

1 Class H felony, except that, notwithstanding the maximum fine specified in s. 939.50
2 (3) (h), the person may be fined not more than \$25,000 ~~or imprisoned for not more~~
3 ~~than 7 years and 6 months or both.~~

4 *~~4424/2.48~~* *~~3266/P1.31~~* SECTION 112. 49.49 (3) of the statutes, as affected
5 by 1997 Wisconsin Act 283, is amended to read:

6 49.49 (3) FRAUDULENT CERTIFICATION OF FACILITIES. No person may knowingly
7 and wilfully make or cause to be made, or induce or seek to induce the making of, any
8 false statement or representation of a material fact with respect to the conditions or
9 operation of any institution or facility in order that such institution or facility may
10 qualify either upon initial certification or upon recertification as a hospital, skilled
11 nursing facility, intermediate care facility, or home health agency. ~~Violators of A~~
12 person who violates this subsection is guilty of a Class H felony, except that,
13 notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be
14 fined not more than \$25,000 ~~or imprisoned for not more than 7 years and 6 months~~
15 ~~or both.~~

16 *~~4424/2.49~~* *~~3266/P1.32~~* SECTION 113. 49.49 (3m) (b) of the statutes, as
17 affected by 1997 Wisconsin Act 283, is amended to read:

18 49.49 (3m) (b) A person who violates this subsection is guilty of a Class H
19 felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),
20 the person may be fined not more than \$25,000 ~~or imprisoned for not more than 7~~
21 ~~years and 6 months or both.~~

22 *~~4424/2.50~~* *~~3266/P1.33~~* SECTION 114. 49.49 (4) (b) of the statutes, as
23 affected by 1997 Wisconsin Act 283, is amended to read:

24 49.49 (4) (b) A person who violates this subsection is guilty of a Class H felony,
25 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the

1 ~~person may be fined not more than \$25,000 or imprisoned for not more than 7 years~~
2 ~~and 6 months or both.~~

3 *~~4422/2.3~~* SECTION 115. 49.688 of the statutes is created to read:

4 **49.688 Prescription drug assistance for elderly persons.** (1) In this
5 section:

6 (a) “Brand name” has the meaning given in s. 450.12 (1) (a).

7 (b) “Generic name” has the meaning given in s. 450.12 (1) (b).

8 (c) “Gross income” means all income, from whatever source derived and in
9 whatever form realized, whether in money, property or services.

10 (d) “Prescription drug” has the meaning given in s. 450.01 (20).

11 (2) From the appropriations under s. 20.435 (4) (bv) and (j), beginning April 1,
12 2001, the department shall reimburse pharmacists for the provision of up to \$10,000
13 per year of prescription drugs that correspond to those prescription drugs for which
14 reimbursement is made under s. 49.46 (2) (b) 6. h. and for which the manufacturer
15 has entered into a rebate agreement with the department under sub. (5), to a person
16 who meets criteria for eligibility under sub. (3). The department is the payer of last
17 resort for coverage for prescription drugs under this subsection. The payment rate
18 for provider reimbursement shall be the allowable charges paid under s. 49.46 (2) (b)
19 6. h. for prescription drugs. The department shall maintain, or contract for the
20 maintenance of, a toll-free telephone number at department headquarters to
21 provide information about participation in the program under this subsection.

22 (3) (a) An individual is eligible for participation in the program under sub. (2)
23 if the individual meets all of the following requirements:

1 1. The individual is at least 65 years of age, is a resident, as defined in s. 27.01
2 (10) (a), of this state and is ineligible for medical assistance under s. 49.46, 49.465,
3 49.468 or 49.47.

4 2. If single, the individual's gross income does not exceed \$50,000 or, if married,
5 the couple's gross income does not exceed \$75,000. These limitations shall be
6 annually adjusted as specified in sub. (4).

7 (b) Program participants shall pay all of the following:

8 1. Twenty-five percent of the allowable charge paid under s. 49.46 (2) (b) 6. h.
9 for each prescription drug provided under the program.

10 2. A copayment of \$5 for each prescription drug provided under the program
11 that bears only a generic name.

12 3. A copayment of \$10 for each prescription drug provided under the program
13 that bears a brand name.

14 (c) No program participant may be required to demonstrate that he or she has
15 no disability insurance policy, as defined in s. 632.895 (1) (a).

16 (4) Beginning by January 1, 2002, the department shall annually by January
17 1 increase the dollar amounts specified under sub. (3) (a) 2. by a percentage equal to
18 the percentage change between the U.S. consumer price index for all urban
19 consumers, U.S. city average, for the month of December of the previous year and the
20 U.S. consumer price index for all urban consumers, U.S. city average, for the month
21 of December of the year before the previous year, as determined by the federal
22 department of labor.

23 (5) A drug manufacturer that sells drugs for prescribed use in this state shall,
24 as a condition of inclusion of those drugs in the program under this section, enter
25 with the department into a rebate agreement that is modeled on the rebate

1 agreement specified under 42 USC 1396r-8. The rebate agreement shall include all
2 of the following as requirements:

3 (a) That the manufacturer shall make rebate payments to the department each
4 calendar quarter or according to a schedule established by the department.

5 (b) That the amount of the rebate payment shall be determined by the method
6 specified in 42 USC 1396r-8 (c).

7 *~~4424/2.51~~ *~~3266/P1.34~~ **SECTION 116.** 49.95 (1) of the statutes, as affected
8 by 1997 Wisconsin Act 283, is renumbered 49.95 (1) (intro.) and amended to read:

9 49.95 (1) (intro.) Any person who, with intent to secure public assistance under
10 this chapter, whether for himself or herself or for some other person, wilfully makes
11 any false representations ~~may, if~~ is subject to the following penalties:

12 (a) If the value of the assistance so secured does not exceed \$300, the person
13 may be required to forfeit not more than \$1,000; if,

14 (b) If the value of the assistance exceeds \$300 but does not exceed \$1,000, the
15 person may be fined not more than \$250 or imprisoned for not more than 6 months
16 or both; if,

17 (c) If the value of the assistance exceeds \$1,000 but does not exceed \$2,500,
18 \$2,000, the person may be fined not more than \$500 \$10,000 or imprisoned for not
19 more than 7 years and 6 9 months or both; and if,

20 (d) If the value of the assistance exceeds \$2,500, be punished as prescribed
21 under s. 943.20 (3) (e) \$2,000 but does not exceed \$5,000, the person is guilty of a
22 Class I felony.

23 *~~4424/2.52~~ **SECTION 117.** 49.95 (1) (e) and (f) of the statutes are created to
24 read:

1 49.95 (1) (e) If the value of the assistance exceeds \$5,000 but does not exceed
2 \$10,000, the person is guilty of a Class H felony.

3 (f) If the value of the assistance exceeds \$10,000, the person is guilty of a Class
4 G felony.

5 *~~4424/2.53~~* *~~3266/P1.35~~* SECTION 118. 51.15 (12) of the statutes, as
6 affected by 1997 Wisconsin Act 283, is amended to read:

7 51.15 (12) PENALTY. Whoever signs a statement under sub. (4), (5) or (10)
8 knowing the information contained therein to be false ~~may be fined not more than~~
9 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
10 Class H felony.

11 *~~4187/4.29~~* SECTION 119. 51.423 (1) of the statutes is amended to read:

12 51.423 (1) The department shall fund, within the limits of the department's
13 allocation for mental health services under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw)
14 and (o) and subject to this section, services for mental illness, developmental
15 disability, alcoholism and drug abuse to meet standards of service quality and
16 accessibility. The department's primary responsibility is to guarantee that county
17 departments established under either s. 51.42 or 51.437 receive a reasonably
18 uniform minimum level of funding and its secondary responsibility is to fund
19 programs which meet exceptional community needs or provide specialized or
20 innovative services. Moneys appropriated under s. 20.435 (7) (b), (ba) and (bb) and
21 earmarked by the department for mental health services under s. 20.435 (7) (o) shall
22 be allocated by the department to county departments under s. 51.42 or 51.437 in the
23 manner set forth in this section.

24 *~~4187/4.30~~* SECTION 120. 51.423 (2) of the statutes, as affected by 1999
25 Wisconsin Act 9, is amended to read:

1 51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb),
2 (kw) and (o), the department shall distribute the funding for services provided or
3 purchased by county departments under s. 46.23, 51.42 or 51.437 to such county
4 departments as provided under s. 46.40. County matching funds are required for the
5 distributions under s. 46.40 (2), (2g) and (9) (b). Each county's required match for the
6 distributions under s. 46.40 (2) and (2g) for a year equals 9.89% of the total of the
7 county's distributions under s. 46.40 (2) and (2g) for that year for which matching
8 funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985
9 stats., to spend for juvenile delinquency-related services from its distribution for
10 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a
11 year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for
12 that year. Matching funds may be from county tax levies, federal and state revenue
13 sharing funds or private donations to the counties that meet the requirements
14 specified in sub. (5). Private donations may not exceed 25% of the total county match.
15 If the county match is less than the amount required to generate the full amount of
16 state and federal funds distributed for this period, the decrease in the amount of state
17 and federal funds equals the difference between the required and the actual amount
18 of county matching funds.

19 *~~4187/4.31~~* **SECTION 121.** 51.423 (4) of the statutes is amended to read:

20 51.423 (4) The department shall prorate the amount allocated to any county
21 department under sub. (2) to reflect actual federal funds available and the amount
22 from the appropriation under s. 20.435 (7) (bb) available.

23 *~~4187/4.32~~* **SECTION 122.** 51.423 (9) of the statutes is amended to read:

24 51.423 (9) If the funds appropriated under s. 20.435 (7) (b), (ba) and (bb) for any
25 fiscal year are insufficient to provide county departments with the sums calculated

1 under subs. (1) to (7), the appropriation shall be allocated among county departments
2 in proportion to the sums they would receive under subs. (1) to (7).

3 ~~*-4424/2.54*~~ ~~*-3266/P1.36*~~ **SECTION 123.** 55.06 (11) (am) of the statutes, as
4 affected by 1997 Wisconsin Act 283, is amended to read:

5 55.06 (11) (am) Whoever signs a statement under par. (a) knowing the
6 information contained therein to be false ~~may be fined not more than \$5,000 or~~
7 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
8 felony.

9 ~~*-4421/1.3*~~ **SECTION 124.** 59.25 (3) (rm) of the statutes is created to read:

10 59.25 (3) (rm) If the treasurer's county receives national forest income,
11 distribute the income to the towns in the county in which national forest lands are
12 situated, with each town to receive such proportion of the income as the area of
13 national forest lands in the town bears to the area of the national forest lands in the
14 entire county. Fifty percent of the amount received by any town shall be expended
15 by the town exclusively for the benefit of roads therein.

16 ~~*-4441/1.3*~~ **SECTION 125.** 60.23 (24) of the statutes is amended to read:

17 60.23 (24) CABLE TELEVISION. Enact and enforce an ordinance, and provide
18 forfeitures for a violation of that ordinance, that is similar to s. ~~100.209~~ 134.42, or
19 that gives a cable service subscriber greater rights than the rights under s. ~~100.209~~
20 134.42 (2).

21 ~~*-4445/1.3*~~ **SECTION 126.** 60.23 (25) of the statutes is amended to read:

22 60.23 (25) SELF-INSURED HEALTH PLANS. Provide health care benefits to its
23 officers and employes on a self-insured basis if the self-insured plan complies with
24 ss. 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85,
25 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) and (11) to ~~(13)~~ (14) and 632.896.

1 *~~4445/1.4~~* **SECTION 127.** 66.184 of the statutes, as affected by 1999 Wisconsin
2 Act 9, is amended to read:

3 **66.184 Self-insured health plans.** If a city, including a 1st class city, or a
4 village provides health care benefits under its home rule power, or if a town provides
5 health care benefits, to its officers and employes on a self-insured basis, the
6 self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
7 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5),
8 632.895 (9) to ~~(13)~~ (14), 632.896 and 767.25 (4m) (d).

9 *~~4424/2.55~~* *~~3266/P1.37~~* **SECTION 128.** 66.4025 (1) (b) of the statutes, as
10 affected by 1997 Wisconsin Act 283, is amended to read:

11 66.4025 (1) (b) Any person who secures or assists in securing dwelling
12 accommodations under s. 66.402 by intentionally making false representations in
13 order to receive at least \$2,500 but not more than \$25,000 in financial assistance for
14 which the person would not otherwise be entitled ~~shall be fined not more than~~
15 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

16 *~~4424/2.56~~* *~~3266/P1.38~~* **SECTION 129.** 66.4025 (1) (c) of the statutes, as
17 affected by 1997 Wisconsin Act 283, is amended to read:

18 66.4025 (1) (c) Any person who secures or assists in securing dwelling
19 accommodations under s. 66.402 by intentionally making false representations in
20 order to receive more than \$25,000 in financial assistance for which the person would
21 not otherwise be entitled ~~shall be fined not more than \$10,000 or imprisoned for not~~
22 ~~more than 7 years and 6 months or both~~ is guilty of a Class H felony.

23 *~~4424/2.57~~* *~~3266/P1.39~~* **SECTION 130.** 69.24 (1) (intro.) of the statutes, as
24 affected by 1997 Wisconsin Act 283, is amended to read:

1 69.24 (1) (intro.) Any person who does any of the following ~~shall be fined not~~
2 ~~more than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class
3 I felony:

4 *~~4424/2.58~~* *~~3266/P1.40~~* SECTION 131. 70.47 (18) (a) of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

6 70.47 (18) (a) Whoever with intent to injure or defraud alters, damages,
7 removes or conceals any of the items specified under subs. (8) (f) and (17) ~~may be fined~~
8 ~~not more than \$1,000 or imprisoned for not more than 3 years or both~~ is guilty of a
9 Class I felony.

10 *~~4430/1.1~~* SECTION 132. 71.07 (9) (b) 4. of the statutes, as created by 1999
11 Wisconsin Act 10, is amended to read:

12 71.07 (9) (b) 4. For taxable years beginning after December 31, 1998 and before
13 January 1, 2000, subject to the limitations under this subsection a claimant may
14 claim as a credit against, but not to exceed the amount of, taxes under s. 71.02, 8.4%
15 of the first \$0 of property taxes or rent constituting property taxes, or 8.4% of the first
16 \$0 of property taxes or rent constituting property taxes of a married person filing
17 separately.

18 *~~4424/2.59~~* *~~3266/P1.41~~* SECTION 133. 71.83 (2) (b) of the statutes, as
19 affected by 1997 Wisconsin Act 283, is amended to read:

20 71.83 (2) (b) *Felony*. 1. 'False income tax return; fraud.' Any person, other than
21 a corporation or limited liability company, who renders a false or fraudulent income
22 tax return with intent to defeat or evade any assessment required by this chapter
23 ~~shall be~~ is guilty of a Class H felony and may be fined not more than \$10,000 or
24 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~
25 the cost of prosecution. In this subdivision, "return" includes a separate return filed

1 by a spouse with respect to a taxable year for which a joint return is filed under s.
2 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by
3 the spouses with respect to a taxable year for which a separate return is filed under
4 s. 71.03 (2) (m) after the filing of that joint return.

5 2. 'Officer of a corporation; false franchise or income tax return.' Any officer
6 of a corporation or manager of a limited liability company required by law to make,
7 render, sign or verify any franchise or income tax return, who makes any false or
8 fraudulent franchise or income tax return, with intent to defeat or evade any
9 assessment required by this chapter ~~shall be~~ is guilty of a Class H felony and may
10 ~~be fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~
11 ~~or both, together with~~ assessed the cost of prosecution.

12 3. 'Evasion.' Any person who removes, deposits or conceals or aids in removing,
13 depositing or concealing any property upon which a levy is authorized with intent
14 to evade or defeat the assessment or collection of any tax administered by the
15 department is guilty of a Class I felony and may be ~~fined not more than \$5,000 or~~
16 ~~imprisoned for not more than 4 years and 6 months or both, together with~~ assessed
17 the costs cost of prosecution.

18 4. 'Fraudulent claim for credit.' The A claimant who ~~filed~~ files a claim for credit
19 under s. 71.07, 71.28 or 71.47 or subch. VIII or IX that is false or excessive and ~~was~~
20 ~~filed with fraudulent intent and any person who assisted,~~ with fraudulent intent,
21 assists in the preparation or filing of the false or excessive claim or supplied
22 information upon which the false or excessive claim was prepared, ~~with fraudulent~~
23 ~~intent,~~ is guilty of a Class H felony and may be ~~fined not more than \$10,000 or~~
24 ~~imprisoned for not more than 7 years and 6 months or both, together with~~ assessed
25 the cost of prosecution.

1 *~~4187/4.33~~* SECTION 134. 79.01 (1) of the statutes, as affected by 1999
2 Wisconsin Act 9, is amended to read:

3 79.01 (1) There is established an account in the general fund entitled the
4 “Expenditure Restraint Program Account”. There shall be appropriated to that
5 account \$25,000,000 in 1991, in 1992 and in 1993, \$42,000,000 in 1994, \$48,000,000
6 in each year beginning in 1995 and ending in 1999 and \$57,000,000 in the year 2000
7 ~~and in each year thereafter.~~ Beginning in 2001, the amount appropriated under this
8 subsection is equal to the amount appropriated under this subsection in the previous
9 year, adjusted by a percentage that is equal to the percentage change between the
10 U.S. consumer price index for all urban consumers, U.S. city average, for the
11 12-month period ending on June 30 of the previous year and the U.S. consumer price
12 index for all urban consumers, U.S. city average, for the 12-month period ending on
13 June 30 of the year before the previous year, as determined by the federal
14 department of labor. Beginning in 2001, the amount appropriated under this
15 subsection shall be rounded to the nearest multiple of \$100.

16 *~~4187/4.34~~* SECTION 135. 79.03 (3c) (f) of the statutes, as affected by 1999
17 Wisconsin Act 9, is amended to read:

18 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
19 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
20 paid to each eligible municipality shall be paid on a prorated basis. The total amount
21 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
22 in 1996 and ending in 1999 and \$11,000,000 in the year 2000 ~~and in each year~~
23 ~~thereafter.~~ Beginning in 2001, the amount to be distributed under this subsection
24 from s. 20.835 (1) (b) is equal to the amount distributed under this subsection in the
25 previous year, adjusted by a percentage that is equal to the percentage change

1 between the U.S. consumer price index for all urban consumers, U.S. city average,
2 for the 12-month period ending on June 30 of the previous year and the U.S.
3 consumer price index for all urban consumers, U.S. city average, for the 12-month
4 period ending on June 30 of the year before the previous year, as determined by the
5 federal department of labor. Beginning in 2001, the amount to be distributed under
6 this subsection from s. 20.835 (1) (b) shall be rounded to the nearest multiple of \$100.

7 *~~4187/4.35~~* **SECTION 136.** 79.03 (4) of the statutes is amended to read:

8 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04 and
9 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
10 distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
11 In 1993, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s.
12 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
13 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
14 municipalities and \$168,981,800 to counties. In 1995 and subsequent years, the
15 total amounts to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1)
16 (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. Beginning in
17 2001, the amounts to be distributed to municipalities and counties under ss. 79.03,
18 79.04 and 79.06 from s. 20.835 (1) (d) are equal to the amounts distributed to
19 municipalities and counties under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) in
20 the previous year, adjusted by a percentage that is equal to the percentage change
21 between the U.S. consumer price index for all urban consumers, U.S. city average,
22 for the 12-month period ending on June 30 of the previous year and the U.S.
23 consumer price index for all urban consumers, U.S. city average, for the 12-month
24 period ending on June 30 of the year before the previous year, as determined by the
25 federal department of labor. Beginning in 2001, the amounts to be distributed to

1 municipalities and counties under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d)
2 shall be rounded to the nearest multiple of \$100.

3 *~~4187/4.36~~* **SECTION 137.** 79.058 (3) (c) of the statutes, as created by 1999
4 Wisconsin Act 9, is amended to read:

5 79.058 (3) (c) In the year 2000 ~~and subsequent years~~, \$20,763,800.

6 *~~4187/4.37~~* **SECTION 138.** 79.058 (3) (d) of the statutes is created to read:

7 79.058 (3) (d) In 2001 and subsequent years, an amount that is equal to the
8 amount distributed under sub. (1) from s. 20.835 (1) (f) in the previous year, adjusted
9 by a percentage that is equal to the percentage change between the U.S. consumer
10 price index for all urban consumers, U.S. city average, for the 12-month period
11 ending on June 30 of the previous year and the U.S. consumer price index for all
12 urban consumers, U.S. city average, for the 12-month period ending on June 30 of
13 the year before the previous year, as determined by the federal department of labor.
14 Beginning in 2001, the amount to be distributed under sub. (1) from s. 20.835 (1) (f)
15 shall be rounded to the nearest multiple of \$100.

16 *~~4423/2.10~~* **SECTION 139.** 79.13 (2) (a) of the statutes, as affected by 1999
17 Wisconsin Act 9, is amended to read:

18 79.13 (2) (a) In the 2000–01 fiscal year, the amount that is estimated to be
19 expended from the appropriation under s. 20.835 (2) (~~g~~) (dn) is \$15,000,000, plus the
20 amount that is estimated to be expended from the appropriation under s. 20.835 (2)
21 (dn) in the previous fiscal year and less the actual amount that is expended from the
22 appropriation under s. 20.835 (2) (dn) in the previous fiscal year.

23 *~~4423/2.11~~* **SECTION 140.** 79.13 (2) (b) of the statutes, as created by 1999
24 Wisconsin Act 9, is amended to read:

1 79.13 (2) (b) In the 2001-02 fiscal year, ~~and in each fiscal year thereafter~~, the
2 amount that is estimated to be expended from the appropriation under s. 20.835 (2)
3 (q) is \$15,000,000, plus the amount that is estimated to be expended from the
4 appropriation under s. 20.835 (2) ~~(q)~~ (dn) in the previous fiscal year and less the
5 actual amount that is expended from the appropriation under s. 20.835 (2) ~~(q)~~ (dn)
6 in the previous fiscal year.

7 *~~4423/2.12~~* SECTION 141. 79.13 (2) (c) of the statutes is created to read:

8 79.13 (2) (c) In the 2002-03 fiscal year, and in each fiscal year thereafter, the
9 amount that is estimated to be expended from the appropriation under s. 20.835 (2)
10 (q) is \$15,000,000, plus the amount that is estimated to be expended from the
11 appropriation under s. 20.835 (2) (q) in the previous fiscal year and less the actual
12 amount that is expended from the appropriation under s. 20.835 (2) (q) in the
13 previous fiscal year.

14 *~~4424/2.60~~* *~~3266/P1.42~~* SECTION 142. 86.192 (4) of the statutes is
15 amended to read:

16 86.192 (4) Any person who violates this section ~~shall be fined not more than~~
17 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony
18 if the injury, defacement or removal causes the death of a person.

19 *~~4424/2.61~~* *~~3266/P1.43~~* SECTION 143. 97.43 (4) of the statutes, as affected
20 by 1997 Wisconsin Act 283, is amended to read:

21 97.43 (4) Whoever violates this section ~~may be fined not less than \$500 nor~~
22 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is
23 guilty of a Class H felony.

24 *~~4424/2.62~~* *~~3266/P1.44~~* SECTION 144. 97.45 (2) of the statutes, as affected
25 by 1997 Wisconsin Act 283, is amended to read:

1 97.45 (2) Whoever violates this section ~~may be fined not less than \$500 nor~~
2 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~
3 guilty of a Class H felony.

as affected by 1999 Wisconsin Act
... (this act),

4 *~~4441/1.4~~* SECTION 145. 100.171 of the statutes is renumbered 134.74, and
5 134.74 (7) (b) and (8) (intro.), as renumbered, are amended to read:

6 134.74 (7) (b) Whoever intentionally violates this section ~~may be fined not more~~
7 ~~than \$10,000 or imprisoned for not more than 3 years or both.~~ A person intentionally
8 violates this section if the violation occurs after the department of justice or a district
9 attorney has notified the person by certified mail that the person is in violation of this
10 section.

plain text
is guilty of a class I felony

11 (8) ENFORCEMENT. (intro.) The department of justice shall investigate
12 violations of this section. The department of justice or any district attorney may on
13 behalf of the state:

14 *~~4424/2.63~~* *~~3266/P1.45~~* SECTION 146. 100.171 (7) (b) of the statutes is
15 amended to read:

16 100.171 (7) (b) Whoever intentionally violates this section ~~may be fined not~~
17 ~~more than \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class~~
18 I felony. A person intentionally violates this section if the violation occurs after the
19 department or a district attorney has notified the person by certified mail that the
20 person is in violation of this section.

21 *~~4441/1.5~~* SECTION 147. 100.173 of the statutes is renumbered 134.22, and
22 134.22 (4) (intro.) and (a), as renumbered, are amended to read:

23 134.22 (4) (intro.) The department of justice shall investigate violations of this
24 section. The department of justice, or any district attorney upon informing the
25 department, may, on behalf of the state, do any of the following:

1 (a) Bring an action for temporary or permanent injunctive relief in any court
2 of competent jurisdiction for any violation of this section. The relief sought by the
3 department of justice or district attorney may include the payment by a promoter
4 into an escrow account of an amount estimated to be sufficient to pay for ticket
5 refunds. The court may, upon entry of final judgment, award restitution when
6 appropriate to any person suffering loss because of violations of this section if proof
7 of such loss is submitted to the satisfaction of the court.

8 *~~4441/1.6~~* **SECTION 148.** 100.174 of the statutes is renumbered 134.83, and
9 134.83 (5) (intro.) and (6), as renumbered, are amended to read:

10 134.83 (5) (intro.) The department of justice or any district attorney may on
11 behalf of the state:

12 (6) The department of justice and the department of agriculture, trade and
13 consumer protection shall investigate cooperate in the investigation of violations of
14 and enforce in the enforcement of this section.

15 *~~4441/1.7~~* **SECTION 149.** 100.175 of the statutes is renumbered 134.68, and
16 134.68 (5) (a) (intro.) and (b) and (7) (a) (intro.) and (b), as amended, are amended to
17 read:

18 134.68 (5) (a) (intro.) No person may collect or by contract require a buyer to
19 pay more than \$100 for dating services before the buyer receives or has the
20 opportunity to receive those services unless the person selling dating services
21 establishes proof of financial responsibility by maintaining any of the following
22 commitments approved by the department of justice in an amount not less than
23 \$25,000:

24 (b) The commitment described in par. (a) shall be established in favor of or made
25 payable to the state, for the benefit of any buyer who does not receive a refund under

1 the contractual provision described in sub. (3). The person selling dating services
2 shall file with the department of justice any agreement, instrument or other
3 document necessary to enforce the commitment against the person selling dating
4 services or any relevant 3rd party, or both.

5 (7) (a) (intro.) The department of justice or any district attorney may on behalf
6 of the state:

7 (b) The department of justice may bring an action in circuit court to recover on
8 a financial commitment maintained under sub. (5) against a person selling dating
9 services or relevant 3rd party, or both, on behalf of any buyer who does not receive
10 a refund due under the contractual provision described in sub. (3).

11 *~~4441/1.8~~* **SECTION 150.** 100.177 of the statutes is renumbered 134.70, and
12 134.70 (13) (b) 1. (intro.), 2. and 3. and (15) (a) (intro.) and (am), as renumbered, are
13 amended to read:

14 134.70 (13) (b) 1. (intro.) Except as provided in subd. 3., a center may establish
15 proof of financial responsibility required under par. (a) by maintaining an
16 established escrow account approved by the department of justice for all amounts
17 received from buyers in advance of the receipt of services or by maintaining any of
18 the following commitments approved by the department of justice in an amount not
19 less than \$25,000, subject to subd. 2.:

20 2. The commitment described in subd. 1. shall be established in favor of or made
21 payable to the state, for the benefit of any buyer who does not receive a refund under
22 sub. (11) (a). The center shall file with the department of justice any agreement,
23 instrument or other document necessary to enforce the commitment against the
24 center or any relevant 3rd party, or both.

1 3. For 6 or more weight reduction centers owned or operated under the same
2 trade name, the amount of the financial commitment under pars. (a) and (b) for those
3 weight reduction centers is not required to exceed a total of \$150,000. For a weight
4 reduction center that submits to the department of justice evidence satisfactory to
5 the department that the weight reduction center collected a total of \$50,000 or more
6 but less than \$100,000 from buyers of its center services in the previous calendar
7 year, the amount of the financial commitment under pars. (a) and (b) is not required
8 to exceed \$10,000. For a weight reduction center that submits to the department of
9 justice evidence satisfactory to the department that the weight reduction center
10 collected less than a total of \$50,000 from buyers of its center services in the previous
11 calendar year, the amount of the financial commitment under pars. (a) and (b) is not
12 required to exceed \$5,000.

13 **(15)** (a) (intro.) The department of justice and the department of agriculture,
14 trade and consumer protection shall cooperatively investigate violations of this
15 section or s. 100.178 (2) or (4). The department of justice may on behalf of the state:

16 (am) The department of justice may bring an action in circuit court to recover
17 on a financial commitment maintained under sub. (13) against a center or relevant
18 3rd party, or both, on behalf of any buyer who does not receive a refund due under
19 sub. (11) (a).

20 *~~4441/1.9~~* **SECTION 151.** 100.178 (1) (c) of the statutes is amended to read:

21 100.178 (1) (c) "Fitness center" has the meaning given under s. ~~100.177~~ 134.70
22 (1) (c).

23 *~~4441/1.10~~* **SECTION 152.** 100.178 (4) of the statutes is amended to read:

24 100.178 (4) A fitness center shall post a notice or notices on its premises stating
25 the requirements of sub. (2) and the penalty for a violation of sub. (2) under s. ~~100.177~~

1 134.70 (15) (a). The notice shall comply with the rules promulgated by the
2 department under sub. (5) (d).

3 *~~4441/1.11~~* **SECTION 153.** 100.178 (7) of the statutes is amended to read:

4 100.178 (7) A violation of sub. (2) or (4) is subject to s. ~~100.177~~ 134.70 (15) (a).
5 This subsection or s. ~~100.177~~ 134.70 (15) (a) does not preclude a person injured as a
6 result of a violation of this section from pursuing any other available equitable or
7 legal relief.

8 *~~4441/1.12~~* **SECTION 154.** 100.18 (8) of the statutes is amended to read:

9 100.18 (8) Every wholesaler and every other person selling or distributing
10 motor fuel in this state shall keep posted in a conspicuous place, most accessible to
11 the public at his or her place of business, and on every pump from which delivery is
12 made directly into the fuel tank attached to a motor vehicle, a placard showing the
13 net selling price per gallon of all grades of motor fuel and the amount of all taxes per
14 gallon thereon. On pumps or other dispensing equipment from which motor fuel is
15 sold and delivered directly into fuel supply tanks attached to motor vehicles, such
16 posting shall be in figures not less than one inch high, except that no such placard
17 shall be required on a computer pump whereon the total net selling price per gallon
18 including all taxes is legibly shown on its face. Except for sales to drivers of motor
19 vehicles used by physically disabled persons under s. ~~100.51~~ 134.85 (5), all sales shall
20 be made at the posted price. Delivery slips shall also show the net selling price per
21 gallon of all grades of motor fuel and the amount of all taxes per gallon thereon. If
22 the wholesaler or person has more than one place of business in this state, the
23 wholesaler or person shall post that placard at all of his or her places of business.
24 All prices posted shall remain in effect for at least 24 hours after they are posted.
25 It shall be considered deceptive advertising to advertise or represent in any manner

1 the price of motor fuel offered for sale at retail to be less than the price so posted on
2 each pump.

3 *~~4441/1.13~~* SECTION 155. 100.18 (11) (b) 1. of the statutes is created to read:

4 100.18 (11) (b) 1. The department of agriculture, trade and consumer
5 protection may request that the department of justice commence an action to enjoin
6 a violation of this section. If the department of agriculture, trade and consumer
7 protection so requests, the department of justice shall proceed with the requested
8 action within a reasonable period of time or provide the department of agriculture,
9 trade and consumer protection with a brief statement of its reasons for not
10 proceeding. The department of justice shall further provide the department of
11 agriculture, trade and consumer protection with periodic summaries of all activity
12 under this section.

13 *~~4441/1.14~~* SECTION 156. 100.18 (11) (d) of the statutes is amended to read:

14 100.18 (11) (d) The department or the department of justice, ~~after consulting~~
15 ~~with the department~~, or any district attorney, upon informing the department of
16 justice, may commence an action in circuit court in the name of the state to restrain
17 by temporary or permanent injunction any violation of this section. The court may
18 in its discretion, prior to entry of final judgment, make such orders or judgments as
19 may be necessary to restore to any person any pecuniary loss suffered because of the
20 acts or practices involved in the action, provided proof thereof is submitted to the
21 satisfaction of the court. The department ~~and the department~~ of justice may
22 subpoena persons and require the production of books and other documents, and the
23 department of justice may request the department of agriculture, trade and
24 consumer protection to exercise its authority under par. (c) to aid in the investigation
25 of alleged violations of this section.

1 *~~4441/1.15~~* SECTION 157. 100.182 (5) (a) of the statutes is amended to read:

2 100.182 (5) (a) Any district attorney, after informing the department of justice,
3 or the department of agriculture, trade and consumer protection or the department
4 of justice may seek a temporary or permanent injunction in circuit court to restrain
5 any violation of this section. Prior to entering a final judgment the court may award
6 damages to any person suffering monetary loss because of a violation. The
7 department of justice may subpoena any person or require the production of any
8 document to aid in investigating alleged violations of this section.

9 *~~4441/1.16~~* SECTION 158. 100.182 (5) (b) of the statutes is amended to read:

10 100.182 (5) (b) In lieu of instituting or continuing an action under this
11 subsection, the department or the department of justice may accept a written
12 assurance from a violator of this section that the violation has ceased. If the terms
13 of the assurance so provide, its acceptance by ~~the~~ either department prevents the
14 other department and all district attorneys from prosecuting the violation. An
15 assurance is not evidence of a violation of this section but violation of an assurance
16 is subject to the penalties and remedies of violating this section.

17 *~~4441/1.17~~* SECTION 159. 100.205 of the statutes is renumbered 134.178, and
18 134.178 (7) and (8), as renumbered, are amended to read:

19 134.178 (7) The department of justice, or any district attorney on informing the
20 department of justice, may commence an action in circuit court in the name of the
21 state to restrain by temporary or permanent injunction any violation of this section.
22 The court may, before entry of final judgment and after satisfactory proof, make
23 orders or judgments necessary to restore to any person any pecuniary loss suffered
24 because of a violation of this section. The department of justice may conduct

1 hearings, administer oaths, issue subpoenas and take testimony to aid in its
2 investigation of violations of this section.

3 (8) The department of justice or any district attorney may commence an action
4 in the name of the state to recover a forfeiture to the state of not more than \$10,000
5 for each violation of this section.

6 *~~4441/1.18~~* SECTION 160. 100.206 of the statutes is renumbered 134.24, and
7 134.24 (2) (a) (intro.), as renumbered, is amended to read:

8 134.24 (2) (a) (intro.) File annually for public inspection with the department
9 of justice all of the following:

10 *~~4441/1.19~~* SECTION 161. 100.207 (title) and (1) to (5) of the statutes are
11 renumbered 134.179 (title) and (1) to (5).

12 *~~4441/1.20~~* SECTION 162. 100.207 (6) (b), (c), (e) and (f) of the statutes are
13 renumbered 134.179 (6) (b), (c), (e) and (f), and 134.179 (6) (b) 1. and 2., (c) and (e),
14 as renumbered, are amended to read:

15 134.179 (6) (b) 1. The department of justice, ~~after consulting with~~ on its own
16 initiative or at the request of the department of agriculture, trade and consumer
17 protection, or any district attorney upon informing the department of ~~agriculture,~~
18 ~~trade and consumer protection~~ justice, may commence an action in circuit court in
19 the name of the state to restrain by temporary or permanent injunction any violation
20 of this section. Injunctive relief may include an order directing telecommunications
21 providers, as defined in s. 196.01 (8p), to discontinue telecommunications service
22 provided to a person violating this section or ch. 196. Before entry of final judgment,
23 the court may make such orders or judgments as may be necessary to restore to any
24 person any pecuniary loss suffered because of the acts or practices involved in the
25 action if proof of these acts or practices is submitted to the satisfaction of the court.

1 2. The department of agriculture, trade and consumer protection may exercise
2 its authority under ss. 93.14 to 93.16 and 100.18 (11) (c) to administer this section.
3 The department ~~and the department~~ of justice may subpoena persons and require
4 the production of books and other documents, and the department of justice may
5 request the department of agriculture, trade and consumer protection to exercise its
6 authority to aid in the investigation of alleged violations of this section.

7 (c) Any person who violates subs. (2) to (4) shall be required to forfeit not less
8 than \$25 nor more than \$5,000 for each offense. Forfeitures under this paragraph
9 shall be enforced by the department of justice, ~~after consulting with~~ on its own
10 initiative or at the request of the department of agriculture, trade and consumer
11 protection, or, upon informing the department of justice, by the district attorney of
12 the county where the violation occurs.

13 (e) ~~Subject to par. (em), the~~ The department of agriculture, trade and consumer
14 protection, in consultation with the department of justice, shall promulgate rules
15 under this section.

16 *~~4441/1.21~~* **SECTION 163.** 100.207 (6) (em) of the statutes is repealed.

17 *~~4441/1.22~~* **SECTION 164.** 100.209 of the statutes is renumbered 134.42, and
18 134.42 (3) and (4) (b), as renumbered, are amended to read:

19 134.42 (3) **RULES AND LOCAL ORDINANCES ALLOWED.** This section does not prohibit
20 the department of agriculture, trade and consumer protection from promulgating a
21 rule or from issuing an order consistent with its authority under ~~this chapter~~ ch. 100
22 that gives a subscriber greater rights than the rights under sub. (2) or prohibit a city,
23 village or town from enacting an ordinance that gives a subscriber greater rights
24 than the rights under sub. (2).

1 (4) (b) The ~~department attorney general~~ and the district attorneys of this state
2 have concurrent authority to institute civil proceedings under this section.

3 *~~4441/1.23~~* **SECTION 165.** 100.2095 (6) (b) of the statutes is amended to read:

4 100.2095 (6) (b) The department of justice may commence an action in the
5 name of the state to restrain by temporary or permanent injunction a violation of sub.
6 (3), (4) or (5). Before entry of final judgment, the court may make any necessary
7 orders to restore to any person any pecuniary loss suffered by the person because of
8 the violation.

9 *~~4441/1.24~~* **SECTION 166.** 100.2095 (6) (c) of the statutes is amended to read:

10 100.2095 (6) (c) The department of justice or any district attorney may
11 commence an action in the name of the state to recover a forfeiture to the state of not
12 less than \$100 nor more than \$10,000 for each violation of sub. (3), (4) or (5).

13 *~~4424/2.64~~* *~~3266/P1.46~~* **SECTION 167.** 100.2095 (6) (d) of the statutes is
14 amended to read:

15 100.2095 (6) (d) A person who violates sub. (3), (4) or (5) may be fined not less
16 than ~~\$100~~ nor more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~one year~~
17 9 months or both. Each day of violation constitutes a separate offense.

18 *~~4441/1.25~~* **SECTION 168.** 100.21 (3) (a) of the statutes is amended to read:

19 100.21 (3) (a) Any person making an energy savings or safety claim shall, upon
20 written request by the department, submit information upon which the person relied
21 to substantiate the claim. The department of justice may request the department of
22 agriculture, trade and consumer protection to issue a written request under this
23 paragraph for information to substantiate an energy savings or safety claim. Failure
24 to submit information requested under this subsection is a violation of sub. (2) (a).

25 *~~4441/1.26~~* **SECTION 169.** 100.26 (1) of the statutes is amended to read:

1 100.26 (1) Any person who violates any provision of this chapter, except s.
2 100.18, ~~or 100.20, 100.206 or 100.51~~, for which no specific penalty is prescribed shall
3 be fined not to exceed \$200, or imprisoned in the county jail not more than 6 months
4 or both.

5 *~~4424/2.65~~* *~~3266/P1.47~~* **SECTION 170.** 100.26 (2) of the statutes, as
6 affected by 1997 Wisconsin Act 283, is amended to read:

7 100.26 (2) Any person violating s. 100.02 ~~shall be fined not less than \$50 nor~~
8 ~~more than \$3,000 or imprisoned for not less than 30 days nor more than 4 years and~~
9 ~~6 months or both~~ is guilty of a Class I felony.

10 *~~4424/2.66~~* *~~3266/P1.48~~* **SECTION 171.** 100.26 (5) of the statutes, as
11 affected by 1997 Wisconsin Act 283, is amended to read:

12 100.26 (5) Any person violating s. 100.06 or any order or regulation of the
13 department thereunder, or s. 100.18 (9), ~~shall~~ may be fined not less than ~~\$100 nor~~
14 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.
15 Each day of violation constitutes a separate offense.

16 *~~4441/1.27~~* **SECTION 172.** 100.26 (6) of the statutes is amended to read:

17 100.26 (6) The department, ~~the department of justice, after consulting with the~~
18 ~~department,~~ or any district attorney may commence an action in the name of the
19 state to recover a civil forfeiture to the state of not less than \$100 nor more than
20 \$10,000 for each violation of an injunction issued under s. 100.18, 100.182 or 100.20
21 ~~(6). The department of agriculture, trade and consumer protection or any district~~
22 ~~attorney may commence an action in the name of the state to recover a civil forfeiture~~
23 ~~to the state of not less than \$100 nor more than \$10,000 for each violation of or an~~
24 order issued under s. 100.20.

1 *~~4424/2.67~~* *~~3266/P1.49~~* **SECTION 173.** 100.26 (7) of the statutes, as
2 affected by 1997 Wisconsin Act 283, is amended to read:

3 100.26 (7) Any person violating s. 100.182 ~~shall~~ may be fined not less than \$500
4 ~~nor~~ more than ~~\$5,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or
5 both for each offense. Each unlawful advertisement published, printed or mailed on
6 separate days or in separate publications, hand bills or direct mailings is a separate
7 violation of this section.

8 *~~4441/1.28~~* **SECTION 174.** 100.264 (2) (intro.) of the statutes is amended to
9 read:

10 100.264 (2) **SUPPLEMENTAL FORFEITURE.** (intro.) If a fine or a forfeiture is
11 imposed on a person for a violation under s. 100.16, 100.17, 100.18, 100.182, 100.183,
12 100.20, ~~100.205, 100.207,~~ 100.21, 100.30 (3), 100.35, 100.44 or 100.46 or a rule
13 promulgated under one of those sections, the person shall be subject to a
14 supplemental forfeiture not to exceed \$10,000 for that violation if the conduct by the
15 defendant, for which the violation was imposed, was perpetrated against an elderly
16 person or disabled person and if the court finds that any of the following factors is
17 present:

18 *~~4441/1.29~~* **SECTION 175.** 100.264 (3) of the statutes is amended to read:

19 100.264 (3) **PRIORITY FOR RESTITUTION.** If the court orders restitution under s.
20 100.18 (11) (d), 100.182 (5) (a), 100.20 (6), ~~100.205 (7), 100.207 (6) (b) 1,~~ or 100.44 (5)
21 for a pecuniary or monetary loss suffered by a person, the court shall require that the
22 restitution be paid by the defendant before the defendant pays any forfeiture
23 imposed under this section.

24 *~~4441/1.30~~* **SECTION 176.** 100.28 of the statutes is renumbered 134.78, and
25 134.78 (4) (b) and (c), as renumbered, are amended to read:

1 134.78 (4) (b) In lieu of or in addition to forfeitures under par. (a), the
2 department of justice may seek an injunction restraining any person from violating
3 this section.

4 (c) The department of justice, or any district attorney upon the request of the
5 department, may commence an action in the name of the state under par. (a) or (b).

6 *~~4441/1.31~~* **SECTION 177.** 100.50 of the statutes is renumbered 134.79, and
7 134.79 (6) (b) and (c), as renumbered, are amended to read:

8 134.79 (6) (b) In lieu of or in addition to the remedy under par. (a), the
9 department of justice may seek an injunction restraining any person from violating
10 this section.

11 (c) The department of justice, or any district attorney upon the request of the
12 department, may commence an action in the name of the state under par. (a) or (b).

13 *~~4441/1.32~~* **SECTION 178.** 100.51 of the statutes is renumbered 134.85, and
14 134.85 (3) (a), as renumbered, is amended to read:

15 134.85 (3) (a) The department of justice on behalf of the state or any person who
16 claims injury as a result of a violation of sub. (2) may bring an action for temporary
17 or permanent injunctive relief in any circuit court. It is no defense to an action under
18 this paragraph that an adequate remedy exists at law.

19 *~~4424/2.68~~* *~~3266/P1.50~~* **SECTION 179.** 101.143 (10) (b) of the statutes, as
20 affected by 1997 Wisconsin Act 283, is amended to read:

21 101.143 (10) (b) Any owner or operator, person owning a home oil tank system
22 or service provider who intentionally destroys a document that is relevant to a claim
23 for reimbursement under this section ~~may be fined not more than \$10,000 or~~
24 ~~imprisoned for not more than 15 years or both~~ is guilty of a Class G felony

1 *~~4424/2.69~~* *~~3266/P1.51~~* **SECTION 180.** 101.94 (8) (b) of the statutes, as
2 affected by 1997 Wisconsin Act 283, is amended to read:

3 101.94 (8) (b) Any individual or a director, officer or agent of a corporation who
4 knowingly and wilfully violates this subchapter in a manner which threatens the
5 health or safety of a purchaser shall may be fined not more than ~~\$1,000~~ \$10,000 or
6 imprisoned for not more than ~~2-years~~ 9 months or both.

7 *~~4424/2.70~~* *~~3266/P1.52~~* **SECTION 181.** 102.835 (11) of the statutes, as
8 affected by 1997 Wisconsin Act 283, is amended to read:

9 102.835 (11) EVASION. Any person who removes, deposits or conceals or aids in
10 removing, depositing or concealing any property upon which a levy is authorized
11 under this section with intent to evade or defeat the assessment or collection of any
12 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~
13 ~~6 months or both, is guilty of a Class I felony~~ and shall be liable to the state for the
14 costs of prosecution.

15 *~~4424/2.71~~* *~~3266/P1.53~~* **SECTION 182.** 102.835 (18) of the statutes, as
16 affected by 1997 Wisconsin Act 283, is amended to read:

17 102.835 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
18 employer may discharge or otherwise discriminate with respect to the terms and
19 conditions of employment against any employe by reason of the fact that his or her
20 earnings have been subject to levy for any one levy or because of compliance with any
21 provision of this section. Whoever wilfully violates this subsection may be fined not
22 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2-years~~ 9 months or both.

23 *~~4424/2.72~~* *~~3266/P1.54~~* **SECTION 183.** 102.85 (3) of the statutes, as
24 affected by 1997 Wisconsin Act 283, is amended to read:

1 102.85 (3) An employer who violates an order to cease operations under s.
2 102.28 (4) ~~may be fined not more than \$10,000 or imprisoned for not more than 3~~
3 ~~years or both~~ is guilty of a Class I felony.

4 *~~4424/2.73~~* *~~3266/P1.55~~* SECTION 184. 108.225 (11) of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

6 108.225 (11) EVASION. Any person who removes, deposits or conceals or aids in
7 removing, depositing or concealing any property upon which a levy is authorized
8 under this section with intent to evade or defeat the assessment or collection of any
9 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~
10 ~~6 months or both,~~ is guilty of a Class I felony and shall be liable to the state for the
11 costs of prosecution.

12 *~~4424/2.74~~* *~~3266/P1.56~~* SECTION 185. 108.225 (18) of the statutes, as
13 affected by 1997 Wisconsin Act 283, is amended to read:

14 108.225 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
15 employer may discharge or otherwise discriminate with respect to the terms and
16 conditions of employment against any employe by reason of the fact that his or her
17 earnings have been subject to levy for any one levy or because of compliance with any
18 provision of this section. Whoever wilfully violates this subsection may be fined not
19 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

20 *~~4424/2.75~~* *~~0590/P5.9~~* SECTION 186. 110.07 (5) (a) of the statutes is
21 amended to read:

22 110.07 (5) (a) In this subsection, “bulletproof garment” ~~has the meaning given~~
23 ~~in s. 939.64 (1)~~ means a vest or other garment designed, redesigned or adapted to
24 prevent bullets from penetrating through the garment.

25 *~~4445/1.5~~* SECTION 187. 111.91 (2) (n) of the statutes is amended to read:

1 111.91 (2) (n) The provision to employes of the health insurance coverage
2 required under s. 632.895 (11) to ~~(13)~~ (14).

3 *~~4424/2.76~~* *~~3266/P1.57~~* **SECTION 188.** 114.20 (18) (c) of the statutes, as
4 affected by 1997 Wisconsin Act 283, is amended to read:

5 114.20 (18) (c) Any person who knowingly makes a false statement in any
6 application or in any other document required to be filed with the department, or who
7 knowingly foregoes the submission of any application, document, or any registration
8 certificate or transfer shall be fined not more than \$5,000 or imprisoned for not more
9 than 7 years and 6 months or both is guilty of a Class H felony.

10 *~~4424/2.77~~* *~~0590/P5.10~~* **SECTION 189.** 115.31 (2g) of the statutes is
11 amended to read:

12 115.31 (2g) Notwithstanding subch. II of ch. 111, the state superintendent shall
13 revoke a license granted by the state superintendent, without a hearing, if the
14 licensee is convicted of any Class A, B, C ~~or~~ D, E, F, G or H felony under ch. 940 or
15 948, except ss. 940.08 and 940.205, for a violation that occurs on or after September
16 12, 1991.

17 *~~4424/2.78~~* *~~0590/P5.11~~* **SECTION 190.** 118.19 (4) (a) of the statutes is
18 amended to read:

19 118.19 (4) (a) Notwithstanding subch. II of ch. 111, the state superintendent
20 may not grant a license to any person who has been convicted of any Class A, B, C
21 ~~or~~ D, E, F, G or H felony under ch. 940 or 948, except ss. 940.08 and 940.205, or of
22 an equivalent crime in another state or country, for a violation that occurs on or after
23 September 12, 1991, for 6 years following the date of the conviction, and may grant
24 the license only if the person establishes by clear and convincing evidence that he or
25 she is entitled to the license.

1 *~~4429/1.2~~* **SECTION 191.** 118.43 (2) (a) of the statutes, as affected by 1999
2 Wisconsin Act 9, is amended to read:

3 118.43 (2) (a) The school board of any school district in which a school in the
4 previous school year had an enrollment that was at least 50% low-income is eligible
5 to participate in the program under this section, except that a school board is eligible
6 to participate in the program under this section in the 2000–01 school year, and in
7 each school year thereafter, if in the 1998–99 school year a school in the school district
8 had an enrollment that was at least 0% low-income.

9 *~~4429/1.3~~* **SECTION 192.** 118.43 (2) (br) 3. of the statutes, as created by 1999
10 Wisconsin Act 9, is repealed.

11 *~~4429/1.4~~* **SECTION 193.** 118.43 (2) (bt) of the statutes is created to read:

12 118.43 (2) (bt) In the 2001–02 school year and in each school year thereafter,
13 the school board of an eligible school district may enter into a 5-year achievement
14 guarantee contract with the department on behalf of one or more schools in the school
15 district if the school board is not receiving a grant under the preschool to grade 5
16 program on behalf of any of the schools under s. 115.45.

17 *~~4429/1.5~~* **SECTION 194.** 118.43 (2) (f) of the statutes, as affected by 1999
18 Wisconsin Act 9, is repealed.

19 *~~4429/1.6~~* **SECTION 195.** 118.43 (2) (g) of the statutes is created to read:

20 118.43 (2) (g) The department may renew an achievement guarantee contract
21 for one or more terms of 5 school years if the department determines that the contract
22 requirements under sub. (3) and the performance objectives under sub. (4) have been
23 met and if funding is available. As a condition of receiving payments under a renewal
24 of an achievement guarantee contract, a school board shall maintain the class size
25 reduction achieved under the original achievement guarantee contract and continue

1 to meet all contract requirements and performance objectives contained in the
2 renewal of the contract.

3 ***-4429/1.7* SECTION 196.** 118.43 (3) (intro.) of the statutes, as affected by 1999
4 Wisconsin Act 9, is amended to read:

5 118.43 (3) CONTRACT REQUIREMENTS. (intro.) Except as provided in pars. (am)
6 and (ar), an achievement guarantee contract shall require the school board to do all
7 of the following in each participating school if the school contains at least one of the
8 designated grades:

9 ***-4429/1.8* SECTION 197.** 118.43 (3) (at) of the statutes is created to read:

10 118.43 (3) (at) *Class size; additional contracts; 2001–02 and thereafter.* For
11 contracts that begin in the 2001–02 school year or in any school year thereafter,
12 reduce each class size to 15 in the following manner:

- 13 1. In the first year of the contract, in at least grades kindergarten and one.
- 14 2. In the 2nd year of the contract, in at least grades kindergarten to 2.
- 15 3. In the last 3 years of the contract, in at least grades kindergarten to 3.

16 ***-4429/1.9* SECTION 198.** 118.43 (5) (b) of the statutes, as affected by 1999
17 Wisconsin Act 9, is amended to read:

18 118.43 (5) (b) ~~Annually by June 30 through the 2003–04 school year~~, a
19 committee consisting of the state superintendent, the chairpersons of the education
20 committees in the senate and assembly and the individual chiefly responsible for the
21 evaluation under sub. (7) shall review the progress made by each school for which
22 an achievement guarantee contract has been entered into. The committee may
23 recommend to the department that the department terminate a contract if the
24 committee determines that the school board has violated the contract or if the school
25 has made insufficient progress toward achieving its performance objectives under

1 sub. (4) (c). The department may terminate the contract if it agrees with the
2 committee's recommendation.

3 *~~4429/1.10~~* **SECTION 199.** 118.43 (6) (b) 7. of the statutes, as created by 1999
4 Wisconsin Act 9, is amended to read:

5 118.43 (6) (b) 7. In the 2001-02 ~~and 2002-03~~ school years year, \$2,000
6 multiplied by the number of low-income pupils enrolled in grades eligible for funding
7 in each school in the school district covered by contracts under sub. (3) (am) and (ar).
8 After making these payments, the department shall, if funding is available, pay
9 school districts on behalf of schools that are covered by ~~contracts under sub. (3) (ar)~~,
10 renewals of contracts under sub. (2) (g) an amount equal to \$2,000 multiplied by the
11 number of low-income pupils enrolled in grades eligible for funding in each school
12 in the school district covered by renewals of contracts under sub. (3) (ar) (2) (g). After
13 making these payments, the department shall, if funding is available, pay school
14 districts on behalf of schools that are covered by contracts under sub. (3) (at) an
15 amount equal to \$2,000 multiplied by the number of low-income pupils enrolled in
16 grades eligible for funding in each school in the school district covered by these
17 contracts. In making payments for contracts under subs. (2) (g) and (3) (at), the
18 department shall give priority to schools that have the highest percentage of
19 low-income pupil enrollment.

20 *~~4429/1.11~~* **SECTION 200.** 118.43 (6) (b) 7m. of the statutes is created to read:

21 118.43 (6) (b) 7m. In the 2002-03 school year, \$2,000 multiplied by the number
22 of low-income pupils enrolled in grades eligible for funding in each school in the
23 school district covered by contracts under sub. (3) (am) and (ar) and covered by
24 previous renewals of contracts under sub. (2) (g) and previous contracts under sub.
25 (3) (at). After making these payments, the department shall, if funding is available,

1 pay school districts on behalf of schools that are covered by renewals of contracts
2 under sub. (2) (g) that begin in the 2002–03 school year an amount equal to \$2,000
3 multiplied by the number of low–income pupils enrolled in grades eligible for funding
4 in each school in the school district covered by these renewals of contracts. After
5 making these payments, the department shall, if funding is available, pay school
6 districts on behalf of schools that are covered by contracts under sub. (3) (at) that
7 begin in the 2002–03 school year an amount equal to \$2,000 multiplied by the
8 number of low–income pupils enrolled in grades eligible for funding in each school
9 in the school district covered by these contracts. In making payments for contracts
10 under subs. (2) (g) and (3) (at) that begin in the 2002–03 school year, the department
11 shall give priority to schools that have the highest percentage of low–income pupil
12 enrollment.

13 *~~4429/1.12~~* **SECTION 201.** 118.43 (6) (b) 8. of the statutes, as created by 1999
14 Wisconsin Act 9, is amended to read:

15 118.43 (6) (b) 8. In the 2003–04 ~~and 2004–05~~ school years year, \$2,000
16 multiplied by the number of low–income pupils enrolled in grades eligible for funding
17 in each school in the school district covered by contracts under sub. (3) (ar) and
18 previous renewals of contracts under sub. (2) (g) and previous contracts under sub.
19 (3) (at). After making these payments, the department shall, if funding is available,
20 pay school districts on behalf of schools that are covered by renewals of contracts
21 under sub. (2) (g) that begin in the 2003–04 school year an amount equal to \$2,000
22 multiplied by the number of low–income pupils enrolled in grades eligible for funding
23 in each school in the school district covered by renewals of these contracts. After
24 making these payments, the department shall, if funding is available, pay school
25 districts on behalf of schools that are covered by contracts under sub. (3) (at) that

1 begin in the 2003–04 school year an amount equal to \$2,000 multiplied by the
2 number of low-income pupils enrolled in grades eligible for funding in each school
3 in the school district covered by these contracts. In making payments for contracts
4 under subs. (2) (g) and (3) (at) that begin in the 2003–04 school year, the department
5 shall give priority to schools that have the highest percentage of low-income pupil
6 enrollment.

7 *~~4429/1.13~~* SECTION 202. 118.43 (6) (b) 8m. of the statutes is created to read:

8 118.43 (6) (b) 8m. In the 2004–05 school year, \$2,000 multiplied by the number
9 of low-income pupils enrolled in grades eligible for funding in each school in the
10 school district covered by contracts under sub. (3) (ar) and covered by previous
11 renewals of contracts under sub. (2) (g) and previous contracts under sub. (3) (at).
12 After making these payments, the department shall, if funding is available, pay
13 school districts on behalf of schools that are covered by renewals of contracts under
14 sub. (2) (g) that begin in the 2004–05 school year an amount equal to \$2,000
15 multiplied by the number of low-income pupils enrolled in grades eligible for funding
16 in each school in the school district covered by renewals of these contracts. After
17 making these payments, the department shall, if funding is available, pay school
18 districts on behalf of schools that are covered by contracts under sub. (3) (at) that
19 begin in the 2004–05 school year an amount equal to \$2,000 multiplied by the
20 number of low-income pupils enrolled in grades eligible for funding in each school
21 in the school district covered by these contracts. In making payments for contracts
22 under subs. (2) (g) and (3) (at) that begin in the 2004–05 school year, the department
23 shall give priority to schools that have the highest percentage of low-income pupil
24 enrollment.

25 *~~4429/1.14~~* SECTION 203. 118.43 (6) (b) 9. of the statutes is created to read:

1 118.43 (6) (b) 9. In the 2005–06 school year and in each school year thereafter,
2 \$2,000 multiplied by the number of low–income pupils enrolled in grades eligible for
3 funding in each school in the school district covered by previous renewals of contracts
4 under sub. (2) (g) and previous contracts under sub. (3) (at). After making these
5 payments, the department shall, if funding is available, pay school districts on behalf
6 of schools that are covered by renewals of contracts under sub. (2) (g) that begin in
7 that school year and by contracts under sub. (3) (at) that begin in that school year
8 an amount equal to \$2,000 multiplied by the number of low–income pupils enrolled
9 in grades eligible for funding in each school in the school district covered by these
10 renewals of contracts. In making payments for contracts under subs. (2) (g) and (3)
11 (at) that begin in the 2005–06 school year or thereafter, the department shall give
12 priority to schools that have the highest percentage of low–income pupil enrollment.

13 *–4445/1.6* **SECTION 204.** 120.13 (2) (g) of the statutes, as affected by 1999
14 Wisconsin Act 9, is amended to read:

15 120.13 (2) (g) Every self–insured plan under par. (b) shall comply with ss.
16 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),
17 632.85, 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) to ~~(13)~~ (14), 632.896 and
18 767.25 (4m) (d).

19 *–4424/2.79* *–3266/P1.58* **SECTION 205.** 125.075 (2) of the statutes, as
20 affected by 1997 Wisconsin Act 283, is renumbered 125.075 (2) (a) and amended to
21 read:

22 125.075 (2) (a) Whoever violates sub. (1) ~~may be fined not more than \$10,000~~
23 ~~or imprisoned for not more than 7 years and 6 months or both is guilty of a Class H~~
24 felony if the underage person suffers great bodily harm, as defined in s. 939.22 (14).

1 *~~4424/2.80~~* *~~3266/P1.59~~* SECTION 206. 125.075 (2) (b) of the statutes is
2 created to read:

3 125.075 (2) (b) Whoever violates sub. (1) is guilty of a Class G felony if the
4 underage person dies.

5 *~~4424/2.81~~* *~~3266/P1.60~~* SECTION 207. 125.085 (3) (a) 2. of the statutes, as
6 affected by 1997 Wisconsin Act 283, is amended to read:

7 125.085 (3) (a) 2. Any person who violates subd. 1. for money or other
8 consideration ~~may be fined not more than \$10,000 or imprisoned for not more than~~
9 ~~3 years or both~~ is guilty of a Class I felony.

10 *~~4424/2.82~~* *~~3266/P1.61~~* SECTION 208. 125.105 (2) (b) of the statutes, as
11 affected by 1997 Wisconsin Act 283, is amended to read:

12 125.105 (2) (b) Whoever violates sub. (1) to commit, or abet the commission of,
13 a crime ~~may be fined not more than \$10,000 or imprisoned for not more than 7 years~~
14 ~~and 6 months or both~~ is guilty of a Class H felony.

15 *~~4424/2.83~~* *~~3266/P1.62~~* SECTION 209. 125.66 (3) of the statutes, as
16 affected by 1997 Wisconsin Act 283, is amended to read:

17 125.66 (3) Any person manufacturing or rectifying intoxicating liquor without
18 holding appropriate permits under this chapter, or any person who sells such liquor,
19 ~~shall be fined not more than \$10,000 or imprisoned for not more than 15 years or~~
20 ~~both. Second or subsequent convictions shall be punished by both the fine and~~
21 ~~imprisonment~~ is guilty of a Class F felony.

22 *~~4424/2.84~~* *~~3266/P1.63~~* SECTION 210. 125.68 (12) (b) of the statutes, as
23 affected by 1997 Wisconsin Act 283, is amended to read:

1 125.68 (12) (b) ~~Whoever violates par. (a) shall be fined not less than \$1,000 nor~~
2 ~~more than \$5,000 or imprisoned for not less than one year nor more than 15 years~~
3 ~~or both~~ is guilty of a Class F felony.

4 *~~4424/2.85~~* *~~3266/P1.64~~* **SECTION 211.** 125.68 (12) (c) of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

6 125.68 (12) (c) Any person causing the death of another human being through
7 the selling or otherwise disposing of, for beverage purposes, either denatured alcohol
8 or alcohol or alcoholic liquid redistilled from denatured alcohol, ~~shall be imprisoned~~
9 ~~for not more than 15 years~~ is guilty of a Class E felony.

10 *~~4424/2.86~~* *~~3266/P1.65~~* **SECTION 212.** 132.20 (2) of the statutes, as
11 affected by 1997 Wisconsin Act 283, is amended to read:

12 132.20 (2) Any person who, with intent to deceive, traffics or attempts to traffic
13 in this state in a counterfeit mark or in any goods or service bearing or provided
14 under a counterfeit mark ~~shall~~ is guilty of a Class H felony, except that,
15 notwithstanding the maximum fine specified in s. 939.50 (3) (h), if the person is an
16 individual, ~~he or she may be fined not more than \$250,000 or imprisoned for not more~~
17 ~~than 7 years and 6 months or both, or, and~~ if the person is not an individual, the
18 person may be fined not more than \$1,000,000.

19 *~~4424/2.87~~* *~~3266/P1.66~~* **SECTION 213.** 133.03 (1) of the statutes, as
20 affected by 1997 Wisconsin Act 283, is amended to read:

21 133.03 (1) Every contract, combination in the form of trust or otherwise, or
22 conspiracy, in restraint of trade or commerce is illegal. Every person who makes any
23 contract or engages in any combination or conspiracy in restraint of trade or
24 commerce is guilty of a Class H felony, except that, notwithstanding the maximum
25 fine specified in s. 939.50 (3) (h), the person may be fined not more than \$100,000 if

1 a corporation, or, if any other person, may be fined not more than \$50,000 or
2 imprisoned for not more than 7 years and 6 months or both.

3 *~~4424/2.88~~* *~~3266/P1.67~~* **SECTION 214.** 133.03 (2) of the statutes, as
4 affected by 1997 Wisconsin Act 283, is amended to read:

5 133.03 (2) Every person who monopolizes, or attempts to monopolize, or
6 combines or conspires with any other person or persons to monopolize any part of
7 trade or commerce is guilty of a Class H felony, except that, notwithstanding the
8 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than
9 \$100,000 if a corporation, or, if any other person, may be fined not more than \$50,000
10 or imprisoned for not more than 7 years and 6 months or both.

11 *~~4424/2.89~~* *~~3266/P1.68~~* **SECTION 215.** 134.05 (4) of the statutes, as
12 affected by 1997 Wisconsin Act 283, is amended to read:

13 134.05 (4) Whoever violates sub. (1), (2) or (3) ~~shall be punished by a fine of not~~
14 ~~less than \$10 nor more than \$500 or by such fine and by imprisonment for not more~~
15 ~~than 2 years~~ may be fined not more than \$10,000 or imprisoned for not more than
16 9 months or both.

17 *~~4424/2.90~~* *~~3266/P1.69~~* **SECTION 216.** 134.16 of the statutes, as affected
18 by 1997 Wisconsin Act 283, is amended to read:

19 **134.16 Fraudulently receiving deposits.** Any officer, director, stockholder,
20 cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange,
21 brokerage or deposit company, corporation or institution, or of any person, company
22 or corporation engaged in whole or in part in banking, brokerage, exchange or deposit
23 business in any way, or any person engaged in such business in whole or in part, who
24 shall accept or receive, on deposit, or for safekeeping, or to loan, from any person any
25 money, or any bills, notes or other paper circulating as money, or any notes, drafts,

1 bills of exchange, bank checks or other commercial paper for safekeeping or for
2 collection, when he or she knows or has good reason to know that such bank, company
3 or corporation or that such person is unsafe or insolvent ~~shall be imprisoned in the~~
4 ~~Wisconsin state prisons for not less than one year nor more than 15 years or fined~~
5 ~~not more than \$10,000~~ is guilty of a Class F felony.

6 *~~4424/2.91~~* *~~3266/P1.70~~* **SECTION 217.** 134.20 (1) (intro.) of the statutes,
7 as affected by 1997 Wisconsin Act 283, is amended to read:

8 134.20 (1) (intro.) Whoever, with intent to defraud, does any of the following
9 ~~shall be fined not more than \$5,000 or imprisoned for not more than 7 years and 6~~
10 ~~months or both~~ is guilty of a Class H felony:

11 *~~4424/2.92~~* *~~3266/P1.71~~* **SECTION 218.** 134.205 (4) of the statutes, as
12 affected by 1997 Wisconsin Act 283, is amended to read:

13 134.205 (4) Whoever, with intent to defraud, issues a warehouse receipt
14 without entering the same in a register as required by this section ~~shall be fined not~~
15 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is
16 guilty of a Class H felony.

17 *~~4424/2.93~~* *~~3266/P1.72~~* **SECTION 219.** 134.58 of the statutes, as affected
18 by 1997 Wisconsin Act 283, is amended to read:

19 **134.58 Use of unauthorized persons as officers.** Any person who,
20 individually, in concert with another or as agent or officer of any firm, joint-stock
21 company or corporation, uses, employs, aids or assists in employing any body of
22 armed persons to act as militia, police or peace officers for the protection of persons
23 or property or for the suppression of strikes, not being authorized by the laws of this
24 state to so act, ~~shall be fined not more than \$1,000 or imprisoned for not less than~~
25 ~~one year nor more than 4 years and 6 months or both~~ is guilty of a Class I felony.

1 *~~4441/1.33~~* **SECTION 220.** 134.71 (12) of the statutes is amended to read:

2 134.71 (12) APPLICATIONS AND FORMS. The department of ~~agriculture, trade and~~
3 ~~consumer protection justice~~ shall develop applications and other forms required
4 under subs. (5) (intro.) and (8) (c). The department shall print a sufficient number
5 of applications and forms to provide to counties and municipalities for distribution
6 to pawnbrokers, secondhand article dealers and secondhand jewelry dealers at no
7 cost.

8 *~~4441/1.34~~* **SECTION 221.** 134.95 (2) of the statutes is amended to read:

9 134.95 (2) SUPPLEMENTAL FORFEITURE. If a fine or a forfeiture is imposed on a
10 person for a violation under s. ~~100.171, 100.173, 100.174, 100.175, 100.177~~ 134.22,
11 134.68, 134.70, 134.71, 134.72, 134.74, 134.83 or 134.87 or ch. 136 or a rule
12 promulgated under these sections or that chapter, the person shall be subject to a
13 supplemental forfeiture not to exceed \$10,000 for that violation if the conduct by the
14 defendant, for which the fine or forfeiture was imposed, was perpetrated against an
15 elderly person or disabled person and if any of the factors under s. 100.264 (2) (a), (b)
16 or (c) is present.

17 *~~4441/1.35~~* **SECTION 222.** 134.95 (3) of the statutes is amended to read:

18 134.95 (3) PRIORITY FOR RESTITUTION. If the court orders restitution under s.
19 ~~100.171 (8), 100.173 (4) (a), 100.174 (7), 100.175 (7), 100.177 (15)~~ 134.22 (4) (a),
20 134.68 (7), 134.70 (15), 134.74 (8), 134.83 (7) or 134.87 (6) for a pecuniary or monetary
21 loss suffered by a person, the court shall require that the restitution be paid by the
22 defendant before the defendant pays any forfeiture imposed under this section.

23 *~~4441/1.36~~* **SECTION 223.** 134.99 (1) of the statutes is amended to read:

24 134.99 (1) Whoever is concerned in the commission of a violation of this
25 chapter, except s. 134.83, for which a forfeiture is imposed is a principal and may be

1 charged with and convicted of the violation although he or she did not directly
2 commit it and although the person who directly committed it has not been convicted
3 of the violation.

4 *~~4441/1.37~~* SECTION 224. 136.03 (title) of the statutes is amended to read:

5 **136.03 (title) Duties of the department of agriculture, trade and**
6 **consumer protection justice.**

7 *~~4441/1.38~~* SECTION 225. 136.03 (1) (intro.) of the statutes is amended to
8 read:

9 136.03 (1) (intro.) The department of ~~agriculture, trade and consumer~~
10 ~~protection justice~~ shall investigate violations of this chapter and of rules and orders
11 issued under s. 136.04. The department of justice may subpoena persons and records
12 to facilitate its investigations, and may enforce compliance with such subpoenas as
13 provided in s. 885.12. The department of justice may in behalf of the state:

14 *~~4424/2.94~~* *~~3266/P1.73~~* SECTION 226. 139.44 (1) of the statutes, as
15 affected by 1997 Wisconsin Act 283, is amended to read:

16 139.44 (1) Any person who falsely or fraudulently makes, alters or counterfeits
17 any stamp or procures or causes the same to be done, or who knowingly utters,
18 publishes, passes or tenders as true any false, altered or counterfeit stamp, or who
19 affixes the same to any package or container of cigarettes, or who possesses with the
20 intent to sell any cigarettes in containers to which false, altered or counterfeit stamps
21 have been affixed ~~shall be imprisoned for not less than one year nor more than 15~~
22 ~~years~~ is guilty of a Class G felony.

23 *~~4424/2.95~~* *~~3266/P1.74~~* SECTION 227. 139.44 (1m) of the statutes, as
24 affected by 1997 Wisconsin Act 283, is amended to read:

1 139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette
2 meter in order to evade the tax under s. 139.31 ~~shall be imprisoned for not less than~~
3 ~~one year nor more than 15 years~~ is guilty of a Class G felony.

4 *~~4424/2.96~~* *~~3266/P1.75~~* SECTION 228. 139.44 (2) of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

6 139.44 (2) Any person who makes or signs any false or fraudulent report or who
7 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the
8 evasion or attempted evasion of that tax ~~shall~~ may be fined not less than \$1,000 nor
9 more than \$5,000 \$10,000 or imprisoned for not less than ~~90 days~~ nor more than 2
10 ~~years~~ 9 months or both.

11 *~~4424/2.97~~* *~~3266/P1.76~~* SECTION 229. 139.44 (8) (c) of the statutes, as
12 affected by 1997 Wisconsin Act 283, is amended to read:

13 139.44 (8) (c) If the number of cigarettes exceeds 36,000, ~~a fine of not more than~~
14 ~~\$10,000 or imprisonment for not more than 3 years or both~~ the person is guilty of a
15 Class I felony.

16 *~~4424/2.98~~* *~~3266/P1.77~~* SECTION 230. 139.95 (2) of the statutes, as
17 affected by 1997 Wisconsin Act 283, is amended to read:

18 139.95 (2) A dealer who possesses a schedule I controlled substance or schedule
19 II controlled substance that does not bear evidence that the tax under s. 139.88 has
20 been paid ~~may be fined not more than \$10,000 or imprisoned for not more than 7~~
21 ~~years and 6 months or both~~ is guilty of a Class H felony.

22 *~~4424/2.99~~* *~~3266/P1.78~~* SECTION 231. 139.95 (3) of the statutes, as
23 affected by 1997 Wisconsin Act 283, is amended to read:

24 139.95 (3) Any person who falsely or fraudulently makes, alters or counterfeits
25 any stamp or procures or causes the same to be done or who knowingly utters,

1 publishes, passes or tenders as true any false, altered or counterfeit stamp or who
2 affixes a counterfeit stamp to a schedule I controlled substance or schedule II
3 controlled substance or who possesses a schedule I controlled substance or schedule
4 II controlled substance to which a false, altered or counterfeit stamp is affixed ~~may~~
5 ~~be fined not more than \$10,000 or imprisoned for not less than one year nor more~~
6 ~~than 15 years or both~~ is guilty of a Class F felony.

7 *~~4424/2.100~~* *~~3266/P1.79~~* **SECTION 232.** 146.345 (3) of the statutes, as
8 affected by 1997 Wisconsin Act 283, is amended to read:

9 146.345 (3) Any person who violates this section is guilty of a Class H felony.
10 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the
11 person may be fined not more than \$50,000 or imprisoned for not more than 7 years
12 and 6 months or both.

13 *~~4424/2.101~~* *~~3266/P1.80~~* **SECTION 233.** 146.35 (5) of the statutes, as
14 affected by 1997 Wisconsin Act 283, is amended to read:

15 146.35 (5) Whoever violates sub. (2) ~~may be fined not more than \$10,000 or~~
16 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
17 felony.

18 *~~4424/2.102~~* *~~3266/P1.81~~* **SECTION 234.** 146.60 (9) (am) of the statutes, as
19 affected by 1997 Wisconsin Act 283, is amended to read:

20 146.60 (9) (am) For a 2nd or subsequent violation under par. (ag), a person ~~shall~~
21 ~~may~~ be fined not less than \$1,000 ~~nor~~ more than \$50,000 or imprisoned for not more
22 than ~~2 years 9 months~~ or both.

23 *~~4424/2.103~~* *~~3266/P1.82~~* **SECTION 235.** 146.70 (10) (a) of the statutes, as
24 affected by 1997 Wisconsin Act 283, is amended to read:

1 146.70 (10) (a) Any person who intentionally dials the telephone number "911"
2 to report an emergency, knowing that the fact situation which he or she reports does
3 not exist, shall be fined not less than \$50 nor more than \$300 or imprisoned not more
4 than 90 days or both for the first offense and ~~shall be fined not more than \$10,000~~
5 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
6 felony for any other offense committed within 4 years after the first offense.

7 *~~4424/2.104~~* *~~3266/P1.83~~* **SECTION 236.** 154.15 (2) of the statutes, as
8 affected by 1997 Wisconsin Act 283, is amended to read:

9 154.15 (2) Any person who, with the intent to cause a withholding or
10 withdrawal of life-sustaining procedures or feeding tubes contrary to the wishes of
11 the declarant, illegally falsifies or forges the declaration of another or conceals a
12 declaration revoked under s. 154.05 (1) (a) or (b) or any person who intentionally
13 withholds actual knowledge of a revocation under s. 154.05 ~~shall be fined not more~~
14 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F
15 felony.

16 *~~4424/2.105~~* *~~3266/P1.84~~* **SECTION 237.** 154.29 (2) of the statutes, as
17 affected by 1997 Wisconsin Act 283, is amended to read:

18 154.29 (2) Any person who, with the intent to cause the withholding or
19 withdrawal of resuscitation contrary to the wishes of any patient, falsifies, forges or
20 transfers a do-not-resuscitate bracelet to that patient or conceals the revocation
21 under s. 154.21 of a do-not-resuscitate order or any responsible person who
22 withholds personal knowledge of a revocation under s. 154.21 ~~shall be fined not more~~
23 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F
24 felony.

25 *~~4437/1.2~~* **SECTION 238.** 165.07 of the statutes is created to read:

1 **165.07 Assistant attorney general — public intervenor.** (1) The attorney
2 general shall designate an assistant attorney general on the attorney general's staff
3 as public intervenor. Written notices of all proceedings under chs. 30, 31, 281 to 285
4 and 289 to 299, except s. 281.48, shall be given to the public intervenor and to the
5 administrators of divisions primarily assigned the departmental functions under
6 chs. 29, 281, 285 and 289 to 299, except s. 281.48, by the agency head responsible for
7 such proceedings. A copy of such notice shall also be given to the natural areas
8 preservation council.

9 (2) The public intervenor shall formally intervene in proceedings described in
10 sub. (1) when requested to do so by an administrator of a division primarily assigned
11 the departmental functions under chs. 29, 281, 285 or 289 to 299, except s. 281.48.
12 The public intervenor may, on the public intervenor's own initiative or upon request
13 of any committee of the legislature, formally intervene in all proceedings described
14 in sub. (1) whenever such intervention is needed for the protection of "public rights"
15 in water and other natural resources, as provided in chs. 30 and 31 and defined by
16 the supreme court.

17 (3) Personnel of the department of natural resources shall, upon the request
18 of the public intervenor, make such investigations, studies and reports as the public
19 intervenor may request in connection with proceedings described in sub. (1), either
20 before or after formal intervention. Personnel of state agencies shall at the public
21 intervenor's request provide information, serve as witnesses in proceedings
22 described in sub. (1) and otherwise cooperate in the carrying out of the public
23 intervenor's intervention functions. Formal intervention shall be by filing a
24 statement to that effect with the examiner or other person immediately in charge of
25 the proceeding. Thereupon the public intervenor shall be considered a party in

1 interest with full power to present evidence, subpoena and cross-examine witnesses,
2 submit proof, file briefs or do any other acts appropriate for a party to the
3 proceedings.

4 (4) The public intervenor may appeal from administrative rulings to the courts.
5 In all administrative proceedings and judicial review proceedings the public
6 intervenor shall be identified as “public intervenor”. This section does not preclude
7 or prevent any division of the department of natural resources, or any other
8 department or independent agency, from appearing by its staff as a party in such
9 proceedings.

10 *~~4437/1.3~~* **SECTION 239.** 165.075 of the statutes is created to read:

11 **165.075 Assistant attorney general; public intervenor; authority.** In
12 carrying out his or her duty to protect public rights in water and other natural
13 resources, the public intervenor has the authority to initiate actions and proceedings
14 before any agency or court in order to raise issues, including issues concerning
15 constitutionality, present evidence and testimony and make arguments.

16 *~~4437/1.4~~* **SECTION 240.** 165.076 of the statutes is created to read:

17 **165.076 Assistant attorney general; public intervenor; advisory**
18 **committee.** The attorney general shall appoint a public intervenor advisory
19 committee under s. 15.04 (1) (c). The public intervenor advisory committee shall
20 consist of not less than 7 nor more than 9 members. The members shall have
21 backgrounds in or demonstrated experience or records relating to environmental
22 protection or natural resource conservation. At least one of the members shall have
23 working knowledge in business. At least one of the members shall have working
24 knowledge in agriculture. The public intervenor advisory committee shall advise the
25 public intervenor consistent with his or her duty to protect public rights in water and

1 other natural resources. The public intervenor advisory committee shall conduct
2 meetings consistent with subch. V of ch. 19 and shall permit public participation and
3 public comment on public intervenor activities.

4 ~~*-4441/1.39*~~ **SECTION 241.** 165.25 (4) (ar) of the statutes is repealed.

5 ~~*-4424/2.106*~~ ~~*-3266/P1.85*~~ **SECTION 242.** 166.20 (11) (b) of the statutes, as
6 affected by 1997 Wisconsin Act 283, is amended to read:

7 166.20 (11) (b) Any person who knowingly and wilfully fails to report the
8 release of a hazardous substance covered under 42 USC 11004 as required under sub.
9 (5) (a) 2. or any rule promulgated under sub. (5) (a) 2. shall is subject to the following
10 penalties:

11 1. For the first offense, the person is guilty of a Class I felony, except that,
12 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be
13 fined not less than \$100 nor more than \$25,000 or imprisoned for not more than 3
14 years or both.

15 2. For the 2nd and subsequent offenses, the person is guilty of a Class I felony,
16 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the
17 person may be fined not less than \$200 nor more than \$50,000 or imprisoned for not
18 more than 3 years or both.

19 ~~*-4424/2.107*~~ ~~*-3266/P1.86*~~ **SECTION 243.** 167.10 (9) (g) of the statutes, as
20 affected by 1997 Wisconsin Act 283, is amended to read:

21 167.10 (9) (g) Whoever violates sub. (6m) (a), (b) or (c) or a rule promulgated
22 under sub. (6m) (e) ~~may be fined not more than \$10,000 or imprisoned for not more~~
23 ~~than 15 years or both~~ is guilty of a Class G felony.

24 ~~*-4424/2.108*~~ ~~*-3266/P1.87*~~ **SECTION 244.** 175.20 (3) of the statutes, as
25 affected by 1997 Wisconsin Act 283, is amended to read:

1 175.20 (3) Any person who violates any of the provisions of this section shall
2 may be fined not less than ~~\$25~~ nor more than ~~\$1,000~~ and ~~\$10,000~~ or may be
3 imprisoned for not less than ~~30 days~~ nor more than ~~2 years~~ 9 months or both. In
4 addition, the court may revoke the license or licenses of the person or persons
5 convicted.

6 *~~4424/2.109~~* *~~3266/P1.88~~* SECTION 245. 180.0129 (2) of the statutes, as
7 affected by 1997 Wisconsin Act 283, is amended to read:

8 180.0129 (2) Whoever violates this section ~~may be fined not more than \$10,000~~
9 ~~or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

10 *~~4424/2.110~~* *~~3266/P1.89~~* SECTION 246. 181.0129 (2) of the statutes, as
11 affected by 1997 Wisconsin Act 283, is amended to read:

12 181.0129 (2) PENALTY. Whoever violates this section ~~may be fined not more~~
13 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I
14 felony.

15 *~~4424/2.111~~* *~~3266/P1.90~~* SECTION 247. 185.825 of the statutes, as affected
16 by 1997 Wisconsin Act 283, is amended to read:

17 **185.825 Penalty for false document.** Whoever causes a document to be
18 filed, knowing it to be false in any material respect, ~~may be fined not more than~~
19 ~~\$1,000 or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a
20 Class I felony.

21 *~~4445/1.7~~* SECTION 248. 185.981 (4t) of the statutes is amended to read:

22 185.981 (4t) A sickness care plan operated by a cooperative association is
23 subject to ss. 252.14, 631.89, 632.72 (2), 632.745 to 632.749, 632.85, 632.853, 632.855,
24 632.87 (2m), (3), (4) and (5), 632.895 (10) to ~~(13)~~ (14) and 632.897 (10) and chs. 149
25 and 155.

1 *~~4445/1.8~~* **SECTION 249.** 185.983 (1) (intro.) of the statutes is amended to
2 read:

3 185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be
4 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,
5 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.89, 631.93, 632.72
6 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.85, 632.853, 632.855, 632.87
7 (2m), (3), (4) and (5), 632.895 (5) and (9) to ~~(13)~~ (14), 632.896 and 632.897 (10) and
8 chs. 609, 630, 635, 645 and 646, but the sponsoring association shall:

9 *~~4441/1.40~~* **SECTION 250.** 196.219 (3) (n) of the statutes is amended to read:
10 196.219 (3) (n) Provide telecommunications service in violation of s. ~~100.207~~
11 134.179.

12 *~~4424/2.112~~* *~~3266/P1.91~~* **SECTION 251.** 200.09 (2) of the statutes, as
13 affected by 1997 Wisconsin Act 283, is amended to read:

14 200.09 (2) Every director, president, secretary or other official or agent of any
15 public service corporation, who shall practice fraud or knowingly make any false
16 statement to secure a certificate of authority to issue any security, or issue under a
17 certificate so obtained and with knowledge of such fraud, or false statement, or
18 negotiate, or cause to be negotiated, any security, in violation of this chapter, ~~shall~~
19 ~~be fined not less than \$500 or imprisoned for not less than one year nor more than~~
20 ~~15 years or both~~ is guilty of a Class I felony.

21 *~~4424/2.113~~* *~~3266/P1.92~~* **SECTION 252.** 214.93 of the statutes, as affected
22 by 1997 Wisconsin Act 283, is amended to read:

23 **214.93 False statements.** A person may not knowingly make, cause, or allow
24 another person to make or cause to be made, a false statement, under oath if required
25 by this chapter or on any report or statement required by the division or by this

1 chapter. In addition to any forfeiture under s. 214.935, a person who violates this
2 section ~~may be imprisoned for not more than 30 years~~ is guilty of a Class F felony.

3 *~~4424/2.114~~* *~~3266/P1.93~~* **SECTION 253.** 215.02 (6) (b) of the statutes, as
4 affected by 1997 Wisconsin Act 283, is amended to read:

5 215.02 (6) (b) If any person mentioned in par. (a) discloses the name of any
6 debtor of any association or any information about the private account or
7 transactions of such association, discloses any fact obtained in the course of any
8 examination of any association, or discloses examination or other confidential
9 information obtained from any state or federal regulatory authority, including an
10 authority of this state or another state, for financial institutions, mortgage bankers,
11 insurance or securities, except as provided in par. (a), he or she is guilty of a Class
12 I felony and shall forfeit his or her office or position and may be fined not less than
13 \$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more than
14 3 years or both.

15 *~~4424/2.115~~* *~~3266/P1.94~~* **SECTION 254.** 215.12 of the statutes, as affected
16 by 1997 Wisconsin Act 283, is amended to read:

17 **215.12 Penalty for dishonest acts; falsification of records.** Every officer,
18 director, employe or agent of any association who steals, abstracts, or wilfully
19 misapplies any property of the association, whether owned by it or held in trust, or
20 who, without authority, issues or puts forth any certificate of savings accounts,
21 assigns any note, bond, mortgage, judgment or decree, or, who makes any false entry
22 in any book, record, report or statement of the association with intent to injure or
23 defraud the association or any person or corporation, or to deceive any officer or
24 director of the association, or any other person, or any agent appointed to examine
25 the affairs of such association, or any person who, with like intent, aids or abets any

1 officer, director, employe or agent in the violation of this section, ~~shall be imprisoned~~
2 ~~in the Wisconsin state prisons for not more than 30 years~~ is guilty of a Class F felony.

3 *~~4424/2.116~~* *~~3266/P1.95~~* SECTION 255. 215.21 (21) of the statutes, as
4 affected by 1997 Wisconsin Act 283, is amended to read:

5 215.21 (21) PENALTY FOR GIVING OR ACCEPTING MONEY FOR LOANS. Every officer,
6 director, employe or agent of any association, or any appraiser making appraisals for
7 any association, who accepts or receives, or offers or agrees to accept or receive
8 anything of value in consideration of its loaning any money to any person; or any
9 person who offers, gives, presents or agrees to give or present anything of value to
10 any officer, director, employe or agent of any association or to any appraiser making
11 appraisals for any association in consideration of its loaning money to the person,
12 ~~shall be fined not more than \$10,000 or imprisoned in the Wisconsin state prisons~~
13 ~~for not more than 3 years or both~~ is guilty of a Class I felony. Nothing in this
14 subsection prohibits an association from employing an officer, employe or agent to
15 solicit mortgage loans and to pay the officer, employe or agent on a fee basis.

16 *~~4424/2.117~~* *~~3266/P1.96~~* SECTION 256. 218.21 (7) of the statutes, as
17 affected by 1997 Wisconsin Act 283, is amended to read:

18 218.21 (7) Any person who knowingly makes a false statement in an
19 application for a motor vehicle salvage dealer license ~~may be fined not more than~~
20 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
21 Class H felony.

22 *~~4424/2.118~~* *~~3266/P1.97~~* SECTION 257. 220.06 (2) of the statutes, as
23 affected by 1997 Wisconsin Act 283, is amended to read:

24 220.06 (2) If any employe in the division or any member of the banking review
25 board or any employe thereof discloses the name of any debtor of any bank or

1 licensee, or anything relative to the private account or transactions of such bank or
2 licensee, or any fact obtained in the course of any examination of any bank or
3 licensee, except as herein provided, that person is guilty of a Class I felony and shall
4 be subject, upon conviction, to forfeiture of office or position ~~and may be fined not less~~
5 ~~than \$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more~~
6 ~~than 3 years or both.~~

7 *~~4424/2.119~~* *~~3266/P1.98~~* **SECTION 258.** 221.0625 (2) (intro.) of the
8 statutes, as affected by 1997 Wisconsin Act 283, is amended to read:

9 221.0625 (2) PENALTY. (intro.) An officer or director of a bank who, in violation
10 of this section, directly or indirectly does any of the following ~~may be imprisoned for~~
11 ~~not more than 15 years~~ is guilty of a Class F felony:

12 *~~4424/2.120~~* *~~3266/P1.99~~* **SECTION 259.** 221.0636 (2) of the statutes, as
13 affected by 1997 Wisconsin Act 283, is amended to read:

14 221.0636 (2) PENALTY. Any person who violates sub. (1) ~~may be imprisoned for~~
15 ~~not more than 30 years~~ is guilty of a Class H felony.

16 *~~4424/2.121~~* *~~3266/P1.100~~* **SECTION 260.** 221.0637 (2) of the statutes, as
17 affected by 1997 Wisconsin Act 283, is amended to read:

18 221.0637 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not more~~
19 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I
20 felony.

21 *~~4424/2.122~~* *~~3266/P1.101~~* **SECTION 261.** 221.1004 (2) of the statutes, as
22 affected by 1997 Wisconsin Act 283, is amended to read:

23 221.1004 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not less~~
24 ~~than \$1,000 nor more than \$5,000 or imprisoned for not less than one year nor more~~
25 ~~than 15 years or both~~ is guilty of a Class F felony.

1 *~~4424/2.123~~* *~~3361/P2.11~~* **SECTION 262.** 230.08 (2) (L) 6. of the statutes is
2 created to read:

3 230.08 (2) (L) 6. Sentencing commission.

4 *~~4424/2.124~~* *~~3361/P2.12~~* **SECTION 263.** 230.08 (2) (of) of the statutes is
5 created to read:

6 230.08 (2) (of) The executive director of the sentencing commission.

7 *~~4424/2.125~~* *~~3266/P1.102~~* **SECTION 264.** 253.06 (4) (b) of the statutes, as
8 affected by 1997 Wisconsin Act 283, is amended to read:

9 253.06 (4) (b) A person who violates any provision of this subsection ~~may be~~
10 ~~fined not more than \$10,000 or imprisoned for not more than 3 years, or both, is guilty~~
11 ~~of a Class I felony for the first offense and may be fined not more than \$10,000 or~~
12 ~~imprisoned for not more than 7 years and 6 months, or both, is guilty of a Class H~~
13 ~~felony for the 2nd or subsequent offense.~~

14 *~~4424/2.126~~* *~~3266/P1.103~~* **SECTION 265.** 285.87 (2) (b) of the statutes, as
15 affected by 1997 Wisconsin Act 283, is amended to read:

16 285.87 (2) (b) If the conviction under par. (a) is for a violation committed after
17 another conviction under par. (a), the person shall is guilty of a Class I felony, except
18 that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may
19 be fined not more than \$50,000 per day of violation or imprisoned for not more than
20 3 years or both.

21 *~~4424/2.127~~* *~~3266/P1.104~~* **SECTION 266.** 291.97 (2) (b) (intro.) of the
22 statutes, as affected by 1997 Wisconsin Act 283, is amended to read:

23 291.97 (2) (b) (intro.) Any person who wilfully does any of the following ~~shall~~
24 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified

1 in s. 939.50 (3) (h), the person may be fined not less than \$1,000 nor more than
2 \$100,000 or imprisoned for not more than 7 years and 6 months or both:

3 *~~4424/2.128~~* *~~3266/P1.105~~* SECTION 267. 291.97 (2) (c) 1. and 2. of the
4 statutes, as affected by 1997 Wisconsin Act 283, are amended to read:

5 291.97 (2) (c) 1. For a 2nd or subsequent violation under par. (a), a person ~~shall~~
6 is guilty of a Class I felony, except that, notwithstanding the maximum fine specified
7 in s. 939.50 (3) (i), the person may be fined not less than \$1,000 nor more than \$50,000
8 or imprisoned for not more than 2 years or both.

9 2. For a 2nd or subsequent violation under par. (b), a person ~~shall~~ is guilty of
10 a Class F felony, except that, notwithstanding the maximum fine specified in s.
11 939.50 (3) (f), the person may be fined not less than \$5,000 nor more than \$150,000
12 or imprisoned for not more than 15 years or both.

13 *~~4424/2.129~~* *~~3266/P1.106~~* SECTION 268. 299.53 (4) (c) 2. of the statutes,
14 as affected by 1997 Wisconsin Act 283, is amended to read:

15 299.53 (4) (c) 2. Any person who intentionally makes any false statement or
16 representation in complying with sub. (2) (a) shall be fined not more than \$25,000
17 or imprisoned for not more than one year in the county jail or both. For a 2nd or
18 subsequent violation, the person ~~shall~~ is guilty of a Class I felony, except that,
19 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be
20 fined not more than \$50,000 or imprisoned for not more than 3 years or both.

21 *~~4424/2.130~~* SECTION 269. 301.03 (3) of the statutes is amended to read:

22 301.03 (3) ~~Administer~~ Subject to sub. (3a), administer parole, extended
23 supervision and probation matters, except that the decision to grant or deny parole
24 to inmates shall be made by the parole commission and the decision to revoke
25 probation, extended supervision or parole in cases in which there is no waiver of the

1 right to a hearing shall be made by the division of hearings and appeals in the
2 department of administration. The secretary may grant special action parole
3 releases under s. 304.02. The department shall promulgate rules establishing a drug
4 testing program for probationers, parolees and persons placed on extended
5 supervision. The rules shall provide for assessment of fees upon probationers,
6 parolees and persons placed on extended supervision to partially offset the costs of
7 the program.

8 ***-4424/2.131* SECTION 270.** 301.03 (3a) of the statutes is created to read:

9 301.03 (3a) The department shall take steps to promote the increased
10 effectiveness of probation, extended supervision and parole in Brown, Dane,
11 Kenosha, Milwaukee, Racine and Rock counties. In each of these counties, the
12 department shall, beginning on January 1, 2001, develop a partnership with the
13 community, have strategies for local crime prevention, supervise offenders actively,
14 commit additional resources to enhance supervision and purchase services for
15 offenders, establish day reporting centers and ensure that probation, extended
16 supervision and parole agents, on average, supervise no more than 20 persons on
17 probation, extended supervision or parole.

18 ***-4424/2.132* *-2889/P3.1* SECTION 271.** 301.035 (2) of the statutes is
19 amended to read:

20 301.035 (2) Assign hearing examiners from the division to preside over
21 hearings under ss. 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10 and 975.10
22 (2) and ch. 304.

23 ***-4424/2.133* *-2889/P3.2* SECTION 272.** 301.035 (4) of the statutes is
24 amended to read:

1 301.035 (4) Supervise employes in the conduct of the activities of the division
2 and be the administrative reviewing authority for decisions of the division under ss.
3 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10, 973.155 (2) and 975.10 (2) and
4 ch. 304.

5 *~~4187/4.38~~* SECTION 273. 301.26 (3) (c) of the statutes is amended to read:

6 301.26 (3) (c) Within the limits of the appropriations under s. 20.410 (3) (cd),
7 (ce), (cf) and (ko), the department shall allocate funds to each county for services
8 under this section.

9 *~~4187/4.39~~* SECTION 274. 301.26 (4) (a) of the statutes is amended to read:

10 301.26 (4) (a) Except as provided in pars. (c) and (cm), the department of
11 corrections shall bill counties or deduct from the allocations under s. 20.410 (3) (cd),
12 (ce), (cf) and (ko) for the costs of care, services and supplies purchased or provided
13 by the department of corrections for each person receiving services under s. 48.366,
14 938.183 or 938.34 or the department of health and family services for each person
15 receiving services under s. 46.057 or 51.35 (3). The department of corrections may
16 not bill a county for or deduct from a county's allocation the cost of care, services and
17 supplies provided to a person subject to an order under s. 48.366 or 938.183 after the
18 person reaches 18 years of age. Payment shall be due within 60 days after the billing
19 date. If any payment has not been received within 60 days, the department of
20 corrections may withhold aid payments in the amount due from the appropriation
21 allocations under s. 20.410 (3) (cd), (ce), (cf) and (ko).

22 *~~4424/2.134~~* *~~0590/P5.12~~* SECTION 275. 301.26 (4) (cm) 1. of the statutes,
23 as affected by 1999 Wisconsin Act 9, is amended to read:

24 301.26 (4) (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall
25 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations

1 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing secured
2 correctional facilities, secured child caring institutions, alternate care providers,
3 aftercare supervision providers and corrective sanctions supervision providers for
4 costs incurred beginning on July 1, 1996, for the care of any juvenile 14 years of age
5 or over who has been placed in a secured correctional facility based on a delinquent
6 act that is a violation of s. 943.23 (1m) or (1r), 1997 stats., s. 948.35, 1997 stats., or
7 s. 948.36, 1997 stats., or s. 939.31, 939.32 (1) (a), 940.03, 940.21, 940.225 (1), 940.305,
8 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2),
9 948.02 (1), 948.025, ~~(1) or 948.30 (2), 948.35 (1) (b) or 948.36~~ and for the care of any
10 juvenile 10 years of age or over who has been placed in a secured correctional facility
11 or secured child caring institution for attempting or committing a violation of s.
12 940.01 or for committing a violation of s. 940.02 or 940.05.

13 *~~4187/4.40~~* SECTION 276. 301.26 (6) (a) of the statutes is amended to read:

14 301.26 (6) (a) The intent of this subsection is to develop criteria to assist the
15 legislature in allocating funding, excluding funding for base allocations, from the
16 appropriations under s. 20.410 (3) (cd), (ce), (cf) and (ko) for purposes described in
17 this section.

18 *~~4187/4.41~~* SECTION 277. 301.26 (7) (a) (intro.) of the statutes, as affected by
19 1999 Wisconsin Act 9, is amended to read:

20 301.26 (7) (a) (intro.) For community youth and family aids under this section,
21 amounts not to exceed \$42,091,800 for the last 6 months of 1999, \$85,183,700 for
22 2000 and \$43,091,900 for the first 6 months of 2001. Of those amounts, the
23 department shall allocate \$1,000,000 for the last 6 months of 1999, \$3,000,000 for
24 2000 and \$2,000,000, plus 50% of the amount allocated for 2001 under par. (k) for

1 the first 6 months of 2001 to counties based on each of the following factors weighted
2 equally:

3 ***-4187/4.42* SECTION 278.** 301.26 (7) (k) of the statutes is created to read:

4 301.26 (7) (k) In 2000, for community youth and family aids, the department
5 shall allocate \$0 from the appropriation under s. 20.410 (3) (ce). Beginning in 2001,
6 for community youth and family aids, the department shall allocate from the
7 appropriation under s. 20.410 (3) (ce) in each year an amount equal to \$82,734,500
8 multiplied by a percentage that is equal to the percentage change between the U.S.
9 consumer price index for all urban consumers, U.S. city average, for the 12-month
10 period ending on June 30 of the previous year and the U.S. consumer price index for
11 all urban consumers, U.S. city average, for the 12-month period ending on June 30,
12 1999, as determined by the federal department of labor, rounded to the nearest
13 multiple of \$100.

14 ***-4187/4.43* SECTION 279.** 301.26 (7m) of the statutes is created to read:

15 301.26 (7m) ALLOCATION OF FEDERAL FUNDING LOSS FUNDS. In addition to the
16 amounts allocated under sub. (7) (a), the department shall allocate in each fiscal year
17 the amount appropriated under s. 20.410 (3) (cf) for community youth and family aids
18 under this section.

19 ***-4187/4.44* SECTION 280.** 301.26 (8) of the statutes, as affected by 1999
20 Wisconsin Act 9, is amended to read:

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

25 ***-4428/1.1* SECTION 281.** 301.46 (2s) of the statutes is created to read:

1 301.46 (2s) RELEASE OF INFORMATION TO PARENTS THROUGH SCHOOL DISTRICT
2 ADMINISTRATORS. (a) In this subsection, “school district administrator” has the
3 meaning given in s. 115.001 (8).

4 (b) 1. A parent, guardian or legal custodian of a child enrolled in a school district
5 may request the school district administrator to make a request for information
6 under par. (c) concerning persons subject to bulletin notification under sub. (2m)
7 (am).

8 2. A parent, guardian or legal custodian of a child enrolled in a private school
9 may request the school district administrator of the school district in which the child
10 resides or the school district administrator of the school district in which the private
11 school is located to make a request for information under par. (c) concerning persons
12 subject to bulletin notification under sub. (2m) (am).

13 3. If a parent, guardian or legal custodian of a child intends to move to a new
14 residence that is located in a different school district or intends to enroll his or her
15 child in a private school, the parent, guardian or legal custodian may request the
16 school district administrator of the school district in which the new residence is
17 located or the school district administrator of the school district in which the private
18 school is located to make a request for information under par. (c) concerning persons
19 subject to bulletin notification under sub. (2m) (am).

20 (c) When a school district administrator receives a request from a parent,
21 guardian or legal custodian under par. (b) for information concerning persons
22 required to register under s. 301.45, the school district administrator shall request
23 information concerning the persons from the police chief of the community in which
24 the school district is located or the sheriff of the county in which the school district
25 is located.

1 (d) Upon receiving a request from a school district administrator under par. (c),
2 the police chief or sheriff shall immediately provide in writing all of the following
3 information concerning each person who is residing, employed or attending school
4 in the community or county and about whom the police chief or sheriff has received
5 notification under sub. (2m) (am):

6 1. The person's name, including any aliases used by the person.

7 2. Information sufficient to identify the person, including date of birth, gender,
8 race, height, weight and hair and eye color.

9 3. The statute that the person violated, the date of conviction, adjudication or
10 commitment, and the county or, if the state is not this state, the state in which the
11 person was convicted, adjudicated or committed.

12 4. The address at which the person is residing.

13 5. The name and address of the place at which the person is employed.

14 6. The name and location of any school in which the person is enrolled.

15 7. A description of any motor vehicle that the person owns or that is registered
16 in the person's name, including the information provided by the person under s.
17 301.45 (2) (a) 7.

18 8. The most recent date on which the information under s. 301.45 was updated.

19 (e) Upon receiving information from a police chief or sheriff under par. (d), a
20 school district administrator shall in turn provide the information in writing to the
21 parent, guardian or legal custodian who requested the information.

22 (f) 1. A parent, guardian or legal custodian of a child who makes a request for
23 information under par. (b) may also make a request for information under sub. (5)
24 concerning a person required to register under s. 301.45.

1 2. A public or private elementary or secondary school administrator who makes
2 a request for information under par. (c) may also make a request for information
3 under sub. (4) for information concerning persons registered under s. 301.45.

4 *~~4428/1.2~~* **SECTION 282.** 301.46 (5) (a) (intro.) of the statutes is amended to
5 read:

6 301.46 (5) (a) (intro.) The department or a police chief or sheriff may provide
7 the information specified in par. (b) concerning a specific person required to register
8 under s. 301.45 to a person who is not provided notice or access under ~~subs.~~ sub. (2)
9 ~~to.~~ (2m), (3) or (4) if, in the opinion of the department or the police chief or sheriff,
10 providing the information is necessary to protect the public and if the person
11 requesting the information does all of the following:

12 *~~4424/2.135~~* *~~3266/P1.107~~* **SECTION 283.** 302.095 (2) of the statutes, as
13 affected by 1997 Wisconsin Act 283, is amended to read:

14 302.095 (2) Any officer or other person who delivers or procures to be delivered
15 or has in his or her possession with intent to deliver to any inmate confined in a jail
16 or state prison, or who deposits or conceals in or about a jail or prison, or the precincts
17 of a jail or prison, or in any vehicle going into the premises belonging to a jail or
18 prison, any article or thing whatever, with intent that any inmate confined in the jail
19 or prison shall obtain or receive the same, or who receives from any inmate any
20 article or thing whatever with intent to convey the same out of a jail or prison,
21 contrary to the rules or regulations and without the knowledge or permission of the
22 sheriff or other keeper of the jail, in the case of a jail, or of the warden or
23 superintendent of the prison, in the case of a prison, ~~shall be imprisoned for not more~~
24 ~~than 3 years or fined not more than \$500~~ is guilty of a Class I felony.

1 *~~4424/2.136~~* *~~0590/P5.13~~* **SECTION 284.** 302.11 (1g) (a) 2. of the statutes
2 is amended to read:

3 302.11 (1g) (a) 2. Any felony under s. 940.09 (1), 1997 stats., s. 943.23 (1m),
4 1997 stats., s. 948.35 (1) (b) or (c), 1997 stats., or s. 948.36, 1997 stats., or s. 940.02,
5 940.03, 940.05, 940.09 (1) (c), 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2),
6 940.305 (2), 940.31 (1) or (2) (b), 943.02, 943.10 (2), 943.23 (1g) or (1m), 943.32 (2),
7 946.43, 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07, 948.08,
8 or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.

9 *~~4424/2.137~~* *~~3265/P1.2~~* **SECTION 285.** 302.11 (1p) of the statutes is
10 amended to read:

11 302.11 (1p) An inmate serving a term subject to s. 961.49 (2), 1997 stats., for
12 a crime committed before December 31, 1999, is entitled to mandatory release,
13 except the inmate may not be released before he or she has complied with s. 961.49
14 (2), 1997 stats.

15 *~~4424/2.138~~* *~~3370/P2.1~~* **SECTION 286.** 302.113 (2) of the statutes is
16 amended to read:

17 302.113 (2) Except as provided in subs. (3) and (9), an inmate subject to this
18 section is entitled to release to extended supervision after he or she has served the
19 term of confinement in prison portion of the sentence imposed under s. 973.01, as
20 modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1., if
21 applicable.

22 *~~4424/2.139~~* **SECTION 287.** 302.113 (3) (a) (intro.) of the statutes is amended
23 to read:

24 302.113 (3) (a) (intro.) The warden or superintendent shall keep a record of the
25 conduct of each inmate subject to this section, specifying each infraction of the rules.

1 If an inmate subject to this section violates an order under s. 973.031 requiring him
2 or her to participate in a drug treatment program, violates any regulation of the
3 prison or refuses or neglects to perform required or assigned duties, the department
4 may extend the term of confinement in prison portion of the inmate's bifurcated
5 sentence as follows:

6 *~~4424/2.140~~* *~~3370/P2.2~~* **SECTION 288.** 302.113 (7) of the statutes is
7 amended to read:

8 302.113 (7) Any person released to extended supervision under this section is
9 subject to all conditions and rules of extended supervision until the expiration of the
10 term of extended supervision portion of the bifurcated sentence. The department
11 may set conditions of extended supervision in addition to any conditions of extended
12 supervision set by the court under sub. (7m) or s. 973.01 (5) if the conditions set by
13 the department do not conflict with the court's conditions.

14 *~~4424/2.141~~* *~~3370/P2.3~~* **SECTION 289.** 302.113 (7m) of the statutes is
15 created to read:

16 302.113 (7m) (a) Except as provided in par. (e), a person subject to this section
17 or the department may petition the sentencing court to modify any conditions of
18 extended supervision set by the court.

19 (b) If the department files a petition under this subsection, it shall serve a copy
20 of the petition on the person who is the subject of the petition and, if the person is
21 represented by an attorney, on the person's attorney. If a person who is subject to this
22 section or his or her attorney files a petition under this subsection, the person or his
23 or her attorney shall serve a copy of the petition on the department. The court shall
24 serve a copy of a petition filed under this section on the district attorney. The court

1 may direct the clerk of the court to provide notice of the petition to a victim of a crime
2 committed by the person who is the subject of the petition.

3 (c) The court may conduct a hearing to consider the petition. The court may
4 grant the petition in full or in part if it determines that the modification would meet
5 the needs of the department and the public and would be consistent with the
6 objectives of the person's sentence.

7 (d) A person subject to this section or the department may appeal an order
8 entered by the court under this subsection. The appellate court may reverse the
9 order only if it determines that the sentencing court erroneously exercised its
10 discretion in granting or denying the petition.

11 (e) 1. An inmate may not petition the court to modify the conditions of extended
12 supervision earlier than one year before the date of the inmate's scheduled date of
13 release to extended supervision or more than once before the inmate's release to
14 extended supervision.

15 2. A person subject to this section may not petition the court to modify the
16 conditions of extended supervision within one year after the inmate's release to
17 extended supervision. If a person subject to this section files a petition authorized
18 by this subsection after his or her release from confinement, the person may not file
19 another petition until one year after the date of filing the former petition.

20 *~~4424/2.142~~* **SECTION 290.** 302.113 (8m) of the statutes is created to read:

21 302.113 (8m) (a) Every person released to extended supervision under this
22 section remains in the legal custody of the department. If the department alleges
23 that any condition or rule of extended supervision has been violated by the person,
24 the department may take physical custody of the person for the investigation of the
25 alleged violation.

1 (b) If a person released to extended supervision under this section signs a
2 statement admitting a violation of a condition or rule of extended supervision, the
3 department may, as a sanction for the violation, confine the person for up to 90 days
4 in a regional detention facility or, with the approval of the sheriff, in a county jail.
5 If the department confines the person in a county jail under this paragraph, the
6 department shall reimburse the county for its actual costs in confining the person
7 from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43,
8 the person is not eligible to earn good time credit on any period of confinement
9 imposed under this subsection.

10 *-4424/2.143* *-2889/P3.3* SECTION 291. 302.113 (9) of the statutes is
11 amended to read:

12 302.113 (9) (a) If a person released to extended supervision under this section
13 violates a condition of extended supervision, the division of hearings and appeals in
14 the department of administration, upon proper notice and hearing, or the
15 department of corrections, if the person on extended supervision waives a hearing,
16 may revoke the extended supervision of the person ~~and return the person to prison.~~
17 If the extended supervision of the person is revoked, the person shall be returned to
18 the circuit court for the county in which the person was convicted of the offense for
19 which he or she was on extended supervision, and the court shall order the person
20 to be returned to prison, he or she shall be returned to prison for any specified period
21 of time that does not exceed the time remaining on the bifurcated sentence. The time
22 remaining on the bifurcated sentence is the total length of the bifurcated sentence,
23 less time served by the person in custody under the sentence before release to
24 extended supervision under sub. (2) and less all time served in custody for previous
25 revocations of extended supervision under the sentence. The revocation court order

1 returning a person to prison under this paragraph shall provide the person on whose
2 extended supervision was revoked with credit in accordance with ss. 304.072 and
3 973.155.

4 (b) A person who is returned to prison after revocation of extended supervision
5 shall be incarcerated for the entire period of time specified by the ~~department of~~
6 ~~corrections in the case of a waiver or by the division of hearings and appeals in the~~
7 ~~department of administration in the case of a hearing court~~ under par. (a). The period
8 of time specified under par. (a) may be extended in accordance with sub. (3). If a
9 person is returned to prison under par. (a) for a period of time that is less than the
10 time remaining on the bifurcated sentence, the person shall be released to extended
11 supervision after he or she has served the period of time specified by the court under
12 par. (a) and any periods of extension imposed in accordance with sub. (3).

13 (c) A person who is subsequently released to extended supervision after service
14 of the period of time specified by the ~~department of corrections in the case of a waiver~~
15 ~~or by the division of hearings and appeals in the department of administration in the~~
16 ~~case of a hearing court~~ under par. (a) is subject to all conditions and rules under sub.
17 subs. (7) and, if applicable, (7m) until the expiration of the ~~term of~~ remaining
18 extended supervision portion of the bifurcated sentence. The remaining extended
19 supervision portion of the bifurcated sentence is the total length of the bifurcated
20 sentence, less the time served by the person in confinement under the bifurcated
21 sentence before release to extended supervision under sub. (2) and less all time
22 served in confinement for previous revocations of extended supervision under the
23 bifurcated sentence.

24 *~~4424/2.144~~* *~~2889/P3.4~~* SECTION 292. 302.113 (9) (am) of the statutes is
25 created to read:

1 302.113 (9) (am) When a person is returned to court under par. (a) after
2 revocation of extended supervision, the division of hearings and appeals in the
3 department of administration, in the case of a hearing, or the department of
4 corrections, in the case of a waiver, shall make a recommendation to the court
5 concerning the period of time for which the person should be returned to prison. The
6 recommended time period may not exceed the time remaining on the bifurcated
7 sentence, as calculated under par. (a).

8 *~~4424/2.145~~* *~~2889/P3.5~~* **SECTION 293.** 302.113 (9) (d) of the statutes is
9 created to read:

10 302.113 (9) (d) In any case in which there is a hearing before the division of
11 hearings and appeals in the department of administration concerning whether to
12 revoke of a person's extended supervision, the person on extended supervision may
13 seek review of a decision to revoke extended supervision and the department of
14 corrections may seek review of a decision to not revoke extended supervision. Review
15 of a decision under this paragraph may be sought only by an action for certiorari.

16 *~~4424/2.146~~* *~~3370/P2.4~~* **SECTION 294.** 302.113 (9g) of the statutes is
17 created to read:

18 302.113 (9g) (a) In this subsection, "program review committee" means the
19 committee at a correctional institution that reviews the security classifications,
20 institution assignments and correctional programming assignments of inmates
21 confined in the institution.

22 (b) An inmate who is serving a bifurcated sentence for a crime other than a
23 Class B felony may seek modification of the bifurcated sentence in the manner
24 specified in par. (f) if he or she meets one of the following criteria:

1 1. The inmate is 65 years of age or older and has served at least 5 years of the
2 term of confinement in prison portion of the bifurcated sentence.

3 2. The inmate is 60 years of age or older and has served at least 10 years of the
4 term of confinement in prison portion of the bifurcated sentence.

5 (c) An inmate who meets the criteria under par. (b) may submit a petition to
6 the program review committee at the correctional institution in which the inmate is
7 confined requesting a modification of the inmate's bifurcated sentence in the manner
8 specified in par. (f). If the program review committee determines that the public
9 interest would be served by a modification of the inmate's bifurcated sentence in the
10 manner provided under par. (f), the committee shall approve the petition for referral
11 to the sentencing court and notify the department of its approval. The department
12 shall then refer the inmate's petition to the sentencing court and request the court
13 to conduct a hearing on the petition. If the program review committee determines
14 that the public interest would not be served by a modification of the inmate's
15 bifurcated sentence in the manner specified in par. (f), the committee shall deny the
16 inmate's petition.

17 (d) When a court is notified by the department that it is referring to the court
18 an inmate's petition for modification of the inmate's bifurcated sentence, the court
19 shall set a hearing to determine whether the public interest would be served by a
20 modification of the inmate's bifurcated sentence in the manner specified in par. (f).
21 The inmate and the district attorney have the right to be present at the hearing, and
22 any victim of the inmate's crime has the right to be present at the hearing and to
23 provide a statement concerning the modification of the inmate's bifurcated sentence.
24 The court shall order such notice of the hearing date as it considers adequate to be
25 given to the department, the inmate, the attorney representing the inmate, if

1 applicable, and the district attorney. Victim notification shall be provided as
2 specified under par. (g).

3 (e) At a hearing scheduled under par. (d), the inmate has the burden of proving
4 by the greater weight of the credible evidence that a modification of the bifurcated
5 sentence in the manner specified in par. (f) would serve the public interest. If the
6 inmate proves that a modification of the bifurcated sentence in the manner specified
7 in par. (f) would serve the public interest, the court shall modify the inmate's
8 bifurcated sentence in that manner. If the inmate does not prove that a modification
9 of the bifurcated sentence in the manner specified in par. (f) would serve the public
10 interest, the court shall deny the inmate's petition for modification of the bifurcated
11 sentence.

12 (f) A court may modify an inmate's bifurcated sentence under this section only
13 as follows:

14 1. The court shall reduce the term of confinement in prison portion of the
15 inmate's bifurcated sentence in a manner that provides for the release of the inmate
16 to extended supervision within 30 days after the date on which the court issues its
17 order modifying the bifurcated sentence.

18 2. The court shall lengthen the term of extended supervision imposed so that
19 the total length of the bifurcated sentence originally imposed does not change.

20 (g) 1. In this paragraph, "victim" has the meaning given in s. 950.02 (4).

21 2. When a court sets a hearing date under par. (d), the clerk of the circuit court
22 shall send a notice of hearing to the victim of the crime committed by the inmate, if
23 the victim has submitted a card under subd. 3. requesting notification. The notice
24 shall inform the victim that he or she may appear at the hearing scheduled under
25 par. (d) and shall inform the victim of the manner in which he or she may provide a