49.95 (1), 100.171, 100.173, 100.174, 100.175, 100.177,  
14          100.205, 100.206, 100.207 (6) (b), (c), (e) and (f), 100.209, 100.28, 100.50, 100.51,  
15          125.075 (2), 939.63 (1), 943.20 (3) (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm)

1 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1), 961.48 (1), 971.17 (1),  
2 973.01 (2) (b) 6., 973.01 (2) (c) and 973.01 (2) (d); **to amend** 6.18, 11.61 (1) (a),  
3 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 15.01 (2), 15.13, 20.115 (1)  
4 (hm), 20.255 (2) (cu), 20.370 (5) (bx), 20.370 (6) (bu), 20.455 (1) (hm), 20.455 (2)  
5 (r), 20.566 (2) (r), 20.566 (8) (b), 20.566 (8) (c), 20.566 (8) (q), 20.566 (8) (r), 20.566  
6 (8) (v), 20.625 (1) (d), 20.835 (2) (dn), 20.835 (2) (q), 20.835 (5) (a), 20.866 (1) (u),  
7 20.866 (2) (s), 20.866 (2) (ta), 20.866 (2) (zd), 23.0917 (3) (dm) 1., 23.0917 (3) (dm)  
8 2., 23.0917 (4) (d) 1., 23.0917 (4) (d) 2., 23.0917 (4) (d) 3., 23.33 (13) (cg), 26.14  
9 (8), 29.971 (1) (c), 29.971 (1m) (c), 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g)  
10 (b), 30.80 (2g) (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 40.51 (8), 40.51 (8m),  
11 46.034 (3), 46.215 (2) (c) 1., 46.215 (2) (c) 3., 46.22 (1) (am), 46.22 (1) (e) 3. a.,  
12 46.22 (1) (e) 3. c., 46.27 (11) (c) 3., 46.283 (5), 46.284 (5) (a), 46.40 (1) (a), 46.40  
13 (2), 46.40 (3), 46.495 (1) (am), 46.495 (1) (d), 46.495 (1) (dc), 46.87 (2), 46.985 (7)  
14 (a), 47.03 (3) (d), 48.355 (2d) (b) 3., 48.415 (9m) (b) 2., 48.417 (1) (d), 48.57 (3p)  
15 (g) 2., 48.685 (5) (bm) 2., 48.685 (5) (bm) 3., 48.685 (5) (bm) 4., 49.127 (8) (a) 2.,  
16 49.127 (8) (b) 2., 49.127 (8) (c), 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141  
17 (9) (b), 49.141 (10) (b), 49.45 (6m) (br) 1., 49.49 (1) (b) 1., 49.49 (2) (a), 49.49 (2)  
18 (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 51.15 (12), 51.423 (1), 51.423 (2),  
19 51.423 (4), 51.423 (9), 55.06 (11) (am), 60.23 (24), 60.23 (25), 66.184, 66.4025 (1)  
20 (b), 66.4025 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.07 (9) (b) 4., 71.83 (2) (b),  
21 79.01 (1), 79.03 (3c) (f), 79.03 (4), 79.058 (3) (c), 86.192 (4), 97.43 (4), 97.45 (2),  
22 100.171 (7) (b), 100.178 (1) (c), 100.178 (4), 100.178 (7), 100.18 (8), 100.18 (11)  
23 (d), 100.182 (5) (a), 100.182 (5) (b), 100.2095 (6) (b), 100.2095 (6) (c), 100.2095  
24 (6) (d), 100.21 (3) (a), 100.26 (1), 100.26 (2), 100.26 (5), 100.26 (6), 100.26 (7),  
25 100.264 (2) (intro.), 100.264 (3), 101.143 (10) (b), 101.94 (8) (b), 102.835 (11),

1 102.835 (18), 102.85 (3), 108.225 (11), 108.225 (18), 110.07 (5) (a), 111.91 (2) (n),  
2 114.20 (18) (c), 115.31 (2g), 118.19 (4) (a), 118.43 (2) (a), 118.43 (3) (intro.), 118.43  
3 (5) (b), 118.43 (6) (b) 7., 118.43 (6) (b) 8., 120.13 (2) (g), 125.085 (3) (a) 2., 125.105  
4 (2) (b), 125.66 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03  
5 (2), 134.05 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 134.71 (12),  
6 134.95 (2), 134.95 (3), 134.99 (1), 136.03 (title), 136.03 (1) (intro.), 139.44 (1),  
7 139.44 (1m), 139.44 (2), 139.44 (8) (c), 139.95 (2), 139.95 (3), 146.345 (3), 146.35  
8 (5), 146.60 (9) (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10  
9 (9) (g), 175.20 (3), 180.0129 (2), 181.0129 (2), 185.825, 185.981 (4t), 185.983 (1)  
10 (intro.), 196.219 (3) (n), 200.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21),  
11 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004  
12 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2.,  
13 299.53 (4) (c) 2., 301.03 (3), 301.035 (2), 301.035 (4), 301.26 (3) (c), 301.26 (3) (e),  
14 301.26 (3) (em), 301.26 (4) (a), 301.26 (4) (cm) 1., 301.26 (6) (a), 301.26 (8), 301.46  
15 (5) (a) (intro.), 302.095 (2), 302.11 (1g) (a) 2., 302.11 (1p), 302.113 (2), 302.113  
16 (3) (a) (intro.), 302.113 (7), 302.113 (9), 302.114 (3) (a) (intro.), 302.114 (5) (f),  
17 302.114 (6) (b), 302.114 (6) (c), 302.114 (9), 302.33 (1), 302.43, 303.065 (1) (b) 1.,  
18 303.08 (1) (intro.), 303.08 (2), 303.08 (5) (intro.), 303.08 (6), 303.08 (12), 304.06  
19 (1) (b), 304.071 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b),  
20 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 343.31 (1) (i), 343.31 (3) (d) (intro.),  
21 343.44 (2) (b) (intro.), 344.48 (2), 344.576 (3) (a) 5., 344.576 (3) (c), 344.579 (2)  
22 (intro.), 346.17 (3) (a), 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a),  
23 346.175 (1) (b), 346.175 (4) (b), 346.175 (4) (c), 346.175 (4) (d), 346.175 (5)  
24 (intro.), 346.175 (5) (a), 346.65 (2) (e), 346.65 (5), 346.74 (5) (b), 346.74 (5) (c),  
25 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5), 450.15 (2),

1 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13 (4), 565.50 (2),  
2 565.50 (3), 601.64 (4), 618.41 (6m), 631.01 (1) (b), 631.01 (4m), 632.18, 641.19  
3 (4) (a), 641.19 (4) (b), 704.90 (11) (title), 704.90 (11) (a), 704.90 (11) (b), 707.49  
4 (4), 707.55 (10), 707.57 (2), 707.57 (3), 753.061 (2m), 758.19 (5) (b) (intro.),  
5 758.19 (5) (b) 1., 765.30 (1) (intro.), 765.30 (2) (intro.), 768.07, 779.93 (title),  
6 779.93 (1), 779.93 (2) (intro.), 783.07, 801.50 (5), 814.04 (intro.), 814.245 (2) (d),  
7 911.01 (4) (c), 938.208 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b)  
8 3., 938.355 (4) (b), 938.78 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1)  
9 (intro.), 939.50 (1) (intro.), 939.50 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e),  
10 939.615 (7) (b) 2., 939.62 (1) (a), 939.62 (1) (b), 939.62 (1) (c), 939.62 (2m) (a) 2m.  
11 a., 939.62 (2m) (a) 2m. b., 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1),  
12 939.75 (1), 940.02 (2) (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4),  
13 940.06 (1), 940.06 (2), 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10  
14 (1), 940.10 (2), 940.11 (1), 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6),  
15 940.19 (2), 940.19 (4), 940.19 (5), 940.19 (6) (intro.), 940.195 (2), 940.195 (4),  
16 940.195 (5), 940.20 (1), 940.20 (1m), 940.20 (2), 940.20 (2m) (b), 940.20 (3),  
17 940.20 (4), 940.20 (5) (b), 940.20 (6) (b) (intro.), 940.20 (7) (b), 940.201 (2)  
18 (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.), 940.207 (2) (intro.), 940.21,  
19 940.22 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a), 940.23 (1) (b), 940.23  
20 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.), 940.285 (2) (b)  
21 1g., 940.285 (2) (b) 1m., 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3)  
22 (b) 1g., 940.295 (3) (b) 1m., 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b)  
23 3., 940.30, 940.305 (1), 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2)  
24 (b), 940.32 (2) (intro.), 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.),  
25 940.43 (intro.), 940.45 (intro.), 941.11 (intro.), 941.12 (1), 941.20 (2) (intro.),

1 941.20 (3) (a) (intro.), 941.21, 941.235 (1), 941.26 (2) (a), 941.26 (2) (b), 941.26  
2 (2) (e), 941.26 (2) (f), 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3),  
3 941.29 (2) (intro.), 941.295 (1), 941.296 (2) (intro.), 941.298 (2), 941.30 (1),  
4 941.30 (2), 941.31 (1), 941.31 (2) (b), 941.315 (3) (intro.), 941.32, 941.325,  
5 941.327 (2) (b) 1., 941.327 (2) (b) 2., 941.327 (2) (b) 3., 941.327 (2) (b) 4., 941.327  
6 (3), 941.37 (3), 941.37 (4), 941.38 (1) (b) 4., 941.38 (2), 943.01 (2) (intro.), 943.01  
7 (2) (d), 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2) (intro.), 943.014 (2),  
8 943.015 (2) (intro.), 943.017 (2) (intro.), 943.017 (2) (d), 943.017 (2m) (b) (intro.),  
9 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07 (1), 943.07 (2), 943.10 (1)  
10 (intro.), 943.10 (2) (intro.), 943.12, 943.20 (3) (a), 943.20 (3) (b), 943.20 (3) (c),  
11 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3) (d) 4., 943.201  
12 (2), 943.205 (3), 943.21 (3) (a), 943.21 (3) (b), 943.23 (1g), 943.23 (2), 943.23 (3),  
13 943.23 (4m), 943.23 (5), 943.24 (1), 943.24 (2), 943.25 (1), 943.25 (2) (intro.),  
14 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1), 943.30 (2),  
15 943.30 (3), 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2),  
16 943.34 (1) (a), 943.34 (1) (b), 943.34 (1) (c), 943.38 (1) (intro.), 943.38 (2), 943.39  
17 (intro.), 943.395 (2) (a), 943.395 (2) (b), 943.40 (intro.), 943.41 (8) (b), 943.41 (8)  
18 (c), 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c), 943.455 (4) (d), 943.46 (4) (c),  
19 943.46 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.50 (4) (a), 943.50 (4) (b), 943.50  
20 (4) (c), 943.60 (1), 943.61 (5) (b), 943.61 (5) (c), 943.62 (4) (b), 943.62 (4) (c),  
21 943.70 (2) (b) 2., 943.70 (2) (b) 3., 943.70 (2) (b) 4., 943.70 (3) (b) 2., 943.70 (3)  
22 (b) 3., 943.70 (3) (b) 4., 943.75 (2), 944.05 (1) (intro.), 944.06, 944.16 (intro.),  
23 944.205 (2) (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2), 944.34  
24 (intro.), 945.03 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1) (intro.),  
25 946.03 (1) (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.),

1 946.12 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31 (1)  
2 (intro.), 946.32 (1) (intro.), 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3)  
3 (intro.), 946.425 (1), 946.425 (1m) (b), 946.425 (1r) (b), 946.43 (intro.), 946.44 (1)  
4 (intro.), 946.44 (1g), 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b),  
5 946.49 (2), 946.60 (1), 946.60 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68  
6 (1r) (a), 946.68 (1r) (b), 946.68 (1r) (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1),  
7 946.74 (2), 946.76, 946.82 (4), 946.84 (1), 946.85 (1), 947.013 (1t), 947.013 (1v),  
8 947.013 (1x) (intro.), 947.015, 948.02 (2), 948.02 (3), 948.03 (2) (a), 948.03 (2) (b),  
9 948.03 (2) (c), 948.03 (3) (a), 948.03 (3) (b), 948.03 (3) (c), 948.03 (4) (a), 948.03  
10 (4) (b), 948.04 (1), 948.04 (2), 948.05 (1) (intro.), 948.05 (1m), 948.05 (2), 948.055  
11 (2) (a), 948.055 (2) (b), 948.06 (intro.), 948.07 (intro.), 948.08, 948.095 (2)  
12 (intro.), 948.11 (2) (a), 948.11 (2) (am), 948.12 (intro.), 948.13 (2), 948.20, 948.21  
13 (1), 948.22 (2), 948.23, 948.24 (1) (intro.), 948.30 (1) (intro.), 948.30 (2) (intro.),  
14 948.31 (1) (b), 948.31 (2), 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51  
15 (3) (b), 948.60 (2) (b), 948.60 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b),  
16 948.62 (1) (a), 948.62 (1) (b), 948.62 (1) (c), 949.03 (1) (b), 950.04 (1v) (g), 951.18  
17 (1), 951.18 (2), 951.18 (2m), 961.41 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b),  
18 961.41 (1) (cm) (intro.), 961.41 (1) (cm) 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4.,  
19 961.41 (1) (d) (intro.), 961.41 (1) (d) 1., 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41  
20 (1) (d) 4., 961.41 (1) (e) (intro.), 961.41 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e)  
21 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.), 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41  
22 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1) (g)  
23 3., 961.41 (1) (h) (intro.), 961.41 (1) (h) 1., 961.41 (1) (h) 2., 961.41 (1) (h) 3.,  
24 961.41 (1) (i), 961.41 (1) (j), 961.41 (1m) (intro.), 961.41 (1m) (a), 961.41 (1m) (b),  
25 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm) 2., 961.41 (1m) (cm) 3., 961.41 (1m)

1 (cm) 4., 961.41 (1m) (d) (intro.), 961.41 (1m) (d) 1., 961.41 (1m) (d) 2., 961.41 (1m)  
2 (d) 3., 961.41 (1m) (d) 4., 961.41 (1m) (e) (intro.), 961.41 (1m) (e) 1., 961.41 (1m)  
3 (e) 2., 961.41 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m)  
4 (f) 1., 961.41 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m)  
5 (g) 1., 961.41 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m)  
6 (h) 1., 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (i), 961.41 (1m) (j),  
7 961.41 (1n) (c), 961.41 (1q), 961.41 (1r), 961.41 (2) (intro.), 961.41 (2) (a), 961.41  
8 (2) (b), 961.41 (2) (d), 961.41 (3g) (c), 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g)  
9 (f), 961.41 (4) (am) 3., 961.42 (2), 961.43 (2), 961.455 (1), 961.455 (3), 961.472  
10 (2), 961.48 (2m) (a), 961.48 (3), 968.255 (1) (a) 2., 968.31 (1) (intro.), 968.34 (3),  
11 968.43 (3), 969.08 (10) (a), 969.08 (10) (b), 971.365 (1) (c), 971.365 (2), 973.01 (1),  
12 973.01 (2) (intro.), 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01  
13 (2) (b) 4., 973.01 (2) (b) 5., 973.01 (4), 973.01 (5), 973.0135 (1) (b) 2., 973.03 (3)  
14 (e) 1. and 2., 973.032 (4) (c) 2., 973.075 (1) (b) 1m. e., 973.075 (2) (d), 973.09 (2)  
15 (b) 1., 977.06 (2) (b) and 978.13 (1) (c); **to repeal and recreate** 20.866 (1) (u)  
16 and 944.15 (title); **to create** 13.48 (31), 13.525, 15.105 (26), 18.13 (4g), 19.42  
17 (10) (o), 19.42 (13) (n), 20.410 (3) (ce), 20.410 (3) (cf), 20.435 (3) (fp), 20.435 (4)  
18 (bv), 20.435 (4) (j), 20.435 (7) (ba), 20.435 (7) (bb), 20.505 (4) (dr), 20.505 (4) (mr),  
19 20.866 (2) (zbL), 20.867 (3) (bm), 20.923 (4) (b) 7., 20.923 (6) (hr), 46.766, 49.688,  
20 49.95 (1) (e) and (f), 59.25 (3) (rm), 79.058 (3) (d), 100.18 (11) (b) 1., 118.43 (2)  
21 (bt), 118.43 (2) (g), 118.43 (3) (at), 118.43 (6) (b) 7m., 118.43 (6) (b) 8m., 118.43  
22 (6) (b) 9., 125.075 (2) (b), 165.07, 165.075, 165.076, 230.08 (2) (L) 6., 230.08 (2)  
23 (of), 301.03 (3a), 301.26 (7m), 301.46 (2s), 302.113 (7m), 302.113 (8m), 302.113  
24 (9) (am), 302.113 (9) (d), 302.113 (9g), 302.114 (8m), 302.114 (9) (d), 346.04 (2t),  
25 346.04 (4), 346.17 (2t), 609.88, 632.895 (14), 758.19 (8), 801.50 (5c), 895.10,

1 939.32 (1) (bm), 939.32 (1g), 939.32 (1m), 939.32 (2) (title), 939.32 (3) (title),  
2 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3) (f), 939.50  
3 (3) (g), 939.50 (3) (h), 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bm), 943.23 (3m),  
4 943.34 (1) (bm), 943.50 (4) (bm), 946.50 (5d), 946.50 (5h), 946.50 (5p), 946.50  
5 (5t), 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 950.04 (1v)  
6 (nt), 961.41 (1) (cm) 1g., 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g.,  
7 961.41 (1m) (h) 4., 961.41 (1m) (h) 5., 961.41 (3g) (b) (title), 961.48 (1) (a) and  
8 (b), 971.17 (1) (b), 971.17 (1) (d), 973.01 (2) (b) 6m., 973.01 (2) (b) 7., 973.01 (2)  
9 (b) 8., 973.01 (2) (b) 9., 973.01 (2) (c) 2., 973.01 (2) (d) 1. to 6., 973.01 (7m),  
10 973.017, 973.031, 973.09 (6), 973.15 (2) (am), 973.30 and 977.05 (4) (jm) of the  
11 statutes; and *to affect* 1997 Wisconsin Act 283, section 454 (1) (f), 1997  
12 Wisconsin Act 283, section 454 (2) and 1999 Wisconsin Act 9, section 9443 (24e);  
13 **relating to:** an agreement between the state and tobacco product  
14 manufacturers; classification and elements of felony offenses and certain  
15 misdemeanor offenses; modification of a bifurcated sentence in certain cases;  
16 revocation of extended supervision; the creation of a sentencing commission  
17 and temporary sentencing guidelines; legislative procedure for criminal  
18 penalties bills; assistant district attorney positions for certain counties;  
19 releasing information from the sex offender registry to school district  
20 administrators and parents, guardians and legal custodians of children;  
21 achievement guarantee contracts; authorizing digital television conversion  
22 projects; funding for gaming law enforcement operations, general program  
23 operations of the state lottery, lottery retailer compensation, lottery vendor  
24 fees, the farmland tax relief credit, costs of administration, administration of  
25 the lottery and gaming credit; prescription drug assistance for elderly persons;



1 funding for the badger care health care program; funding for food pantries;  
 2 requiring insurance coverage of certain immunizations for children; creating  
 3 an office of public intervenor in the department of justice; bonding authority  
 4 under the Warren Knowles-Gaylord Nelson stewardship 2000 program;  
 5 shared revenue payments to counties and municipalities, circuit court support  
 6 payments, financial assistance for local recycling programs, community aids,  
 7 youth aids; transferring certain consumer protection functions performed by  
 8 the department of agriculture, trade and consumer protection to the  
 9 department of justice; the composition of the board of agriculture, trade and  
 10 consumer protection; distribution of national forest income payments from the  
 11 federal government; restoring the school property tax rent credit granting  
 12 bonding authority; granting rule-making authority; making an appropriation;  
 13 making appropriations; and providing penalties.

*Analysis by the Legislative Reference Bureau*

\*\*\* ANALYSIS FROM -4442/1 \*\*\*

**COURTS AND PROCEDURE**

Tobacco Product (SUB)  
MANUFACTURERS

On November 23, 1998, Wisconsin and other states agreed to a settlement of lawsuits brought against the major U.S. tobacco product manufacturers, the "master settlement agreement". As part of that agreement, each state may enact model legislation that would affect tobacco product manufacturers that did not originally join in the master settlement agreement. This bill enacts the model legislation in Wisconsin. Under this bill, a tobacco product manufacturer that sells cigarettes in this state is given the choice of joining in the master settlement agreement and performing the obligations under that agreement or placing money into an escrow fund, based on the number of cigarettes sold each year. The amount of money to be placed into escrow per cigarette increases each year until the year 2007, when the amount is \$.0188482. The amount paid into escrow, under the bill, is intended to ensure that tobacco product manufacturers that do not participate in the master settlement agreement have funds available to satisfy judgments on the types of claims that were asserted in the state's tobacco lawsuit. Under the bill, any interest in money in the escrow account accrues to the tobacco product manufacturer that put

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the money into escrow and any money remaining in the escrow account after 25 years is returned to the tobacco product manufacturer that put the money into escrow.

The bill permits the attorney general to bring a civil action against a tobacco product manufacturer that fails to put money into escrow as required. If a court finds that a tobacco product manufacturer failed to place the money into escrow, the bill permits the court to impose a penalty of up to 5% of the amount improperly withheld from escrow for each day of the violation, up to 100% of the amount improperly withheld. If the court finds that a tobacco product manufacturer knowingly failed to place the money into escrow, the bill permits the court to impose a penalty of up to 15% of the amount improperly withheld from escrow for each day of the violation, up to 300% of the amount improperly withheld. The bill also provides that if a tobacco product manufacturer failed to place the money into escrow on two or more occasions, the court is required to prohibit the manufacturer from selling cigarettes in this state for up to two years. The bill requires the court to award the attorney general costs and reasonable attorney fees if he or she prevails in the lawsuit.

The bill requires the department of administration (DOA) to provide a copy of the master settlement agreement to each public library system in the state and requires the revisor of statutes to publish the master settlement agreement in the Wisconsin Administrative Register.

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\*\*\* ANALYSIS FROM -4424/2 \*\*\*

**CORRECTIONAL SYSTEM**

and crime

the department of corrections

~~WISCONSIN CORRECTIONAL SYSTEM~~

PROBATION, EXTENDED SUPERVISION AND PAROLE (SUB)

The bill requires (DOC) to take steps to promote the increased effectiveness of probation, extended supervision and parole in Brown, Dane, Kenosha, Milwaukee, Racine and Rock counties. In each of these counties, DOC must, beginning on January 1, 2001, develop a partnership with the community, have strategies for local crime prevention, supervise offenders actively, commit additional resources to enhance supervision and purchase services for offenders, establish day reporting centers and ensure that probation, extended supervision and parole agents, on average, supervise no more than 20 persons on probation, extended supervision or parole.

CRIMES

PENALTIES AND SENTENCING (SUB)

Effective December 31, 1999, 1997 Wisconsin Act 283 (often called the "truth in sentencing" act) changed felony penalties and created a new structure for sentences for felony offenses. Also created in 1997 Wisconsin Act 283, was a criminal penalties study committee, which was directed to study various issues related to the implementation of the act, make recommendations based on its study and submit a report concerning its study and recommendations. The report was to include any proposed legislation that is necessary to implement the recommendations made by the committee in its report.

This bill incorporates virtually all of the statutory changes proposed by the committee. It also includes certain other provisions that were not part of the legislation proposed by the committee. The rest of this analysis contains a general description of sentencing provisions in effect for crimes committed before December

31, 1999, the changes made by 1997 Wisconsin Act 283 and some of the most significant changes contained in this bill.

***Felony penalties***

Current law provides various penalties for felonies, which are crimes punishable by imprisonment of more than one year. Before December 31, 1999, virtually every felony created in the criminal code was put in one of six classes (Class A, B, BC, C, D or E), with each class having a specific maximum term of imprisonment and a maximum fine. Class A felonies are punishable by life imprisonment. For other classified felonies committed before December 31, 1999, the maximum terms of imprisonment are as follows:

Class B	40 years
Class BC	20 years
Class C	10 years
Class D	5 years
Class E	2 years

1997 Wisconsin Act 283 increased these maximum terms of imprisonment for felonies committed on or after December 31, 1999. The maximum terms of imprisonment for the classes of felonies under 1997 Wisconsin Act 283 are as follows:

Class B	60 years
Class BC	30 years
Class C	15 years
Class D	10 years
Class E	5 years

Except for Class A and Class B felonies, which are not punishable by a fine, each classified felony has a maximum fine of \$10,000. 1997 Wisconsin Act 283 did not change the maximum fines for any of the classified felonies.

1997 Wisconsin Act 283 also increased the maximum terms of imprisonment for all unclassified felony offenses committed on or after December 31, 1999, in part to provide additional time to be used for the imposition of extended supervision under the new bifurcated sentencing law (see below, ***The structure of felony sentences***, item 2). The terms of imprisonment were increased by 50% or one year, whichever was greater. Thus, under 1997 Wisconsin Act 283, a maximum term of imprisonment of one year was increased to two years of imprisonment, while a maximum term of imprisonment of five years was increased to seven years and six months. 1997 Wisconsin Act 283 did not change any maximum fine provided for any unclassified felony.

This bill makes the following changes to penalties for offenses committed on or after the effective date:

1. ***New felony classes.*** The bill expands the number of felony classes from six to nine and, except for Class A and Class B felonies, creates new maximum terms of

imprisonment and new maximum fines. The felony classes under the bill and their respective maximum terms of imprisonment and maximum fines are as follows:

<u>Class of Felony</u>	<u>Maximum Imprisonment</u>	<u>Maximum Fine</u>
Class A	Life imprisonment	Not applicable
Class B	60 years	Not applicable
Class C	40 years	\$100,000
Class D	25 years	\$100,000
Class E	15 years	\$50,000
Class F	12 years, 6 months	\$25,000
Class G	10 years	\$25,000
Class H	6 years	\$10,000
Class I	3 years, 6 months	\$10,000

2. *Classification of felonies.* The bill places felony offenses that are classified under current law into the new felony classes, with the exception of a few classified felony offenses that are reduced to misdemeanor offenses. In addition, the bill places unclassified felony offenses into the new felony classes, with the exception of certain unclassified felony offenses that are reduced to misdemeanor offenses and offenses that are felonies only because of the application of a penalty enhancer.

As a general rule, the bill places a felony offense into a felony class based on the amount of time that a person who is given a maximum sentence for the offense under current law would serve in prison before being released on parole under the mandatory release law (see below, *The structure of felony sentences*, item 1). However, in some cases a felony is placed in a higher or lower felony class than the one based on the current mandatory release date for a maximum sentence under current law. For those felony offenses that are reduced to misdemeanor offenses under the bill, the new penalty for the offense is a fine of not more than \$10,000 or imprisonment of not more than nine months or both.

3. *Changes in property offenses.* This bill changes penalties for certain crimes against property. Under current law, the penalties for certain crimes against property (such as theft, criminal damage to property, receiving stolen property, issuing worthless checks and various kinds of fraud) are based on the value of the property stolen, damaged or otherwise involved in the offense. Generally, the current threshold between misdemeanor and felony penalties for these crimes is \$1,000. Thus, if the value of the property involved is \$1,000 or less, the crime is a misdemeanor. If the value of the property involved is more than \$1,000, the crime is a felony. This bill increases the threshold between misdemeanor and felony penalties to \$2,000 for property crimes cases in which the penalty depends on the value of the property involved in the offense.

4. *Felony murder.* Under current law, a person commits felony murder if he or she causes the death of another while committing or attempting to commit certain felonies (such as sexual assault, arson or armed robbery). If a person commits felony murder, the maximum period of imprisonment for the felony the person committed

or attempted to commit is increased by not more 20 years. This bill provides that the maximum period of imprisonment for the felony the person committed or attempted to commit is increased by not more 15 years.

5. *Changes to the crime of carjacking.* Under current law, a person is guilty of carjacking if he or she intentionally takes any vehicle without the consent of the owner while possessing a dangerous weapon and by using or threatening the use of force or the weapon against another. This bill classifies every carjacking offense as a Class C felony, including an offense resulting in a person's death (currently a Class A felony), and adds carjacking to the list of offenses subject to the felony murder statute (see item 4 above, *Felony murder*).

6. *Increase in certain misdemeanor penalties.* The bill increases penalties for a few misdemeanor offenses by classifying them as felony offenses. The misdemeanor offenses that are changed to felony offenses by the bill (and the classification into which the offense is placed) are as follows:

- a) Stalking (Class I felony).
- b) Criminal damage to railroad property (Class I felony).
- c) Possession of a firearm in a school zone (Class I felony).
- d) Discharge of a firearm in a school zone (Class G felony).

7. *Elimination of certain minimum penalty provisions.* Current law requires a court to impose a minimum sentence of imprisonment in certain cases. In other cases current law specifies a minimum sentence of imprisonment but also allows a court, in the exercise of its discretion, to impose a lesser sentence of imprisonment or no imprisonment at all. This bill eliminates both mandatory and presumptive minimum prison sentences for felony offenses, except for Class A felonies, which carry a mandatory sentence of life imprisonment (see below, *Sentences of life imprisonment*), and the persistent repeater penalty enhancers (often called the "three strikes, you're out" and "two strikes, you're out" laws), which require a sentence of life imprisonment without possibility of release. In addition, the bill does not change the minimum mandatory sentence of six months for fifth and subsequent offenses of operating a motor vehicle while intoxicated.

8. *Elimination of mandatory consecutive sentences.* Under current law, a court sentencing a person convicted of a crime generally may provide that any sentence imposed run concurrent with or consecutive to any other sentence imposed at the same time or any sentence imposed previously. However, a court must impose a consecutive sentence if the person was convicted of certain escape offenses, possession or discharge of a firearm in a school zone, using or possessing a handgun and armor-piercing bullet while committing another crime or violating conditions of lifetime supervision by committing another crime. This bill eliminates the requirement that consecutive sentences be imposed in these cases. The bill also imposes new requirements relating to bifurcated sentences and sentences imposed for crimes committed before December 31, 1999, that are ordered to run consecutively to each other (see below, *The structure of felony sentences*, item 3-C).

### ***Penalty enhancers***

Current law contains various penalty enhancers that allow the penalties for a crime to be increased if the crime is committed under certain circumstances. For instance, current law provides penalty enhancers for committing a crime using a dangerous weapon, committing a crime while wearing a bulletproof garment, committing a crime against a victim chosen because of his or her race, religion, color, disability, sexual orientation, national origin or ancestry (the "hate crime" enhancer), committing certain violent crimes against an elder person and committing certain sex crimes while infected with a sexually transmitted disease. Current law also provides for penalty enhancers that may be triggered by the defendant's status at the time he or she committed the crime. For instance, current law provides a penalty enhancer for habitual criminals (persons who commit a crime after having been previously convicted of a crime) and for persons responsible for the welfare of a child who commit certain crimes against the child.

The bill retains the current penalty enhancers for: 1) habitual criminals; 2) using a dangerous weapon in the commission of a crime; 3) committing a violent crime in a school zone; 4) committing certain domestic abuse offenses within 72 hours after an arrest for a domestic abuse incident; 5) committing a "hate crime"; 6) distributing a controlled substance to a person under the age of 17; and 7) distributing a controlled substance within 1,000 feet of a school, park, correctional institution or certain other facilities. The remaining penalty enhancers contained in current law are eliminated and are instead included in a list of aggravating factors that must be considered by a court when sentencing a person.

In addition, under current law, if a person violates certain prohibitions relating to operating a motor vehicle while intoxicated and, at the time of the offense, a child under the age of 16 is in the vehicle, the penalties for the offense double. This bill retains this penalty enhancer for most of the offenses involving operating a motor vehicle while intoxicated, but the bill eliminates the enhancer for the crimes of homicide by intoxicated use of a vehicle and injury by intoxicated use of a vehicle.

### ***The structure of felony sentences (other than life sentences)***

1. *The structure of prison sentences for felony offenses committed before December 31, 1999.* If a person committed a felony before December 31, 1999, and is sentenced to prison, the person will usually have three possible ways of being released from prison on parole: discretionary parole granted by the parole commission (for which a person is usually eligible after serving 25% of the sentence or six months, whichever is greater); mandatory release on parole (usually granted automatically after the person serves two-thirds of the sentence); or special action parole release by the secretary of corrections (a program designed to relieve prison crowding). However, the person could be subject to more restrictive discretionary parole eligibility provisions or to restrictions on mandatory release under certain circumstances (for example, if the person has one or more prior convictions for certain serious felonies).

2. *The structure of prison sentences for felony offenses committed on or after December 31, 1999.* Under 1997 Wisconsin Act 283, if a court chooses to sentence a felony offender to a term of imprisonment in state prison for a felony committed on

or after December 31, 1999, the court must do so by imposing a bifurcated sentence that includes a term of confinement in prison followed by a term of community supervision (called "extended supervision"). The offender is not eligible for parole. A bifurcated sentence imposed under 1997 Wisconsin Act 283 must be structured as follows:

A) The total length of the bifurcated sentence may not exceed the maximum term of imprisonment allowable for the felony.

B) The court must set the term of confinement in prison portion of the sentence to be at least one year but not more than 40 years for a Class B felony, 20 years for a Class BC felony, ten years for a Class C felony, five years for a Class D felony, or two years for a Class E felony. If the person is being sentenced to prison for a felony that is not in one of these classes, the term of confinement in prison portion of the sentence must be at least one year but not more than 75% of the total length of the bifurcated sentence.

C) The term of extended supervision must equal at least 25% of the length of the term of confinement in prison. For example, if a person is convicted of a Class B felony committed on or after December 31, 1999, and a judge sentences the person to the maximum allowable 40-year term of confinement in prison, the term of extended supervision would have to be at least ten years. There is no limit on the length of the term of extended supervision, other than the limit that results from the requirements that the term of confinement in prison portion of a bifurcated sentence be at least one year and that the total bifurcated sentence not exceed the maximum term of imprisonment specified by law for the crime.

During the term of extended supervision, the person is subject to supervision by DOC and is subject to conditions set by both the court and DOC. If a person violates a condition of extended supervision or a rule promulgated by DOC relating to extended supervision, the person's extended supervision may be revoked in an administrative proceeding and the person may be returned to serve a period of time in prison. The length of time for which the person is returned to prison is determined by an administrative law judge or, if the person waives a revocation hearing, by DOC.

3. *The changes made by this bill.* This bill makes the following changes relating to the imposition of bifurcated sentences:

A) Like 1997 Wisconsin Act 283 did for the current law felony classes, the bill establishes maximum terms of confinement in prison for the new felony classes. Unlike 1997 Wisconsin Act 283, the bill also establishes a maximum amount of extended supervision that a court can impose for classified felonies. The maximum term of confinement in prison and the maximum term of extended supervision for each classified felony is as follows:

<u>Class of Felony</u>	<u>Maximum Term of Confinement in Prison</u>	<u>Maximum Term of Extended Supervision</u>
Class B	40 years	20 years
Class C	25 years	15 years
Class D	15 years	10 years

Class E	10 years	5 years
Class F	7 years, 6 months	5 years
Class G	5 years	5 years
Class H	3 years	3 years
Class I	1 year, 6 months	2 years

B) Under the bill, when a court is imposing a bifurcated sentence it must consider any advisory sentencing guidelines for the offense adopted by the sentencing commission (see below, **Sentencing commission**) or, if the sentencing commission has not adopted guidelines for the offense, the temporary advisory guidelines adopted by the criminal penalties study committee in its report under 1997 Wisconsin Act 283. In addition, the bill requires the sentencing court to consider any applicable mitigating and aggravating circumstances. The bill includes a partial list of aggravating circumstances that a court must consider. The list incorporates the provisions of current penalty enhancers that are being eliminated by the bill (see above, **Penalty enhancers**).

C) Under the bill, when a court imposes a bifurcated sentence on a person who is also subject to a prison sentence for a crime committed before December 31, 1999 (an indeterminate sentence), the court must specify all of the following: 1) whether the confinement in prison portion of the bifurcated sentence is to run concurrently with or consecutively to the imprisonment portion of the indeterminate sentence; and 2) whether the period of parole under the indeterminate sentence is to run concurrently with or consecutively to the term of extended supervision portion of the bifurcated sentence. The court must also make the same specifications when imposing an indeterminate sentence on a person who is also subject to a bifurcated sentence.

D) The bill allows DOC to take custody of a person who is on extended supervision in order to investigate an alleged violation of a condition of extended supervision. The bill also provides that, if a person on extended supervision admits that the or she has violated a condition or rule of extended supervision, DOC may, as a sanction for the violation, confine the person for not more than 90 days in a DOC regional detention facility or, with the consent of the sheriff, in a county jail.

E) The bill changes the procedure for revoking extended supervision by requiring that a court determine how long to send a person back to prison after his or her extended supervision is revoked. Under the bill, DOC or the administrative law judge who made the revocation decision must make a recommendation to the court concerning the amount of time for which the person should be returned to prison. The court then reviews the recommendation and makes the final decision as to the amount of time for which the person is returned to prison.

F) The bill creates a procedure by which DOC or a person on extended supervision may petition a court to modify the conditions of extended supervision set by the court. The court may hold a hearing on a petition to modify extended supervision and may grant the petition if it determines that the requested



modification would meet the needs of DOC and the public and would be consistent with the objectives of the person's bifurcated sentence.

G) The bill creates a procedure by which certain older prisoners who have been given a bifurcated sentence may petition the sentencing court for a modification of the terms of the sentence. The procedure is available to prisoners who are 65 years of age or older and have served at least five years of the term of confinement in prison portion of their bifurcated sentence and to prisoners who are 60 years of age or older and have served at least ten years of the term of confinement in prison portion of the bifurcated sentence.

Under the procedure, the prisoner files a petition with the prison's program review committee, which may then refer the petition to the sentencing court if it finds that the public interest would be served by a modification of the prisoner's bifurcated sentence. If a petition is referred to a sentencing court, the court must determine whether the public interest would be served by a modification of the prisoner's bifurcated sentence. The victim of the prisoner's crime has a right to provide a statement concerning the modification of the sentence.

If the court decides that the public interest would be served by such a modification, the court must modify the sentence by: 1) reducing the term of confinement in prison portion of the sentence to a number that provides for the release of the prisoner to extended supervision; and 2) increasing the term of extended supervision of the prisoner by the same number, so that the total length of the bifurcated sentence does not change.

H) The bill clarifies that, if a misdemeanor offender may be sentenced to prison because of the application of a sentence enhancer and the court decides to sentence the person to prison, the court must impose a bifurcated sentence. In sentencing a person to prison in such a case, the term of confinement in prison portion of the sentence may not constitute more than 75% of the total bifurcated sentence.

### ***Sentences of life imprisonment***

If a person is sentenced to life imprisonment for an offense committed before December 31, 1999, the person usually must serve 20 years minus time calculated under the mandatory release formula before he or she is eligible for release on parole. If the person does not receive extensions due to violations of prison rules, he or she reaches parole eligibility after serving 13 years, four months. However, a court may set a parole eligibility date for a person serving a life sentence that is later than the usual parole eligibility date or may provide that the person is not eligible for parole. No person serving a life sentence of any kind is entitled to mandatory release on parole.

If a person is sentenced to life imprisonment for a crime committed on or after December 31, 1999, he or she is not eligible for parole. Instead, the court sentencing the person to life imprisonment must do one of the following: 1) provide that the person is eligible for release to extended supervision after serving 20 years; 2) set a date on which the person becomes eligible for extended supervision, as long as that date requires the person to serve at least 20 years; or 3) provide that the person is not eligible for extended supervision. If the court provides that the person is eligible for extended supervision, the person may petition the sentencing court for release to

extended supervision on or after the extended supervision eligibility date. A person sentenced to life who is released to extended supervision is on extended supervision for the remainder of his or her life and, like a person on extended supervision under a bifurcated sentence (see above, *The structure of felony sentences*, item 2-C), may have his or her extended supervision revoked in an administrative proceeding and be returned to prison if he or she violates a condition of extended supervision or a rule promulgated by DOC relating to extended supervision. A person returned to prison after a revocation of extended supervision may not petition for rerelease to extended supervision until he or she has served a period of time back in prison. The time period, which must be at least five years, is determined by an administrative law judge or, if the person waived a revocation hearing, by DOC.

This bill allows DOC to take custody of a person who is on extended supervision under a life sentence in order to investigate an alleged violation of a condition of extended supervision. The bill also provides that, if a person on extended supervision admits that he or she has violated a condition or rule of extended supervision, DOC may, as a sanction for the violation, confine the person for not more than 90 days in a DOC regional detention facility or, with the consent of the sheriff, in a county jail. In addition, the bill changes the procedure for revoking extended supervision by requiring that a court determine how long to send a person back to prison after his or her extended supervision is revoked. Under the bill, DOC or the administrative law judge who made the revocation decision must make a recommendation to the court concerning the amount of time for which the person should be returned to prison. The court then reviews the recommendation and makes the final decision as to the amount of time for which the person is returned to prison. Both the recommendation and the court's final decision must provide for the person to be returned to prison for at least five years.

#### ***Court-ordered drug treatment***

The bill provides a new sentencing option of court-ordered drug treatment. Under this new option, if a court imposes a sentence or places a person on probation for any offense committed on or after July 1, 2000, the court may order the person to participate in a drug treatment program as a condition of probation or, in the case of a person given a bifurcated sentence, while the person is in prison or as a condition of extended supervision or both. The court may also require DOC to pay for the cost of the court-ordered drug treatment.

#### ***Basis for sentencing decisions; modification and review of sentencing decisions***

The bill requires a sentencing court to make explicit findings of fact on the record to support each element of its sentencing decision, including its decision as to whether to impose a bifurcated sentence or to place a person on probation and its decision as to the length of a bifurcated sentence, including the length of each component of the bifurcated sentence, the amount of a fine and the length of a term of probation.

In addition, the bill requires the director of state courts (director) to promulgate rules that establish a procedure by which a sentencing court may modify a bifurcated sentence and that specify the factors that a court may consider when deciding

whether to modify a bifurcated sentence. The rules must provide that a court may modify a bifurcated sentence on its own motion, on a motion of DOC or on a motion of the person serving the sentence. The rules must also provide that a court and DOC may make a motion to modify a bifurcated sentence at any time and that a person serving a bifurcated sentence may make a motion to modify the bifurcated sentence that he or she is serving if at least 12 months have elapsed since the bifurcated sentence was imposed or since the most recent motion to modify the person's bifurcated sentence was made. If a court modifies a bifurcated sentence under the procedure established by the director, the court may do so only by reducing the term of confinement in prison portion of the sentence and lengthening the term of extended supervision imposed so that the total length of the bifurcated sentence originally imposed does not change.

Finally, the bill provides that in an appeal from a court's sentencing decision, the appellate court that is reviewing the sentencing decision must reverse the sentencing decision if it determines that there is not substantial evidence in the record to support the sentencing decision.

#### ***Sentencing commission***

The bill creates a sentencing commission (commission) consisting of 17 voting members and three nonvoting members, all of whom serve three year terms. (The membership of the commission under the bill differs slightly from the membership proposed by the criminal penalties study committee.) Under the bill, the commission is responsible for studying sentencing practices throughout the state. Using the information it obtains, the commission must adopt advisory sentencing guidelines for use by judges when imposing sentences for felonies committed on or after December 31, 1999. The commission must also assist the legislature in assessing the cost of changes in statutes affecting criminal sentencing and provide information regarding sentencing to judges, lawyers, state agencies, the legislature. In addition, the commission must study whether race is a basis for imposing sentences in criminal cases and submit a report and recommendations on this issue to the governor, the legislature and the supreme court. The duties of the commission end on December 31, 2004.

STATE GOVERNMENT

OTHER STATE GOVERNMENT

#### ***Joint review committee on criminal penalties***

The Wisconsin Constitution permits each house of the legislature to establish the rules of its own proceedings. Under the current rules, each house generally refers a bill that relates primarily to criminal law to a standing committee responsible for considering legislation in that area before the bill is considered by the full body.

This bill creates a joint review committee on criminal penalties (joint committee). Under the bill, if a bill that is introduced creates a new crime or revises a penalty for an existing crime and is referred to a standing committee in the house in which it is introduced, the chairperson of the standing committee may request that the joint committee prepare a report regarding the following: 1) the costs or savings that will result from the bill; 2) the consistency of the bill with existing criminal

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penalties; 3) alternative language needed to conform the penalties in the bill to existing criminal penalties; and 4) whether acts prohibited under the bill are prohibited under existing criminal statutes. The standing committee may not vote on whether to recommend the bill for passage nor may the bill be passed by the house in which it is introduced before the joint committee submits its report or before 30 days after the report is requested, whichever is earlier.

The joint committee consists of one majority party and one minority party member from each house, the attorney general or his or her designee, the secretary of corrections or his or her designee, the state public defender or his or her designee, two reserve judges and two gubernatorial appointees, one of whom shall have law enforcement experience and one of whom shall be an elected county official. The joint committee may hold hearings to assist it in preparing its reports.

(The bill's provisions regarding the joint committee were not part of the legislation proposed by the criminal penalties study committee.)

**STATE GOVERNMENT**

**DISTRICT ATTORNEYS**

***Assistant district attorney positions***

Under current law, the state pays for the salaries and various benefits for district attorneys, deputy district attorneys, assistant district attorneys and other state employees of the district attorney's office. This bill adds the following assistant district attorney positions to the following counties, effective July 1, 2000: 0.25 position for Adams County; 1.0 position for Burnett County; 0.25 position for Chippewa County; 0.5 position for Columbia County; 2.5 positions for Dane County; 0.25 position for Jefferson County; 0.5 position for Kenosha County; 0.5 position for LaCrosse County; 1.0 position for Manitowoc County; 1.0 position for Marathon County; 7.0 positions for Milwaukee County; 0.5 position for Oneida County; 0.5 position for Outagamie County; 1.0 position for Polk County; 0.5 position for Portage County; 0.75 position for Rock County; 1.0 position for Sauk County, to serve Marquette and Sauk counties; 0.5 position for Sheboygan County; and 1.25 positions for Winnebago County. (The bill's provisions regarding assistant district attorney positions were not part of the legislation proposed by the criminal penalties study committee.)

\*\*\* ANALYSIS FROM -4428/1 \*\*\*

**CORRECTIONAL SYSTEM**

SEX OFFENDER  
REGISTRY (SUB)

~~ADMINISTRATIVE SYSTEM~~

Under current law, with certain exceptions, a person must register as a sex offender if he or she has been convicted of certain sex offenses, found not guilty of certain sex offenses by reason of mental disease or defect or adjudicated delinquent on the basis of certain sex offenses. The sex offender registry is maintained by ~~the~~ ~~Department of Corrections~~ DOC and contains specific information about persons required to register, including information concerning the person's offense, the person's address and place of employment and the name and location of any school in which the person is enrolled. A person registered as a sex offender must also

provide updated information to DOC if the information originally provided to the registry changes.

Generally, the information in the sex offender registry is confidential. However, when a person first registers as a sex offender or when a registered sex offender updates information in the registry, DOC must make the information available to local law enforcement agencies. If the person registering as a sex offender is being released into the community from custody in prison or some other secure institution and the person has been convicted of a sex offense on two or more separate occasions or has been found to be a sexually violent person, the agency releasing the person (either DOC or the department of health and family services (DHFS), depending on the reason the person was in custody) must provide a special written bulletin to law enforcement agencies in the communities in which the person will be living, working or going to school. The special bulletin must notify the law enforcement agencies that the person is being released and must provide them with the information in the sex offender registry concerning the person and with any other information that DOC or DHFS determines is necessary to assist law enforcement officers or to protect the public.

A local law enforcement agency may in turn release information from the registry that it has received from DOC or DHFS (other than information concerning children who are required to register and information concerning juvenile adjudications for sex offenses) if the local law enforcement agency believes that release of the information is necessary to protect to the public. In addition, DOC may release certain information from the registry to specified community organizations, including public and private elementary and secondary schools, and to members of the general public if an organization or a member of the general public requests the information.

This bill creates a new method by which a parent, guardian or legal custodian of a child may request information from the sex offender registry concerning registered sex offenders who are subject to special bulletin notification because they have been convicted of a sex offense on two or more separate occasions or have been found to be a sexually violent person. Under the bill, a parent, guardian or legal custodian of a child may request the information under any of the following situations:

1. If the child is enrolled in a public school, the parent, guardian or legal custodian may ask the school district administrator for the information.
2. If the child is enrolled in a private school, the parent, guardian or legal custodian may ask for the information from the school district administrator of the school district in which the child resides or the school district administrator of the school district in which the private school is located.
3. If a parent, guardian or legal custodian of a child intends to move to a new residence that is located in a different school district or intends to enroll his or her child in a private school, the parent, guardian or legal custodian may ask for the information from the school district administrator of the school district in which the new residence is located or the school district administrator of the school district in which the private school is located.

When a school district administrator receives a request from a parent, guardian or legal custodian for information concerning registered sex offenders who are subject to special bulletin notification, the school district administrator must in turn request information concerning the persons from the police chief of the community in which the school district is located or the sheriff of the county in which the school district is located. Upon receiving a request from a school district administrator, the police chief or sheriff must immediately provide in writing to the school district administrator information concerning each person who is residing, employed or attending school in the community or county and about whom the police chief or sheriff has received a special bulletin notification. The information that the police chief or sheriff must provide includes the name and address of the person who is registered as a sex offender, the offense the person committed, the person's place of employment and the location of any school the person is attending. The information provided will include information about children who are required to register as sex offenders and information concerning juvenile adjudications for sex offenses. Upon receiving the information from the police chief or sheriff, the school district administrator must provide the information to the parent, guardian or legal custodian who asked the school district administrator for the information.

\*\*\* ANALYSIS FROM -4429/1 \*\*\*

#### EDUCATION

##### PRIMARY AND SECONDARY EDUCATION

In the 1996-97 and 1998-99 school years, school boards with a certain percentage of low-income pupils could enter into five-year student achievement guarantee contracts (SAGE contracts) with the department of public instruction (DPI) to reduce class size and improve academic achievement in grades kindergarten to three in exchange for receiving state aid. Beginning in the 2000-01 school year, a school board may enter into a SAGE contract regardless of the school board's percentage of low-income pupils, but the school board must satisfy other eligibility requirements that also pertain to SAGE contracts entered into in 1996-97 and 1998-99 school years. One of these requirements is that a school board that was eligible to participate in the SAGE program in the 1996-97 and 1998-99 school years must have participated in the SAGE program in either school year.

This bill repeals this eligibility requirement. The bill also permits DPI to renew an existing SAGE contract for five years and to enter into new SAGE contracts after the 2000-01 school year if funding for contract renewals and the new contracts is available. In making payments for contract renewals and the new contracts, DPI must give priority to schools that have the highest percentage of low-income pupil enrollment.

\*\*\* ANALYSIS FROM -4426/1 \*\*\*

#### PUBLIC BROADCASTING

Under current law, the following are responsible for providing certain types of public broadcasting in this state: the educational communications board (ECB), the board of regents of the University of Wisconsin (UW) System and the Milwaukee Area Technical College. This bill increases the general fund supported bonding authority of the building commission by the following amounts: \$13,220,800 for a

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digital television conversion project for the ECB; \$1,700,000 for a digital television conversion project for the UW System; and \$3,500,000 for a digital conversion project for the Milwaukee Area Technical College. The bill enumerates the authorization of these projects in the 1999-2001 authorized state building program.

\*\*\* ANALYSIS FROM -4423/1 \*\*\*

### GAMBLING

Under current law, the general program operations of the state lottery, lottery retailer compensation, fees that are paid to lottery vendors for on-line and instant ticket services and supplies, the farmland tax relief credit, costs of the administration of the lottery and gaming credit and a portion of the department of justice's (DOJ's) gaming law enforcement activities are funded with general purpose revenue in fiscal year 1999-2000. There is currently no funding for these programs in fiscal year 2001-02.

This bill appropriates general purpose revenue to fund the general program operations of the state lottery, lottery retailer compensation, fees that are paid to lottery vendors for on-line and instant ticket services and supplies, the farmland tax relief credit, costs of the administration of the lottery and gaming credit and to partially fund DOJ's gaming law enforcement activities in fiscal year 2001-02.

\*\*\* ANALYSIS FROM -4422/2 \*\*\*

### HEALTH AND HUMAN SERVICES

#### ~~HEALTH~~ PRESCRIPTION DRUG <sup>assistance</sup> (SUB)

This bill creates an entitlement program for prescription drug assistance for elderly persons in ~~the Department of Health and Family Services (DHFS)~~ and a sum sufficient appropriation of general purpose revenues for the program. Under the program, beginning April 1, 2001, state residents who are aged at least 65 years, who are ineligible for medical assistance and whose gross incomes, if single, are not more than \$50,000 or, if married, are not more than \$75,000 per couple, as annually indexed for inflation, may apply for assistance of up to \$10,000 per year in paying for prescription drugs. Prescription drugs for which a program participant may receive coverage are those prescription drugs that are covered under the medical assistance program. Participants in the prescription drug assistance program must pay 25% of the cost of the prescription drug, at the rate under which pharmacists are reimbursed under the medical assistance program, plus copayments of \$5 for each generic prescription drug and \$10 for each brand-name drug. Under the program, DHFS is the payer of last resort for coverage for prescription drugs and must reimburse pharmacist providers at the rate under which pharmacists are reimbursed under the medical assistance program. DHFS must also maintain or contract for the maintenance of a toll-free telephone number to provide application information about the prescription drug assistance program. In order for drugs manufactured by a manufacturer doing business in this state to be included in the program, the manufacturer must enter with DHFS into a rebate agreement that is modeled on rebate agreements under federal medicaid law. The rebate agreement must provide that the manufacturer make payments to DHFS each calendar quarter or as scheduled by DHFS and that the rebate payment amounts be determined by the method specified in federal medicaid law. The bill appropriates \$1,000,000 in

general purpose revenues in fiscal year 1999-2000 to the general program supplementation appropriation account of the joint committee on finance (JCF) and requires DHFS to submit to JCF a plan for expenditure of these funds for administration of the prescription drug assistance program. If the cochairpersons of JCF do not notify the secretary of health and family services of the committee's intent to schedule a meeting to review the plan, JCF must supplement the DHFS general program operations appropriation account as provided in the DHFS plan. If the cochairpersons of JCF notify the secretary of health and family services that JCF intends to schedule a meeting to review the plan, the DHFS appropriation account may be supplemented only as approved by JCF.

\*\*\* ANALYSIS FROM -4420/2 \*\*\*

**HEALTH AND HUMAN SERVICES**

**BADGER CARE HEALTH CARE PROGRAM (SUB)**

Under current law, ~~the department of health and family services~~ DHFS administers the badger care health care program. This program provides health care coverage to certain low-income families and certain low-income children who do not reside at home. Low-income is generally defined as having an income at or below 185% of the federal poverty line.

This bill increases funding for the badger care health care program for the 1999-2001 fiscal biennium.

\*\*\* ANALYSIS FROM -4436/1 \*\*\*

**HEALTH AND SOCIAL SERVICES**

**GRANTS TO FOOD PANTRIES (SUB)**

This bill requires ~~the department of health and family services~~ DHFS to award annual grants to food pantries that meet certain conditions. Twenty-five percent of the total amount appropriated for the grants is to be distributed to qualified rural food pantries in proportion to the number of persons served by each of those food pantries. The remainder is to be distributed among qualified food pantries statewide, also in proportion to the number of persons served by each food pantry. No grant, however, may exceed \$15,000. Each food pantry may use the grant to purchase, store and distribute food to needy households, to purchase equipment, for various hunger prevention programs and for the general operations of the food pantry. The bill also directs DHFS to convene an advisory committee composed of representatives of various hunger prevention organizations and fields prior to promulgating any rules needed to implement the grant program.

~~the department of health and family services~~ analysis will be provided in a later version.

\*\*\* ANALYSIS FROM -4445/1 \*\*\*

**INSURANCE**

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This bill requires every health insurance policy (called "disability insurance policy" in the statutes), including managed care plans, health care plans offered by the state, and every self-insured health plan of the state or a county, city, town, village or school district, to provide coverage of appropriate and necessary immunizations, specified in the bill, from birth to age six, for a dependent child of the insured if the policy or plan covers a dependent of the insured. (Under current law,



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health insurance policies are required to cover a newly born child of the insured, even if the policy did not provide coverage for dependents at the time of the birth.) Generally, coverage of the specified immunizations may not be subject to any deductibles, coinsurance or copayments under the policy or plan. Specifically excluded from this coverage requirement are health insurance policies that cover only hospital and surgical charges or only certain specified diseases, health care plans offered by limited service health organizations or by preferred provider plans that are not managed care plans, medicare replacement or supplement policies and long-term care insurance policies.

\*\*\* ANALYSIS FROM -4437A \*\*\*

STATE GOVERNMENT (HEAD)

OFFICE OF PUBLIC INTERVENOR (SUB)

This bill recreates an office of public intervenor attached to ~~the Department of~~ ~~the Department of Justice~~ DOJ, with the same duties and authority that existed prior to 1995 Wisconsin Act 27 (the 1995-97 biennial budget act). That act transferred the office of public intervenor from DOJ ~~to the department of natural resources~~ DNR, eliminated the public intervenor's authority to formally commence or intervene in lawsuits, and substituted an eight-member board (consisting of four members nominated by the governor and approved by the senate and four members each appointed by the majority and minority leaders of the senate and assembly) for the seven-member to nine-member advisory committee (consisting of members appointed by the attorney general). The office of public intervenor and its board were eliminated by 1997 Wisconsin Act 27 (the 1997-99 biennial budget act).

The bill requires the attorney general to appoint an assistant attorney general to serve as the public intervenor. The bill authorizes the public intervenor to do all of the following:

1. Formally commence or intervene in proceedings before any court whenever such intervention is necessary to protect the public rights in water and other natural resources of this state, and requires the public intervenor to intervene in such matters when requested to do so by a division administrator in DNR.
2. Act as an interested party in actions in which he or she intervenes, with full power to present evidence, subpoena witnesses, cross-examine witnesses, file briefs and do any other acts appropriate for a party to the proceedings.
3. Appeal administrative rulings to the courts.

The bill requires DNR personnel to notify the public intervenor of all administrative proceedings under the environmental protection chapters and to make such investigations, studies and reports to assist the public intervenor either before or during such formal intervention.

The bill also requires the attorney general to appoint a public intervenor advisory council consisting of seven to nine members who have a background in or demonstrated experience or records relating to environmental protection or natural resource conservation. In addition, at least one member must have working knowledge of business and at least one member must have knowledge of agriculture. The advisory committee must hold open, publicized meetings and must advise the public intervenor consistent with his or her duties.



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The bill requires DNR to transfer to DOJ all assets, liabilities and tangible personal property, including records, of the public intervenor that were transferred from DOJ to DNR by 1995 Wisconsin Act 27.

The bill authorizes two attorney positions in DOJ and appropriates \$241,400 to DOJ for fiscal year 2000-01 for the purposes of the public intervenor.

\*\*\* ANALYSIS FROM -4439/1 \*\*\*

**NATURAL RESOURCES**

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the department  
of  
natural  
resources

Current law grants the state the authority to bond for various conservation purposes under the Warren Knowles-Gaylord Nelson stewardship 2000 program (stewardship program). The bill establishes the overall bonding authority of the stewardship program at \$460,000,000 and limits the annual bonding authority to \$46,000,000. The stewardship program begins on July 1, 2000, and is administered by (DNR). The stewardship program consists of four subprograms: one for land acquisition, one for property development and local assistance, one for bluff protection and one for the Baraboo Hills. Under the stewardship program, there are specific maximum and minimum amounts that are imposed, with limited exceptions, on the amount that may be bonded in each fiscal year under each subprogram. Purposes for which bonding under the land acquisition subprogram may be used include land acquisition for habitat and natural areas and land acquisition that preserves or enhances the state's water resources. Bonding under the property development and local acquisition programs may be used for nature-based outdoor recreation, as defined in rules promulgated by DNR.

This bill changes these bonding amounts. It raises the overall bonding authority to \$600,000,000 and the annual bonding authority to \$60,000,000 for each fiscal year. It also increases the amounts that may or must be bonded in each fiscal year under the land acquisition subprogram and the property development and local assistance subprogram.

\*\*\* ANALYSIS FROM -4187/3 \*\*\*

**PAYMENTS TO LOCAL GOVERNMENTS**

← HEAD format

**SHARED REVENUE AND PROPERTY TAX CREDITS**

Under current law, the state administers a shared revenue program that distributes state tax revenues to counties and municipalities for the counties and municipalities to use at their discretion. Under this bill, the amounts of the shared revenue payments to counties and municipalities are annually adjusted to reflect changes in the consumer price index.

Under current law, the state makes payments to municipalities for services that the municipalities provide to certain state facilities that are located in the municipality and that are exempt from local property taxes. Under the bill, these payments are annually adjusted to reflect changes in the consumer price index.

**COURTS AND PROCEDURE**

← change to SUB format

Under current law, the director of state courts administers a program that provides payments to counties to support the operation of circuit courts. Under the bill, the amounts of those payments are annually adjusted to reflect changes in the consumer price index.

**ENVIRONMENT**

DNR

**RECYCLING**

Under current law, ~~the department of natural resources~~ administers a program that provides grants to local governmental units that are responsible for solid waste management (responsible units) to pay a portion of the costs of operating recycling programs. This bill changes the amount of funding for the responsible unit recycling grant program each year to reflect changes in the consumer price index.

**HEALTH AND HUMAN SERVICES**

**OTHER HEALTH AND HUMAN SERVICES**

DHFS

Under current law, ~~the department of health and human services~~ distributes general purpose revenues and federal revenues, as community aids, to counties to provide social, mental health, developmental disabilities and alcohol and other drug abuse services. This bill changes the amount of general purpose revenues that are appropriated for community aids in each fiscal year to reflect changes in the consumer price index and any loss of federal revenues for community aids since the previous fiscal year.

**CORRECTIONAL SYSTEM**

DOC

**JUVENILE CORRECTIONAL SYSTEM**

Under current law, ~~the department of corrections~~ distributes general purpose revenues and federal revenues, as community, youth and family aids (commonly referred to as "youth aids"), to counties to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. This bill changes the amount of general purpose revenues that are appropriated for youth aids in each fiscal year to reflect changes in the consumer price index and any loss of federal revenues for youth aids since the previous fiscal year.

\*\*\* ANALYSIS FROM -441/1 \*\*\*

**STATE GOVERNMENT**

~~STATE GOVERNMENT~~

**CONSUMER PROTECTION (SUB)**

Under current law, the department of agriculture, trade and consumer protection (DATCP) administers and enforces certain consumer protection and trade practice laws. In administering and enforcing these laws, DATCP either has exclusive authority or joint authority, with ~~the department of justice~~ DOJ, having a secondary role. These laws include laws relating to fraudulent drug advertising, methods of competition and trade practices, motor vehicle rustproofing warranties, telecommunications services, sale of cleaning agents and water conditioners containing phosphorus, sale of products containing or made with ozone-depleting substances, ticket refunds, dating service contracts, fitness center and weight reduction center contracts, pawnbrokers and secondhand article and jewelry dealers, prize notices, mail-order sales, time-share ownerships, motor fuel dealerships, prepaid maintenance liens, self-service storage facilities, rental of private passenger vehicles, future service plans, and cable television subscriber rights.

This bill transfers either all of or part of the administrative and enforcement authority for these laws that DATCP has under current law to DOJ. For those laws

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for which DATCP and DOJ have joint authority under the bill, DATCP has a secondary role in their enforcement and administration.

\*\*\* ANALYSIS FROM -4438/1 \*\*\*

~~AGRICULTURE~~

BOARD OF AGRICULTURE TRADE  
AND CONSUMER PROTECTION (SUB)

Under current law, there are nine members on the board of agriculture, trade and consumer protection, seven of whom have backgrounds in agriculture and two of whom are consumer representatives. This bill eliminates the two consumer representative members.

\*\*\* ANALYSIS FROM -4421/1 \*\*\*

STATE GOVERNMENT

STATE FINANCE

Under current law, all money received by the state from receipts on national forest lands must be distributed to school districts in accordance with the number of acres of national forest land located within the school district boundaries. This requirement was imposed by 1999 Wisconsin Act 9 (the biennial budget bill). Before the enactment of 1999 Wisconsin Act 9, all money received by the state from receipts on national forest lands was required to be distributed to towns in accordance with the number of acres of national forest land located within the town boundaries. Any town that received any of these moneys was required to expend at least 50% of the moneys on public roads in the town. This bill restores the law to the way it was before the enactment of 1999 Wisconsin Act 9.

\*\*\* ANALYSIS FROM -4430/1 \*\*\*

TAXATION

INCOME TAXATION

Under current law, an individual may not receive the individual income tax school property tax rent credit for taxable years beginning after December 31, 1998. This bill allows an individual to claim and receive the credit for property taxes paid, or rent constituting property taxes paid, on the individual's principal dwelling during the taxable year to which the claim relates. The credit may be claimed for taxable years beginning after December 31, 1999.

Under the bill, the credit that may be claimed by an individual is 10% of the first \$2,000 of property taxes accrued or rent constituting property taxes, or 10% of the first \$1,000 of property taxes accrued or rent constituting property taxes for a married person filing separately. The credit is nonrefundable, meaning that it may be claimed only up to the amount of a claimant's tax liability.

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:*

1

\*-4424/2.1\* \*-3266/P1.1\* SECTION 1. 6.18 of the statutes is amended to read:



1 legal residence was established in the State of ....(the State where you now reside)  
2 on .... Month .... Day .... Year.

3 Signed ....  
4 Address ....(Present address)  
5 ....(City) ....(State)

6 Subscribed and sworn to before me this .... day of .... .... (year)  
7 ....(Notary Public, or other officer authorized to administer oaths.)  
8 ....(County)

9 My Commission expires

10 MAIL BALLOT TO:

11 NAME ....

12 ADDRESS ....

13 CITY .... STATE .... ZIP CODE ....

14 *Penalties for Violations.* Whoever swears falsely to any absent elector affidavit  
15 under this section may be fined not more than \$1,000 or imprisoned for not more than  
16 6 months, or both. Whoever intentionally votes more than once in an election may  
17 be fined not more than \$10,000 or imprisoned for not more than 3 years, and 6 months  
18 or both.

19 ....(Municipal Clerk)

20 ....(Municipality)

21 **\*-4424/2.2\* \*-3266/P1.2\* SECTION 2.** 11.61 (1) (a) of the statutes, as affected  
22 by 1997 Wisconsin Act 283, is amended to read:

23 11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), (2g) or (2r), 11.07  
24 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or 11.24 (1) ~~may be fined not more than \$10,000~~

1 or imprisoned for not more than 4 years and 6 months or both is guilty of a Class I  
2 felony.

3 \*~~4424/2.3~~\* \*~~3266/P1.3~~\* SECTION 3. 11.61 (1) (b) of the statutes, as affected  
4 by 1997 Wisconsin Act 283, is amended to read:

5 11.61 (1) (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1)  
6 or 11.38 where is guilty of a Class I felony if the intentional violation does not involve  
7 a specific figure, or where if the intentional violation concerns a figure which exceeds  
8 \$100 in amount or value may be fined not more than \$10,000 or imprisoned for not  
9 more than 4 years and 6 months or both.

10 \*~~4424/2.4~~\* \*~~3266/P1.4~~\* SECTION 4. 12.60 (1) (a) of the statutes, as affected  
11 by 1997 Wisconsin Act 283, is amended to read:

12 12.60 (1) (a) Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) or (3) (a), (e), (f),  
13 (j), (k), (L), (m), (y) or (z) may be fined not more than \$10,000 or imprisoned for not  
14 more than 4 years and 6 months or both is guilty of a Class I felony.

15 \*~~4424/2.5~~\* \*~~3266/P1.5~~\* SECTION 5. 13.05 of the statutes, as affected by 1997  
16 Wisconsin Act 283, is amended to read:

17 **13.05 Logrolling prohibited.** Any member of the legislature who gives,  
18 offers or promises to give his or her vote or influence in favor of or against any  
19 measure or proposition pending or proposed to be introduced, in the legislature in  
20 consideration or upon condition that any other person elected to the same legislature  
21 will give or will promise or agree to give his or her vote or influence in favor of or  
22 against any other measure or proposition pending or proposed to be introduced in  
23 such legislature, or who gives, offers or promises to give his or her vote or influence  
24 for or against any measure on condition that any other member will give his or her  
25 vote or influence in favor of any change in any other bill pending or proposed to be

1 introduced in the legislature ~~may be fined not less than \$500 nor more than \$1,000~~  
2 ~~or imprisoned for not less than one year nor more than 4 years and 6 months or both,~~  
3 is guilty of a Class I felony.

4 \*~~4424/2.6~~\* \*~~3266/P1.6~~\* **SECTION 6.** 13.06 of the statutes, as affected by 1997  
5 Wisconsin Act 283, is amended to read:

6 **13.06 Executive favor.** Any member of the legislature who gives, offers or  
7 promises to give his or her vote or influence in favor of or against any measure or  
8 proposition pending or proposed to be introduced in the legislature, or that has  
9 already been passed by either house of the legislature, in consideration of or on  
10 condition that the governor approve, disapprove, veto or sign, or agree to approve,  
11 disapprove, veto or sign, any other measure or proposition pending or proposed to be  
12 introduced in the legislature or that has already been passed by the legislature, or  
13 either house thereof, or in consideration or upon condition that the governor  
14 nominate for appointment or appoint or remove any person to or from any office or  
15 position under the laws of this state, ~~may be fined not less than \$500 nor more than~~  
16 ~~\$1,000 or imprisoned for not less than one year nor more than 3 years or both~~ is guilty  
17 of a Class I felony.

18 \*~~4426/1.1~~\* **SECTION 7.** 13.48 (31) of the statutes is created to read:

19 **13.48 (31) DIGITAL TELEVISION CONVERSION FOR MILWAUKEE AREA TECHNICAL**  
20 **COLLEGE.** The building commission may authorize up to \$3,500,000 in general fund  
21 supported borrowing to aid in the acquisition, construction, development,  
22 enlargement or improvement of facilities and equipment related to the conversion  
23 to digital television for the Milwaukee Area Technical College. The state funding  
24 commitment under this subsection shall be in the form of a grant to the Milwaukee  
25 Area Technical College. If the building commission authorizes a grant to the



1 Milwaukee Area Technical College under this subsection and if, for any reason, the  
2 facility or equipment that is acquired, constructed, developed, enlarged or improved  
3 with funds from the grant is not used for the purpose of public broadcasting, an  
4 ownership interest in the facility or equipment equal to the amount of the state's  
5 grant reverts to the state.

6 \*~~4424/2.7~~\* SECTION 8. 13.525 of the statutes is created to read:

7 **13.525 Joint review committee on criminal penalties. (1) CREATION.**

8 There is created a joint review committee on criminal penalties composed of the  
9 following members:

10 (a) One majority party member and one minority party member from each  
11 house of the legislature, appointed as are the members of standing committees in  
12 their respective houses.

13 (b) The attorney general or his or her designee.

14 (c) The secretary of corrections or his or her designee.

15 (d) The state public defender or his or her designee.

16 (e) A reserve judge who resides in the 1st, 2nd, 3rd, 4th or 5th judicial  
17 administrative district and a reserve judge who resides in the 6th, 7th, 8th, 9th or  
18 10th judicial administrative district, appointed by the supreme court.

19 (f) Two members of the public appointed by the governor, one of whom shall  
20 have law enforcement experience in this state and one of whom shall be an elected  
21 county official.

22 (2) OFFICERS. The majority party senator and the majority party representative  
23 to the assembly shall be cochairpersons of the committee. The committee shall elect  
24 a secretary from among its nonlegislator members.

1           **(3) JUDICIAL AND GUBERNATORIAL APPOINTEES.** Members appointed under sub. (1)  
2 (e) or (f) shall serve at the pleasure of the authority appointing them.

3           **(4) ELIGIBILITY.** A member shall cease to be a member upon losing the status  
4 upon which the appointment is based. Membership on the committee shall not be  
5 incompatible with any other public office.

6           **(5) REVIEW OF LEGISLATION RELATING TO CRIMES.** (a) If any bill that is introduced  
7 in either house of the legislature proposes to create a new crime or revise a penalty  
8 for an existing crime and the bill is referred to a standing committee of the house in  
9 which it is introduced, the chairperson may request the joint review committee to  
10 prepare a report on the bill under par. (b). If the bill is not referred to a standing  
11 committee, the speaker of the assembly, if the bill is introduced in the assembly, or  
12 the presiding officer of the senate, if the bill is introduced in the senate, may request  
13 the joint review committee to prepare a report on the bill under par. (b).

14           (b) If the joint review committee receives a request under par. (a) for a report  
15 on a bill that proposes to create a new crime or revise a penalty for an existing crime,  
16 the committee shall prepare a report concerning all of the following:

17           1. The costs that are likely to be incurred or saved by the department of  
18 corrections, the department of justice, the state public defender, the courts, district  
19 attorneys and other state and local government agencies if the bill is enacted.

20           2. The consistency of penalties proposed in the bill with existing criminal  
21 penalties.

22           3. Alternative language needed, if any, to conform penalties proposed in the bill  
23 to penalties in existing criminal statutes.

24           4. Whether acts prohibited under the bill are prohibited under existing  
25 criminal statutes.

1 (c) The chief clerk shall print a report prepared by the committee under par.  
2 (b) as an appendix to the bill and attach it thereto as are amendments. The  
3 reproduction shall be in lieu of inclusion in the daily journal of the house in which  
4 the proposal is introduced.

5 (d) If a bill that is introduced in either house of the legislature proposes to create  
6 a new crime or revise a penalty for an existing crime, a standing committee to which  
7 the bill is referred may not vote on whether to recommend the bill for passage and  
8 the bill may not be passed by the house in which it is introduced before the joint  
9 review committee submits a report under par. (b) or before the 30th day after a report  
10 is requested under par. (a), whichever is earlier.

11 (6) COMMITTEE POWERS AND PROCEDURES. The committee may hold hearings as  
12 needed to elicit information for making a report. The committee shall meet at the  
13 call of its cochairpersons. All actions of the committee require the approval of a  
14 majority of all of its members.

15 \*~~4424/2.8~~\* \*~~3266/P1.7~~\* SECTION 9. 13.69 (6m) of the statutes, as affected by  
16 1997 Wisconsin Act 283, is amended to read:

17 13.69 (6m) Any principal, lobbyist or other individual acting on behalf of a  
18 principal who files a statement under s. 13.63 (1), 13.64, 13.65, 13.67 or 13.68 which  
19 he or she does not believe to be true ~~may be fined not more than \$10,000 or~~  
20 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
21 felony.

22 \*~~4424/2.9~~\* \*~~3361/P2.1~~\* SECTION 10. 15.01 (2) of the statutes is amended to  
23 read:

24 15.01 (2) "Commission" means a 3-member governing body in charge of a  
25 department or independent agency or of a division or other subunit within a

1 department, except for the Wisconsin waterways commission which shall consist of  
2 5 members, the parole commission which shall consist of 6 members and the Fox  
3 river management commission which shall consist of 7 members. A Wisconsin group  
4 created for participation in a continuing interstate body, or the interstate body itself,  
5 shall be known as a “commission”, but is not a commission for purposes of s. 15.06.  
6 The parole commission created under s. 15.145 (1) shall be known as a “commission”,  
7 but is not a commission for purposes of s. 15.06. The sentencing commission created  
8 under s. 15.105 (26) shall be known as a “commission” but is not a commission for  
9 purposes of s. 15.06 (1) to (4m), (7) and (9).

10 \*~~4424/2.10~~\* \*~~3361/P2.2~~\* SECTION 11. 15.105 (26) of the statutes is created  
11 to read:

12 15.105 (26) SENTENCING COMMISSION. (a) *Creation; membership.* There is  
13 created a sentencing commission which is attached to the department of  
14 administration under s. 15.03 and which shall consist of the following members:

- 15 1. The attorney general or his or her designee.
- 16 2. The state public defender or his or her designee.
- 17 3. Six members, at least 2 of whom are not employed by any unit of federal, state  
18 or local government, appointed by the governor.
- 19 4. One majority party member and one minority party member from each house  
20 of the legislature, appointed as are the members of standing committees in their  
21 respective houses.
- 22 5. Two circuit judges, appointed by the supreme court.
- 23 6. One representative of crime victims and one district attorney, each appointed  
24 by the attorney general.

1           7. One attorney in private practice engaged primarily in the practice of criminal  
2 defense, appointed by the criminal law section of the State Bar of Wisconsin.

3           (b) *Nonvoting members.* The secretary of corrections or his or her designee, the  
4 chairperson of the parole commission or his or her designee and the director of state  
5 courts or his or her designee shall be nonvoting members of the commission.

6           (c) *Terms.* 1. Except as provided in subd. 2., members appointed under par. (a)  
7 3. and 5. to 7. shall serve 3-year terms and are eligible for reappointment.

8           2. The term of a circuit judge appointed under par. (a) 5. shall end when such  
9 person ceases to be a circuit judge. The term of a district attorney appointed under  
10 par. (a) 6. shall end when such person ceases to be a district attorney.

11           (d) *Officers.* The governor shall designate annually one of the members of the  
12 commission as chairperson. The commission may elect officers other than a  
13 chairperson from among its members as its work requires.

14           (e) *Reimbursement and compensation.* Members of the commission shall be  
15 reimbursed for their actual and necessary expenses incurred in the performance of  
16 their duties. An officer or employe of the state shall be reimbursed by the agency that  
17 pays the member's salary. Members who are full-time state officers or employes  
18 shall receive no compensation for their services. Other members shall be paid \$25  
19 per day, in addition to their actual and necessary expenses, for each day on which  
20 they are actually and necessarily engaged in the performance of their duties.

21           (f) *Sunset.* This subsection does not apply after December 31, 2004.

22           \*~~4438/1.1~~\* **SECTION 12.** 15.13 of the statutes is amended to read:

23           **15.13 Department of agriculture, trade and consumer protection;**  
24 **creation.** There is created a department of agriculture, trade and consumer  
25 protection under the direction and supervision of the board of agriculture, trade and

1 consumer protection. The board shall consist of 7 members with ~~an agricultural~~  
2 ~~background and 2 members who are consumer representatives~~ backgrounds in  
3 agriculture, appointed for staggered 6-year terms. Appointments to the board shall  
4 be made without regard to party affiliation, residence or interest in any special  
5 organized group.

6 \*~~4421/1.1~~\* SECTION 13. 16.54 (11m) of the statutes, as created by 1999  
7 Wisconsin Act 9, is repealed.

8 \*~~4437/1.1~~\* SECTION 14. 18.13 (4g) of the statutes is created to read:

9 18.13 (4g) PUBLIC INTERVENOR. Notwithstanding s. 165.075, the public  
10 intervenor does not have authority to initiate any action or proceeding concerning  
11 the issuance of obligations by the building commission under this chapter.

12 \*~~4424/2.11~~\* \*~~3361/P2.3~~\* SECTION 15. 19.42 (10) (o) of the statutes is created  
13 to read:

14 19.42 (10) (o) A member, the executive director or the deputy director of the  
15 sentencing commission.

16 \*~~4424/2.12~~\* \*~~3361/P2.4~~\* SECTION 16. 19.42 (13) (n) of the statutes is created  
17 to read:

18 19.42 (13) (n) The position of member, executive director or deputy director of  
19 the sentencing commission.

20 \*~~4424/2.13~~\* \*~~3361/P2.5~~\* SECTION 17. 20.005 (3) (schedule) of the statutes:  
21 at the appropriate place, insert the following amounts for the purposes indicated:

1999-00      2000-01

1

2

**20.505 Administration, department of**

3

(4) ATTACHED DIVISIONS, BOARDS, COUNCILS AND

4

COMMISSIONS

5

(dr) Sentencing commission                      GPR      A      415,000      380,000

6

**\*-4436/1.1\* SECTION 18.** 20.005 (3) (schedule) of the statutes: at the

7

appropriate place, insert the following amounts for the purposes indicated:

8

1999-00      2000-01

9

**20.435 Health and family services, department**

10

of

11

(3) CHILDREN AND FAMILY SERVICES

12

(fp) Food pantry grants                              GPR      A      1,500,000      1,500,000

13

**\*-4441/1.1\* SECTION 19.** 20.115 (1) (hm) of the statutes is amended to read:

14

20.115 (1) (hm) *Ozone-depleting refrigerants and products regulation.* The

15

amounts in the schedule for administration of the mobile air conditioner servicing

16

and refrigerant recycling programs and for responsibilities under ss. s. 100.45 and

17

~~100.50~~ relating to sales and labeling of products containing or made with

18

ozone-depleting substances. All moneys received from fees under s. 100.45 (5) (a) 3.

19

and (5m) shall be credited to this appropriation.

20

**\*-4429/1.1\* SECTION 20.** 20.255 (2) (cu) of the statutes, as affected by 1999

21

Wisconsin Act 9, is amended to read:

22

20.255 (2) (cu) *Achievement guarantee contracts.* The amounts in the schedule

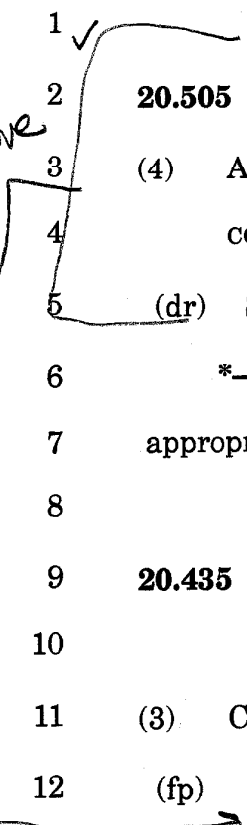
23

for aid to school districts and the program evaluation under s. 118.43. ~~No funds may~~

24

~~be encumbered from this appropriation after June 30, 2005.~~

move



1           \*~~4421/1.2~~\* **SECTION 21.** 20.370 (5) (bx) of the statutes, as affected by 1999  
2       Wisconsin Act 9, is amended to read:

3           20.370 (5) (bx) *Resource aids — national forest income aids.* All moneys  
4       received from the U.S. government for allotments to ~~school districts~~ counties  
5       containing national forest lands, and designated for the benefit of public roads in  
6       such counties, shall be distributed in proportion to the national forest acreage in each  
7       ~~school district~~ county as certified by the U.S. forest service. Such distribution shall  
8       be made annually within 60 days after receipt of the money from the federal  
9       government.

10          \*~~4187/3.1~~\* **SECTION 22.** 20.370 (6) (bu) of the statutes, as created by 1999  
11       Wisconsin Act 9, is amended to read:

12          20.370 (6) (bu) *Financial assistance for responsible units.* From the recycling  
13       fund, ~~the amounts in the schedule a sum sufficient equal to \$24,500,000 in fiscal year~~  
14       1999–2000, and in fiscal year 2000–01 and each subsequent fiscal year a sum  
15       sufficient equal to the amount available under this paragraph in the previous fiscal  
16       year adjusted by a percentage that is equal to the percentage change between the  
17       U.S. consumer price index for all urban consumers, U.S. city average, for the  
18       12–month period ending on June 30 of the previous fiscal year and the U.S. consumer  
19       price index for all urban consumers, U.S. city average, for the 12–month period  
20       ending on June 30 of the fiscal year before the previous fiscal year, as determined by  
21       the federal department of labor, rounded to the nearest multiple of \$100, for grants  
22       to responsible units under s. 287.23.

23          \*~~4187/3.2~~\* **SECTION 23.** 20.410 (3) (ce) of the statutes is created to read:

24          20.410 (3) (ce) *Community youth and family aids; consumer price index*  
25       *adjustment.* A sum sufficient in each fiscal year equal to \$82,734,500 multiplied by



1 a percentage that is equal to the percentage change between the U.S. consumer price  
2 index for all urban consumers, U.S. city average, for the 12-month period ending on  
3 June 30 of the previous fiscal year and the U.S. consumer price index for all urban  
4 consumers, U.S. city average, for the 12-month period ending on June 30, 1999, as  
5 determined by the federal department of labor, rounded to the nearest \$100, for the  
6 improvement and provision of juvenile delinquency-related services under s. 301.26  
7 and for reimbursement to counties having a population of less than 500,000 for the  
8 cost of court attached intake services as provided in s. 938.06 (4). Disbursements  
9 may be made from this appropriation account under s. 301.085. Refunds received  
10 relating to payments made under s. 301.085 shall be credited to the appropriation  
11 account under par. (cd). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the  
12 department of corrections may transfer moneys under this paragraph between fiscal  
13 years. Except for moneys authorized for transfer under s. 301.26 (3), all moneys from  
14 this paragraph allocated under s. 301.26 (3) and not spent or encumbered by counties  
15 by December 31 of each year shall lapse into the general fund on the succeeding  
16 January 1. The joint committee on finance may transfer additional moneys to the  
17 next calendar year.

18 \*~~4187/3.3~~\* **SECTION 24.** 20.410 (3) (cf) of the statutes is created to read:

19 20.410 (3) (cf) *Community youth and family aids; federal funding loss*  
20 *adjustment.* A sum sufficient in each fiscal year equal to the difference between  
21 \$2,449,200 and the sum of the moneys received from the federal government in the  
22 current fiscal year and transferred to the appropriation account under par. (ko), if  
23 that sum is less than \$2,449,200, rounded to the nearest \$100, for the improvement  
24 and provision of juvenile delinquency-related services under s. 301.26 and for  
25 reimbursement to counties having a population of less than 500,000 for the cost of

1 court attached intake services as provided in s. 938.06 (4). Disbursements may be  
2 made from this appropriation account under s. 301.085. Refunds received relating  
3 to payments made under s. 301.085 shall be credited to the appropriation account  
4 under par. (cd). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department  
5 of corrections may transfer moneys under this paragraph between fiscal years.  
6 Except for moneys authorized for transfer under s. 301.26 (3), all moneys from this  
7 paragraph allocated under s. 301.26 (3) and not spent or encumbered by counties by  
8 December 31 of each year shall lapse into the general fund on the succeeding January  
9 1. The joint committee on finance may transfer additional moneys to the next  
10 calendar year.

11 \*~~4436/1.2~~\* SECTION 25. 20.435 (3) (fp) of the statutes is created to read:

12 20.435 (3) (fp) *Food pantry grants*. The amounts in the schedule for grants  
13 awarded under s. 46.766.

14 \*~~4422/2.1~~\* SECTION 26. 20.435 (4) (bv) of the statutes is created to read:

15 20.435 (4) (bv) *Prescription drug assistance for elderly; aids*. A sum sufficient  
16 for the program for prescription drug assistance for elderly persons under s. 49.688.

17 \*~~4422/2.2~~\* SECTION 27. 20.435 (4) (j) of the statutes is created to read:

18 20.435 (4) (j) *Prescription drug assistance for elderly; manufacturer rebates*.  
19 All moneys received from rebate payments by manufacturers under s. 49.688 (5), to  
20 be used for prescription drug assistance for elderly persons under s. 49.688.

21 \*~~4187/3.4~~\* SECTION 28. 20.435 (7) (ba) of the statutes is created to read:

22 20.435 (7) (ba) *Community aids; consumer price index adjustment*. A sum  
23 sufficient in each fiscal year equal to \$286,330,700 multiplied by a percentage that  
24 is equal to the percentage change between the U.S. consumer price index for all  
25 urban consumers, U.S. city average, for the 12-month period ending on June 30 of

1 the previous fiscal year and the U.S. consumer price index for all urban consumers,  
2 U.S. city average, for the 12-month period ending on June 30, 1999, as determined  
3 by the federal department of labor, rounded to the nearest \$100, for human services  
4 under s. 46.40, for services provided by resource centers under s. 46.283 (5), for  
5 services under the family care benefit under s. 46.284 (5), for reimbursement to  
6 counties having a population of less than 500,000 for the cost of court attached intake  
7 services under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22 and for foster  
8 care and treatment foster care under s. 49.19 (10). Social services disbursements  
9 under s. 46.03 (20) (b) may be made from this appropriation. Refunds received  
10 relating to payments made under s. 46.03 (20) (b) for the provision of services for  
11 which moneys are appropriated under this paragraph shall be credited to the  
12 appropriation under par. (b). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the  
13 department of health and family services may transfer funds between fiscal years  
14 under this paragraph. Except for amounts authorized to be carried forward under  
15 s. 46.45, all funds allocated under s. 46.40 and not spent or encumbered by December  
16 31 of each year shall lapse to the general fund on the succeeding January 1 unless  
17 carried forward to the next calendar year by the joint committee on finance.

18 \*~~4187/3.5~~\* SECTION 29. 20.435 (7) (bb) of the statutes is created to read:

19 20.435 (7) (bb) *Community aids; federal funding loss adjustment.* A sum  
20 sufficient in each fiscal year equal to the difference between \$105,351,400 and the  
21 sum of the moneys received from the federal government in the current fiscal year  
22 and transferred or credited to the appropriation accounts under pars. (kw) and (o)  
23 and sub. (3) (o), if that sum is less than \$105,351,400, rounded to the nearest \$100,  
24 for human services under s. 46.40, for services provided by resource centers under  
25 s. 46.283 (5), for services under the family care benefit under s. 46.284 (5), for

1 reimbursement to counties having a population of less than 500,000 for the cost of  
2 court attached intake services under s. 48.06 (4), for shelter care under ss. 48.58 and  
3 938.22 and for foster care and treatment foster care under s. 49.19 (10). Social  
4 services disbursements under s. 46.03 (20) (b) may be made from this appropriation.  
5 Refunds received relating to payments made under s. 46.03 (20) (b) for the provision  
6 of services for which moneys are appropriated under this paragraph shall be credited  
7 to the appropriation under par. (b). Notwithstanding ss. 20.001 (3) (a) and 20.002  
8 (1), the department of health and family services may transfer funds between fiscal  
9 years under this paragraph. Except for amounts authorized to be carried forward  
10 under s. 46.45, all funds allocated under s. 46.40 and not spent or encumbered by  
11 December 31 of each year shall lapse to the general fund on the succeeding January  
12 1 unless carried forward to the next calendar year by the joint committee on finance.

13 \*~~4441/1.2~~\* SECTION 30. 20.455 (1) (hm) of the statutes is amended to read:

14 20.455 (1) (hm) *Restitution*. All moneys received by the department to provide  
15 restitution to victims when ordered by the court as the result of prosecutions under  
16 s. 49.49 and chs. 100, 133, 134, 281 to 285 and 289 to 299 and under a federal  
17 antitrust law for the purpose of providing restitution to victims of the violation when  
18 ordered by the court.

19 \*~~4423/1.1~~\* SECTION 31. 20.455 (2) (r) of the statutes is amended to read:

20 20.455 (2) (r) *Gaming law enforcement; lottery revenues*. From the lottery fund,  
21 the amounts in the schedule for the performance of the department's gaming law  
22 enforcement responsibilities as specified in s. 165.70 (3m). No moneys may be  
23 encumbered or expended from this appropriation account during the 1999-2001  
24 fiscal biennium.

1           \*~~4424/2.14~~\* \*~~3361/P2.6~~\* SECTION 32. 20.505 (4) (dr) of the statutes is  
2 created to read:

3           20.505 (4) (dr) *Sentencing commission*. The amounts in the schedule for the  
4 general program operations of the sentencing commission. No money may be  
5 encumbered from the appropriation under this paragraph after December 31, 2004.

6           \*~~4424/2.15~~\* \*~~3361/P2.7~~\* SECTION 33. 20.505 (4) (mr) of the statutes is  
7 created to read:

8           20.505 (4) (mr) *Sentencing commission; federal aid*. All moneys received as  
9 federal aid as authorized by the governor under s. 16.54 to carry out the purposes for  
10 which the aid is provided. No money may be encumbered from the appropriation  
11 under this paragraph after December 31, 2004.

12           \*~~4423/1.2~~\* SECTION 34. 20.566 (2) (r) of the statutes, as affected by 1999  
13 Wisconsin Act 5, is amended to read:

14           20.566 (2) (r) *Lottery and gaming credit administration*. From the lottery fund,  
15 the amounts in the schedule for the administration of the lottery and gaming credit.  
16 No moneys may be encumbered or expended from this appropriation account during  
17 the 1999–2001 fiscal year biennium.

18           \*~~4423/1.3~~\* SECTION 35. 20.566 (8) (b) of the statutes, as affected by 1999  
19 Wisconsin Act 9, is amended to read:

20           20.566 (8) (b) *Retailer compensation*. A sum sufficient to pay compensation to  
21 retailers under s. 565.10 (14) (b). No moneys may be encumbered or expended from  
22 this appropriation account after the day of publication of the 2000 2001–03 biennial  
23 budget act.

24           \*~~4423/1.4~~\* SECTION 36. 20.566 (8) (c) of the statutes, as affected by 1999  
25 Wisconsin Act 9, is amended to read:

1           20.566 (8) (c) *Vendor fees*. A sum sufficient to pay vendors for on-line and  
2 instant ticket services and supplies provided by the vendors under contract under  
3 s. 565.25 (2) (a). No moneys may be encumbered or expended from this appropriation  
4 account after the day of publication of the 2000 2001–03 biennial budget act.

5           \*~~4423/1.5~~\* SECTION 37. 20.566 (8) (q) of the statutes, as affected by 1999  
6 Wisconsin Act 5, is amended to read:

7           20.566 (8) (q) *General program operations*. From the lottery fund, the amounts  
8 in the schedule for general program operations under ch. 565. No moneys may be  
9 encumbered or expended from this appropriation account during the 1999–2001  
10 fiscal biennium.

11           \*~~4423/1.6~~\* SECTION 38. 20.566 (8) (r) of the statutes, as affected by 1999  
12 Wisconsin Act 9, is amended to read:

13           20.566 (8) (r) *Retailer compensation*. From the lottery fund, a sum sufficient  
14 to pay compensation to retailers under s. 565.10 (14) (b). No moneys may be  
15 encumbered or expended from this appropriation account during ~~1999–00~~ the  
16 1999–2001 fiscal biennium.

17           \*~~4423/1.7~~\* SECTION 39. 20.566 (8) (v) of the statutes, as affected by 1999  
18 Wisconsin Act 9, is amended to read:

19           20.566 (8) (v) *Vendor fees*. From the lottery fund, a sum sufficient to pay  
20 vendors for on-line and instant ticket services and supplies provided by the vendors  
21 under contract under s. 565.25 (2) (a). No moneys may be encumbered or expended  
22 from this appropriation account during ~~1999–00~~ the 1999–2001 fiscal biennium.

23           \*~~4187/3.6~~\* SECTION 40. 20.625 (1) (d) of the statutes is amended to read:

1           20.625 (1) (d) *Circuit court support payments.* ~~Biennially, the amounts in the~~  
2 ~~schedule A sum sufficient to make a payment~~ payments to each county under s.  
3 758.19 (5).

4           \*~~4423/1.8~~\* SECTION 41. 20.835 (2) (dn) of the statutes, as affected by 1999  
5 Wisconsin Act 9, is amended to read:

6           20.835 (2) (dn) *Farmland tax relief credit.* A sum sufficient to pay the aggregate  
7 claims approved under ss. 71.07 (3m) (c), 71.28 (2m) (c) and 71.47 (2m) (c), to the  
8 extent that these claims are not paid under par. (ka). No moneys may be encumbered  
9 or expended from this appropriation after the 2000 day of publication of the 2001-03  
10 biennial budget.

11           \*~~4423/1.9~~\* SECTION 42. 20.835 (2) (q) of the statutes, as affected by 1999  
12 Wisconsin Act 9, is amended to read:

13           20.835 (2) (q) *Farmland tax relief credit.* From the lottery fund, a sum  
14 sufficient to pay the aggregate claims approved under ss. 71.07 (3m) (c), 71.28 (2m)  
15 (c) and 71.47 (2m) (c), to the extent that these claims are not paid under par. (ka).  
16 No moneys may be encumbered or expended from this appropriation account during  
17 1999-00 the 1999-2001 fiscal biennium.

18           \*~~4187/3.7~~\* SECTION 43. 20.835 (5) (a) of the statutes is amended to read:

19           20.835 (5) (a) *Payments for municipal services.* ~~The amounts in the schedule~~  
20 A sum sufficient equal to \$18,065,300 in fiscal year 1999-2000, \$21,565,300 in fiscal  
21 year 2000-01, and in fiscal year 2001-02 and each subsequent fiscal year a sum  
22 sufficient equal to the amount available under this paragraph in the previous fiscal  
23 year, adjusted by a percentage that is equal to the percentage change between the  
24 U.S. consumer price index for all urban consumers, U. S. city average, for the  
25 12-month period ending on June 30 of the previous year and the U.S. consumer price

1 index for all urban consumers, U.S. city average, for the 12-month period ending on  
2 June 30 of the year before the previous fiscal year, as determined by the federal  
3 department of labor, rounded to the nearest multiple of \$100, to make payments for  
4 municipal services provided by municipalities to state facilities, as determined  
5 under s. 70.119 (7).

6 \*~~4426/1.2~~\* SECTION 44. 20.866 (1) (u) of the statutes, as affected by 1999  
7 Wisconsin Act 9, section 628, is amended to read:

8 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys  
9 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)  
10 (c), (d), (i) and (j), 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (4) (e) and (5) (e), 20.250  
11 (1) (e), 20.255 (1) (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh), (ih)  
12 and, (kd) and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac),  
13 (ag), (aq), (ar), (at), (au), (ba), (ca), (cb), (cc), (cd), (ce), (cf), (ea), (eq) and (er), 20.395  
14 (6) (aq) and (ar), 20.410 (1) (e), (ec) and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e),  
15 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc),  
16 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (bp), (br), (g), (h), (i) and  
17 (q) for the payment of principal and interest on public debt contracted under subchs.  
18 I and IV of ch. 18.

19 \*~~4426/1.3~~\* SECTION 45. 20.866 (1) (u) of the statutes, as affected by 1999  
20 Wisconsin Act .... (this act), is repealed and recreated to read:

21 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys  
22 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)  
23 (c), (d), (i) and (j), 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (4) (e) and (5) (e), 20.250  
24 (1) (e), 20.255 (1) (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh), (ih),  
25 (kd) and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag),



1 (aq), (ar), (at), (ba), (ca), (cb), (cc), (cd), (ce), (cf), (ea), (eq) and (er), 20.395 (6) (aq) and  
2 (ar), 20.410 (1) (e), (ec) and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1) (d),  
3 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc), 20.855 (8) (a)  
4 and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (bp), (br), (g), (h), (i) and (q) for the  
5 payment of principal and interest on public debt contracted under subchs. I and IV  
6 of ch. 18.

7 \*~~4426/1.4~~\* SECTION 46. 20.866 (2) (s) of the statutes, as affected by 1999  
8 Wisconsin Act 9, is amended to read:

9 20.866 (2) (s) *University of Wisconsin; academic facilities.* From the capital  
10 improvement fund, a sum sufficient for the board of regents of the University of  
11 Wisconsin System to acquire, construct, develop, enlarge or improve university  
12 academic educational facilities and facilities to support such facilities. The state may  
13 contract public debt in an amount not to exceed ~~\$856,708,700~~ \$858,408,700 for this  
14 purpose.

15 \*~~4439/1.1~~\* SECTION 47. 20.866 (2) (ta) of the statutes, as created by 1999  
16 Wisconsin Act 9, is amended to read:

17 20.866 (2) (ta) *Natural resources; Warren Knowles-Gaylord Nelson*  
18 *stewardship 2000 program.* From the capital improvement fund a sum sufficient for  
19 the Warren Knowles-Gaylord Nelson stewardship 2000 program under s. 23.0917.  
20 The state may contract public debt in an amount not to exceed ~~\$460,000,000~~  
21 \$600,000,000 for this program. Except as provided in s. 23.0917 (4g) (b), (4m) (k), (5)  
22 and (5m), the amounts obligated, as defined in s. 23.0917 (1) (e), under this  
23 paragraph may not exceed ~~\$46,000,000~~ \$60,000,000 in each fiscal year.

24 \*~~4426/1.5~~\* SECTION 48. 20.866 (2) (zbL) of the statutes is created to read:

1           20.866 (2) (zbL) *Milwaukee Area Technical College; digital television*  
2 *conversion*. From the capital improvement fund, a sum sufficient for the building  
3 commission to provide grants to the Milwaukee Area Technical College to aid in the  
4 acquisition, construction, development, enlargement or improvement of facilities  
5 and equipment related to the conversion to digital television. The state may contract  
6 public debt in an amount not to exceed \$3,500,000 for this purpose.

7           \*~~4426/1.6~~\* SECTION 49. 20.866 (2) (zd) of the statutes, as affected by 1999  
8 Wisconsin Act 9, is amended to read:

9           20.866 (2) (zd) *Educational communications board; educational*  
10 *communications facilities*. From the capital improvement fund, a sum sufficient for  
11 the educational communications board to acquire, construct, develop, enlarge or  
12 improve educational communications facilities. The state may contract public debt  
13 in an amount not to exceed ~~\$8,658,100~~ \$21,878,900 for this purpose.

14           \*~~4426/1.7~~\* SECTION 50. 20.867 (3) (bm) of the statutes is created to read:

15           20.867 (3) (bm) *Principal repayment, interest and rebates*. A sum sufficient to  
16 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred  
17 in financing the acquisition, construction, development, enlargement or  
18 improvement of facilities and equipment related to the conversion to digital  
19 television at Milwaukee Area Technical College, and to make the payments  
20 determined by the building commission under s. 13.488 (1) (m) that are attributable  
21 to the proceeds of obligations incurred in financing the acquisition, construction,  
22 development, enlargement or improvement of facilities and equipment related to the  
23 conversion to digital television at Milwaukee Area Technical College.

24           \*~~4424/2.16~~\* \*~~3361/P2.8~~\* SECTION 51. 20.923 (4) (b) 7. of the statutes is  
25 created to read:

1 20.923 (4) (b) 7. Sentencing commission: executive director.

2 \*~~4424/2.17~~\* \*~~3361/P2.9~~\* **SECTION 52.** 20.923 (6) (hr) of the statutes is  
3 created to read:

4 20.923 (6) (hr) Sentencing commission: deputy director.

5 \*~~4439/1.2~~\* **SECTION 53.** 23.0917 (3) (dm) 1. of the statutes, as created by 1999  
6 Wisconsin Act 9, is amended to read:

7 23.0917 (3) (dm) 1. For fiscal year 2000–01, ~~\$28,500,000~~ \$40,000,000.

8 \*~~4439/1.3~~\* **SECTION 54.** 23.0917 (3) (dm) 2. of the statutes, as created by 1999  
9 Wisconsin Act 9, is amended to read:

10 23.0917 (3) (dm) 2. For each fiscal year beginning with 2001–02 and ending  
11 with fiscal year 2009–10, ~~\$34,500,000~~ \$46,000,000.

12 \*~~4439/1.4~~\* **SECTION 55.** 23.0917 (4) (d) 1. of the statutes, as created by 1999  
13 Wisconsin Act 9, is amended to read:

14 23.0917 (4) (d) 1. The department may obligate not more than ~~\$11,500,000~~  
15 \$14,000,000 in each fiscal year under the subprogram except as provided in sub. (5).

16 \*~~4439/1.5~~\* **SECTION 56.** 23.0917 (4) (d) 2. of the statutes, as created by 1999  
17 Wisconsin Act 9, is amended to read:

18 23.0917 (4) (d) 2. The department may obligate not more than ~~\$8,000,000~~  
19 \$9,000,000 in each fiscal year for local assistance.

20 \*~~4439/1.6~~\* **SECTION 57.** 23.0917 (4) (d) 3. of the statutes, as created by 1999  
21 Wisconsin Act 9, is amended to read:

22 23.0917 (4) (d) 3. The department shall obligate at least ~~\$3,500,000~~ \$5,000,000  
23 in each fiscal year for property development.

24 \*~~4424/2.18~~\* \*~~3266/P1.8~~\* **SECTION 58.** 23.33 (13) (cg) of the statutes, as  
25 affected by 1997 Wisconsin Act 283, is amended to read:

1           23.33 (13) (cg) *Penalties related to causing death or injury; interference with*  
2 *signs and standards.* A person who violates sub. (8)(f) 1. ~~shall be fined not more than~~  
3 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony  
4 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another  
5 person.

6           \*~~4424/2.19~~\* \*~~3266/P1.9~~\* SECTION 59. 26.14 (8) of the statutes, as affected  
7 by 1997 Wisconsin Act 283, is amended to read:

8           26.14 (8) Any person who intentionally sets fire to the land of another or to a  
9 marsh ~~shall be fined not more than \$10,000 or imprisoned for not more than 7 years~~  
10 ~~and 6 months or both~~ is guilty of a Class H felony.

11           \*~~4424/2.20~~\* \*~~3266/P1.10~~\* SECTION 60. 29.971 (1) (c) of the statutes, as  
12 affected by 1997 Wisconsin Act 283, is amended to read:

13           29.971 (1) (c) ~~For A person~~ having fish in his or her possession in violation of  
14 this chapter ~~and is guilty of a Class I felony if the value of the fish under par. (d)~~  
15 ~~exceeds \$1,000, by a fine of not more than \$10,000 or imprisonment for not more than~~  
16 ~~3 years or both.~~

17           \*~~4424/2.21~~\* \*~~3266/P1.11~~\* SECTION 61. 29.971 (1m) (c) of the statutes, as  
18 affected by 1997 Wisconsin Act 283, is amended to read:

19           29.971 (1m) (c) ~~For A person~~ possessing clams in violation of s. 29.537, is guilty  
20 of a Class I felony if the value of the clams under par. (d) exceeds \$1,000, ~~by a fine~~  
21 ~~of not more than \$10,000 or imprisonment for not more than 3 years or both.~~

22           \*~~4424/2.22~~\* \*~~3266/P1.12~~\* SECTION 62. 29.971 (11m) (a) of the statutes, as  
23 affected by 1997 Wisconsin Act 283, is amended to read:

24           29.971 (11m) (a) For shooting, shooting at, killing, taking, catching or  
25 possessing a bear without a valid Class A bear license, or for possessing a bear which

1 does not have a carcass tag attached or possessing a bear during the closed season,  
2 by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not  
3 more than 6 months or both for the first violation, or by a fine of not more than ~~\$5,000~~  
4 \$10,000 or imprisonment for not more than ~~2 years~~ 9 months or both for any  
5 subsequent violation, and, in addition, the court shall revoke all hunting approvals  
6 issued to the person under this chapter and shall prohibit the issuance of any new  
7 hunting approval under this chapter to the person for 3 years.

8 ~~\*-4424/2.23\*~~ ~~\*-3266/P1.13\*~~ **SECTION 63.** 29.971 (11p) (a) of the statutes, as  
9 affected by 1997 Wisconsin Act 283, is amended to read:

10 29.971 (11p) (a) For entering the den of a hibernating black bear and harming  
11 the bear, by a fine of not more than \$10,000 or imprisonment for not more than ~~2~~  
12 years 9 months or both.

13 ~~\*-4424/2.24\*~~ ~~\*-3266/P1.14\*~~ **SECTION 64.** 30.80 (2g) (b) of the statutes, as  
14 affected by 1997 Wisconsin Act 283, is amended to read:

15 30.80 (2g) (b) Shall be fined not ~~less than \$300 nor~~ more than ~~\$5,000~~ \$10,000  
16 or imprisoned for not more than ~~2 years~~ 9 months or both if the accident involved  
17 injury to a person but the person did not suffer great bodily harm.

18 ~~\*-4424/2.25\*~~ ~~\*-3266/P1.15\*~~ **SECTION 65.** 30.80 (2g) (c) of the statutes, as  
19 affected by 1997 Wisconsin Act 283, is amended to read:

20 30.80 (2g) (c) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~  
21 ~~than 3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a  
22 person and the person suffered great bodily harm.

23 ~~\*-4424/2.26\*~~ ~~\*-3266/P1.16\*~~ **SECTION 66.** 30.80 (2g) (d) of the statutes, as  
24 affected by 1997 Wisconsin Act 283, is amended to read:

1           30.80 (2g) (d) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~  
2 ~~than 7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved  
3 death to a person.

4           \*~~4424/2.27~~\* \*~~3266/P1.17~~\* SECTION 67. 30.80 (3m) of the statutes, as  
5 affected by 1997 Wisconsin Act 283, is amended to read:

6           30.80 (3m) Any person violating s. 30.547 (1), (3) or (4) ~~shall be fined not more~~  
7 ~~than \$5,000 or imprisoned not more than 7 years and 6 months or both~~ is guilty of  
8 a Class H felony.

9           \*~~4424/2.28~~\* \*~~3266/P1.18~~\* SECTION 68. 36.25 (6) (d) of the statutes, as  
10 affected by 1997 Wisconsin Act 283, is amended to read:

11           36.25 (6) (d) Any officer, agent, clerk or employe of the survey or department  
12 of revenue who makes known to any person except the officers of the survey or  
13 department of revenue, in any manner, any information given to such person in the  
14 discharge of such person's duties under par. (c), which information was given to such  
15 person with the request that it not be made known, ~~upon conviction thereof, shall be~~  
16 ~~fined not less than \$50 nor more than \$500 or imprisoned for not less than one month~~  
17 ~~nor more than 3 years~~ is guilty of a Class I felony. This paragraph shall not prevent  
18 the use for assessment purposes of any information obtained under this subsection.

19           \*~~4445/1.1~~\* SECTION 69. 40.51 (8) of the statutes is amended to read:

20           40.51 (8) Every health care coverage plan offered by the state under sub. (6)  
21 shall comply with ss. 631.89, 631.90, 631.93 (2), 632.72 (2), 632.746 (1) to (8) and (10),  
22 632.747, 632.748, 632.85, 632.853, 632.855, 632.87 (3) to (5), 632.895 (5m) and (8) to  
23 ~~(13)~~ (14) and 632.896.

24           \*~~4445/1.2~~\* SECTION 70. 40.51 (8m) of the statutes is amended to read:

1           40.51 **(8m)** Every health care coverage plan offered by the group insurance  
2 board under sub. (7) shall comply with ss. 632.746 (1) to (8) and (10), 632.747,  
3 632.748, 632.85, 632.853, 632.855 and 632.895 (11) to ~~(13)~~ (14).

4           \*~~4187/3.8~~\* **SECTION 71.** 46.034 (3) of the statutes is amended to read:

5           46.034 **(3)** With the agreement of the affected county board of supervisors in  
6 a county with a single-county department or boards of supervisors in counties with  
7 a multicounty department, effective for the contract period beginning January 1,  
8 1980, the department may approve a county with a single-county department or  
9 counties participating in a multicounty department to administer a single  
10 consolidated aid consisting of the state and federal financial aid available to that  
11 county or those counties from appropriations under s. 20.435 (3) (o) and (7) (b), (ba),  
12 (bb), (kw) and (o) for services provided and purchased by county departments under  
13 ss. 46.215, 46.22, 46.23, 51.42 and 51.437. Under such an agreement, in the interest  
14 of improved service coordination and effectiveness, the county board of supervisors  
15 in a county with a single-county department or county boards of supervisors in  
16 counties with a multicounty department may reallocate among county departments  
17 under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 funds that otherwise would be  
18 specified for use by a single county department. The budget under s. 46.031 (1) shall  
19 be the vehicle for expressing the proposed use of the single consolidated fund by the  
20 county board of supervisors in a county with a single-county department or county  
21 boards of supervisors in counties with a multicounty department. Approval by the  
22 department of this use of the fund shall be in the contract under s. 46.031 (2g).  
23 Counties that were selected by the department to pilot test consolidated aids for  
24 contract periods beginning January 1, 1978, may continue or terminate  
25 consolidation with the agreement of the affected county board of supervisors in a

1 county with a single-county department or county boards of supervisors in counties  
2 with a multicounty department.

3 **\*-4187/3.9\* SECTION 72.** 46.215 (2) (c) 1. of the statutes, as affected by 1999  
4 Wisconsin Act 9, is amended to read:

5 46.215 (2) (c) 1. A county department of social services shall develop, under the  
6 requirements of s. 46.036, plans and contracts for care and services to be purchased,  
7 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department  
8 of health and family services may review the contracts and approve them if they are  
9 consistent with s. 46.036 and if state or federal funds are available for such purposes.  
10 The joint committee on finance may require the department of health and family  
11 services to submit the contracts to the committee for review and approval. The  
12 department of health and family services may not make any payments to a county  
13 for programs included in a contract under review by the committee. The department  
14 of health and family services shall reimburse each county for the contracts from the  
15 appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw) and (o), as  
16 appropriate, under s. 46.495.

17 **\*-4187/3.10\* SECTION 73.** 46.215 (2) (c) 3. of the statutes is amended to read:

18 46.215 (2) (c) 3. A county department of social services shall develop, under the  
19 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related  
20 care and services to be purchased. The department of corrections may review the  
21 contracts and approve them if they are consistent with s. 301.08 (2) and if state or  
22 federal funds are available for such purposes. The joint committee on finance may  
23 require the department of corrections to submit the contracts to the committee for  
24 review and approval. The department of corrections may not make any payments  
25 to a county for programs included in a contract under review by the committee. The



1 department of corrections shall reimburse each county for the contracts from the  
2 appropriations under s. 20.410 (3) (cd), (ce), (cf) and (ko) as appropriate.

3 **\*-4187/3.11\* SECTION 74.** 46.22 (1) (am) of the statutes is amended to read:

4 46.22 (1) (am) *Funding for multicounties.* State social services funding under  
5 s. 20.435 (7) (b), (ba) and (bb) is not available to counties which establish a  
6 multicounty department of social services until the counties have drafted a  
7 contractual agreement, approved by the secretary, setting forth the plans for direct  
8 sponsorship and have drafted a budget under par. (b) 1. d.

9 **\*-4187/3.12\* SECTION 75.** 46.22 (1) (e) 3. a. of the statutes, as affected by 1999  
10 Wisconsin Act 9, is amended to read:

11 46.22 (1) (e) 3. a. A county department of social services shall develop, under  
12 the requirements of s. 46.036, plans and contracts for care and services, except under  
13 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and  
14 family services may review the contracts and approve them if they are consistent  
15 with s. 46.036 and to the extent that state or federal funds are available for such  
16 purposes. The joint committee on finance may require the department of health and  
17 family services to submit the contracts to the committee for review and approval.  
18 The department of health and family services may not make any payments to a  
19 county for programs included in the contract that is under review by the committee.  
20 The department of health and family services shall reimburse each county for the  
21 contracts from the appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw)  
22 and (o) according to s. 46.495.

23 **\*-4187/3.13\* SECTION 76.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

24 46.22 (1) (e) 3. c. A county department of social services shall develop, under  
25 the requirements of s. 301.08 (2), plans and contracts for juvenile

1 delinquency-related care and services to be purchased. The department of  
2 corrections may review the contracts and approve them if they are consistent with  
3 s. 301.08 (2) and to the extent that state or federal funds are available for such  
4 purposes. The joint committee on finance may require the department of corrections  
5 to submit the contracts to the committee for review and approval. The department  
6 of corrections may not make any payments to a county for programs included in the  
7 contract that is under review by the committee. The department of corrections shall  
8 reimburse each county for the contracts from the appropriations under s. 20.410 (3)  
9 (cd), (ce), (cf) and (ko) as appropriate.

10 \*~~4187/3.14~~\* SECTION 77. 46.27 (11) (c) 3. of the statutes, as affected by 1999  
11 Wisconsin Act 9, is amended to read:

12 46.27 (11) (c) 3. Medical assistance reimbursement for services a county, a  
13 private nonprofit agency or an aging unit with which the department contracts  
14 provides under this subsection shall be made from the appropriations under s. 20.435  
15 (4) (o) and (7) (b), (ba), (bb) and (bd).

16 \*~~4187/3.15~~\* SECTION 78. 46.283 (5) of the statutes, as created by 1999  
17 Wisconsin Act 9, is amended to read:

18 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),  
19 (bm) and (pa) and (7) (b), (ba), (bb), (bd) and (md), the department may contract with  
20 organizations that meet standards under sub. (3) for performance of the duties under  
21 sub. (4) and shall distribute funds for services provided by resource centers.

22 \*~~4187/3.16~~\* SECTION 79. 46.284 (5) (a) of the statutes, as created by 1999  
23 Wisconsin Act 9, is amended to read:

24 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g) and  
25 (o) and (7) (b), (ba), (bb) and (bd), the department shall provide funding on a capitated

1 payment basis for the provision of services under this section. Notwithstanding s.  
2 46.036 (3) and (5m), a care management organization that is under contract with the  
3 department may expend the funds, consistent with this section, including providing  
4 payment, on a capitated basis, to providers of services under the family care benefit.

5 \*~~4187/3.17~~\* SECTION 80. 46.40 (1) (a) of the statutes, as affected by 1999  
6 Wisconsin Act 9, is amended to read:

7 46.40 (1) (a) Within the limits of available federal funds and of the  
8 appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw) and (o), the  
9 department shall distribute funds for community social, mental health,  
10 developmental disabilities and alcohol and other drug abuse services and for services  
11 under ss. 46.51, 46.87, 46.985 and 51.421 to county departments under ss. 46.215,  
12 46.22, 46.23, 51.42 and 51.437 and to county aging units, as provided in subs. (2),  
13 (2m) and (7) to (9).

14 \*~~4187/3.18~~\* SECTION 81. 46.40 (2) of the statutes, as affected by 1999  
15 Wisconsin Act 9, is amended to read:

16 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under  
17 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not  
18 more than \$284,978,800 for fiscal year 1999–2000 and \$285,511,800 for fiscal year  
19 2000–01. In addition to distributing the amounts specified in this subsection, the  
20 department shall also distribute in each fiscal year, subject to sub. (9), the amounts  
21 appropriated under s. 20.435 (7) (ba) and (bb) for social services under s. 46.495 (1)  
22 (d) and services under s. 51.423 (2).

23 \*~~4187/3.19~~\* SECTION 82. 46.40 (3) of the statutes is amended to read:

24 46.40 (3) TRIBAL CHILD CARE. For child care services under 42 USC 9858, the  
25 department shall distribute not more than \$412,800 in each fiscal year from the

1 appropriation ~~account~~ accounts under s. 20.435 (7) (b), (ba) and (bb) to federally  
2 recognized American Indian tribes or bands. A tribe or band that receives funding  
3 under this subsection shall use that funding to provide child care for an eligible child,  
4 as defined in 42 USC 9858n (4).

5 **\*-4187/3.20\* SECTION 83.** 46.495 (1) (am) of the statutes is amended to read:

6 46.495 (1) (am) The department shall reimburse each county from the  
7 appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw) and (o) for social  
8 services as approved by the department under ss. 46.215 (1), (2) (c) 1. and (3) and  
9 46.22 (1) (b) 1. d. and (e) 3. a. except that no reimbursement may be made for the  
10 administration of or aid granted under s. 49.02.

11 **\*-4187/3.21\* SECTION 84.** 46.495 (1) (d) of the statutes, as affected by 1999  
12 Wisconsin Act 9, is amended to read:

13 46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), (ba),  
14 (bb), (kw) and (o), the department shall distribute the funding for social services,  
15 including funding for foster care or treatment foster care of a child on whose behalf  
16 aid is received under s. 46.261, to county departments under ss. 46.215, 46.22 and  
17 46.23 as provided under s. 46.40. County matching funds are required for the  
18 distributions under s. 46.40 (2), (8) and (9) (b). Each county's required match for the  
19 distributions under s. 46.40 (2) and (8) for a year equals 9.89% of the total of the  
20 county's distributions under s. 46.40 (2) and (8) for that year for which matching  
21 funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985  
22 stats., to spend for juvenile delinquency-related services from its distribution for  
23 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a  
24 year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for  
25 that year. Matching funds may be from county tax levies, federal and state revenue