

1 ***-2105/1.134*** SECTION 3194. 980.02 (4) (am) of the statutes is amended to
2 read:

3 980.02 (4) (am) The circuit court for the county in which the person will reside
4 or be placed upon his or her discharge from a sentence, release on parole or extended
5 supervision, or release from imprisonment, from a secured correctional facility, as
6 defined in s. 938.02 (15m), ~~or from~~ a secured child caring institution, as defined in
7 s. 938.02 (15g), from a secured group home, as defined in s. 938.02 (15p), or from a
8 commitment order.

9 ***-2105/1.135*** SECTION 3195. 980.02 (4) (b) of the statutes is amended to read:

10 980.02 (4) (b) The circuit court for the county in which the person is in custody
11 under a sentence, a placement to a secured correctional facility, as defined in s.
12 938.02 (15m), ~~or~~ a secured child caring institution, as defined in s. 938.02 (15g), or
13 a secured group home, as defined in s. 938.02 (15p), or a commitment order.

14 ***-0284/3.9*** SECTION 3196. 980.03 (4) of the statutes is amended to read:

15 980.03 (4) Whenever ~~the~~ a person who is the subject of ~~the~~ a petition filed under
16 s. 980.02 or who has been committed under s. 980.06 is required to submit to an
17 examination under this chapter, he or she may retain experts or professional persons
18 to perform an examination. If the person retains a qualified expert or professional
19 person of his or her own choice to conduct an examination, the examiner shall have
20 reasonable access to the person for the purpose of the examination, as well as to the
21 person's past and present treatment records, as defined in s. 51.30 (1) (b), and patient
22 health care records as provided under s. 146.82 (2) (c). If the person is indigent, the
23 court shall, upon the person's request, appoint a qualified and available expert or
24 professional person to perform an examination and participate in the trial or other
25 proceeding on the person's behalf. Upon the order of the circuit court, the county

1 shall pay, as part of the costs of the action, the costs of a ~~court-appointed~~ an expert
2 or professional person appointed by a court under this subsection to perform an
3 examination and participate in the trial or other proceeding on behalf of an indigent
4 person. An expert or professional person appointed to assist an indigent person who
5 is subject to a petition may not be subject to any order by the court for the
6 sequestration of witnesses at any proceeding under this chapter.

7 ***-2105/1.136* SECTION 3197.** 980.04 (1) of the statutes is amended to read:

8 980.04 (1) Upon the filing of a petition under s. 980.02, the court shall review
9 the petition to determine whether to issue an order for detention of the person who
10 is the subject of the petition. The person shall be detained only if there is cause to
11 believe that the person is eligible for commitment under s. 980.05 (5). A person
12 detained under this subsection shall be held in a facility approved by the department.
13 If the person is serving a sentence of imprisonment, is in a secured correctional
14 facility, as defined in s. 938.02 (15m), ~~or~~ a secured child caring institution, as defined
15 in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), or is
16 committed to institutional care, and the court orders detention under this
17 subsection, the court shall order that the person be transferred to a detention facility
18 approved by the department. A detention order under this subsection remains in
19 effect until the person is discharged after a trial under s. 980.05 or until the effective
20 date of a commitment order under s. 980.06, whichever is applicable.

21 ***-0284/3.10* SECTION 3198.** 980.06 (2) (a) of the statutes is amended to read:

22 980.06 (2) (a) The court shall enter an initial commitment order under this
23 section pursuant to a hearing held as soon as practicable after the judgment that the
24 person who is the subject of a petition under s. 980.02 is a sexually violent person is
25 entered. If the court lacks sufficient information to make the determination required

1 by par. (b) immediately after trial, it may adjourn the hearing and order the
2 department to ~~conduct~~ submit a written report as to whether the criterion under par.
3 (b) for institutional care is met. For purposes of preparing the report the department
4 shall conduct a predisposition investigation using the procedure in s. 972.15 or a
5 supplementary mental examination, or both, ~~to assist the court in framing the~~
6 ~~commitment order. A supplementary mental examination under this paragraph~~
7 ~~shall be conducted~~ in accordance with s. 971.17 (2) (b) to (f), or both, and may conduct
8 any other investigation or inquiry that it considers appropriate to make the
9 determinations required in the report. The report shall be based on the results of any
10 predisposition investigation, supplementary mental examination and other
11 investigation or inquiry conducted by the department.

12 *~~0284/3.11~~* **SECTION 3199.** 980.06 (2) (b) of the statutes is amended to read:
13 980.06 (2) (b) An order for commitment under this section shall specify either
14 institutional care or supervised release. Except as provided in par. (bt), the court
15 shall order institutional care if it finds that it is substantially probable that the
16 person will engage in acts of sexual violence unless the person resides in a facility
17 with a level of security comparable to that of a secure mental health unit or facility
18 specified in s. 980.065.

19 (bm) In determining under par. (b) whether commitment shall be for
20 institutional care or for supervised release, the court may consider, without
21 limitation because of enumeration, the nature and circumstances of the behavior
22 that was the basis of the allegation in the petition under s. 980.02 (2) (a), the person's
23 mental history and present mental condition, where the person will live, how the
24 person will support himself or herself, and what arrangements are available to
25 ensure that the person has access to and will participate in necessary treatment,

1 including pharmacological treatment using an antiandrogen or the chemical
2 equivalent of an antiandrogen if the person is a serious child sex offender. In deciding
3 whether to order supervised release of person who is a serious child sex offender, the
4 court may not consider, as a factor in making its decision, that the person is a proper
5 subject for pharmacological treatment using an antiandrogen or the chemical
6 equivalent of an antiandrogen or that the person is willing to participate in
7 pharmacological treatment using an antiandrogen or the chemical equivalent of an
8 antiandrogen. ~~The department shall arrange for control, care and treatment of the
9 person in the least restrictive manner consistent with the requirements of the person
10 and in accordance with the court's commitment order.~~

11 ~~*-0284/3.12*~~ SECTION 3200. 980.06 (2) (bt) of the statutes is created to read:

12 980.06 (2) (bt) If a court determines under par. (b) that it is substantially
13 probable that the person will engage in acts of sexual violence unless he or she
14 resides in a facility with a level of security comparable to that of a secure mental
15 health unit or facility specified in s. 980.065, but the person establishes that it is
16 likely that the daily cost of supervised release under a plan providing for the person
17 to reside in a secure facility would not exceed the daily cost of institutional care for
18 the person, then the court may withhold final determination of the commitment
19 order and order the department to prepare a supervised release plan under par. (c).
20 After preparation of a supervised release plan ordered under this paragraph, the
21 proceedings shall continue as provided under pars. (cm), (cr), (cs) and (ct), as
22 appropriate.

23 ~~*-0284/3.13*~~ SECTION 3201. 980.06 (2) (c) of the statutes is amended to read:

24 980.06 (2) (c) If the court finds under par. (b) that the person is appropriate for
25 supervised release or orders preparation of a supervised release plan under par. (bt),

1 the court shall notify the department. The department and the county department
2 under s. 51.42 in the county of residence of the person, as determined under s.
3 980.105, shall prepare a plan that identifies the treatment and services, if any, that
4 the person will receive in the community. If the county department of the person's
5 county of residence declines to prepare a plan, the department may arrange for
6 another county to prepare the plan if that county agrees to prepare the plan and if
7 the person will be living in that county. If the department is unable to arrange for
8 another county to prepare a plan, the court shall designate a county department to
9 prepare the plan, order the county department to prepare the plan and place the
10 person on supervised release in that county, except that the court may not so
11 designate the county department in any county where there is a facility in which
12 persons committed to institutional care under this chapter are placed, unless that
13 county is also the person's county of residence.

14 (cg) The plan prepared under par. (c) shall address the person's need, if any, for
15 supervision, counseling, medication, community support services, residential
16 services, vocational services, and alcohol or other drug abuse treatment. If the
17 person is a serious child sex offender, the plan shall address the person's need for
18 pharmacological treatment using an antiandrogen or the chemical equivalent of an
19 antiandrogen. ~~The department may contract with a county department, under s.~~
20 ~~51.42 (3) (aw) 1. d., with another public agency or with a private agency to provide~~
21 ~~the treatment and services identified in the plan.~~ The plan shall specify who will be
22 responsible for providing the treatment and services identified in the plan. If the
23 plan was ordered to be prepared under par. (bt), the plan shall include information
24 concerning the daily cost of supervised release under the plan and the daily cost of
25 institutional care for the person.

1 ~~(cm) 2. The plan prepared under par. (c) shall be presented to the court for its~~
2 ~~approval within 21 days after the court finding finds that the person is appropriate~~
3 ~~for supervised release under par. (b) or orders preparation of the plan under par. (bt),~~
4 ~~unless the department, county department and person to be released request~~
5 ~~additional time to develop the plan. If the county department of the person's county~~
6 ~~of residence declines to prepare a plan, the department may arrange for another~~
7 ~~county to prepare the plan if that county agrees to prepare the plan and if the person~~
8 ~~will be living in that county. If the department is unable to arrange for another~~
9 ~~county to prepare a plan, the court shall designate a county department to prepare~~
10 ~~the plan, order the county department to prepare the plan and place the person on~~
11 ~~supervised release in that county, except that the court may not so designate the~~
12 ~~county department in any county where there is a facility in which persons are~~
13 ~~detained or evaluated under s. 980.04 or in which persons committed to institutional~~
14 ~~care under this chapter are placed, unless that county is also the person's county of~~
15 ~~residence. The court shall hold a hearing on the plan within 30 days after the plan~~
16 ~~is presented to the court, unless the department, county department and person to~~
17 ~~be released agree to a later hearing date. At least 10 days before the hearing under~~
18 ~~this subdivision, the court shall give written notice of the hearing to the person to be~~
19 ~~released, the district attorney or department of justice, whichever is applicable, the~~
20 ~~department, the county department that prepared the plan, the chief executive~~
21 ~~officer of the county in which the person would reside under the plan and the chief~~
22 ~~executive officer of the city, village or town in which the person would reside under~~
23 ~~the plan. The person, the district attorney or the attorney general, whichever is~~
24 ~~applicable, and any chief executive officer who receives notice of the hearing, or the~~
25 ~~chief executive officer's designee, may present evidence at the hearing. The county~~

1 department that prepared the plan and the department may, and upon request of the
2 court shall, present evidence at the hearing.

3 *~~0284/3.14~~* **SECTION 3202.** 980.06 (2) (cm) 1. of the statutes is created to read:

4 980.06 (2) (cm) 1. In this paragraph, “chief executive officer” means a mayor,
5 city manager, village president, town chairperson, county executive or chairperson
6 of the county board of supervisors.

7 *~~0284/3.15~~* **SECTION 3203.** 980.06 (2) (cr), (cs), (ct), (cu) and (cv) of the statutes
8 are created to read:

9 980.06 (2) (cr) Based on the provisions of the plan and on the evidence
10 presented at the hearing under par. (cm) 2., the court shall determine whether the
11 plan provides adequate treatment and services to the person and adequate
12 protection to the community. If the court finds that the plan does not provide
13 adequate treatment and services to the person or adequate protection to the
14 community, the court shall issue a written decision and order disapproving the plan
15 and shall proceed under par. (cs). If the court finds that the plan provides either
16 adequate treatment and services to the person or adequate protection to the
17 community, the court shall, except as provided in par. (ct), issue a written decision
18 and order approving the plan and placing the person on supervised release in the
19 county that prepared the plan.

20 (cs) If the court disapproves a supervised release plan under par. (cr), it shall
21 order the department and the county department that prepared the plan to revise
22 the plan and present it to the court by a date specified by the court. The court shall
23 hold a hearing on the revised plan and make a determination as to whether to
24 approve or disapprove the plan as provided under pars. (cm) 2. and (cr).

1 (ct) If a supervised release plan that satisfies the criteria under par. (cr) was
2 ordered to be prepared under par. (bt), the court may approve the plan and order the
3 person placed on supervised release under par. (cr) only if, based on the provisions
4 of the plan and on the evidence presented at the hearing under par. (cm) 2., the court
5 determines that the daily cost of supervised release would not exceed the daily cost
6 of institutional care. If the daily cost of supervised release would exceed the daily
7 cost of institutional care, the court shall disapprove the supervised release plan and
8 order the person to be placed in institutional care. The court may not order a
9 supervised released plan disapproved under this paragraph to be revised under par.
10 (cs).

11 (cu) If the court approves a supervised release plan under par. (cr), the court
12 shall send a copy of its decision and order approving the plan to the chief executive
13 officers who received notice of the hearing on the plan under par. (cm) 2.

14 (cv) The county department that prepared the plan and the department shall
15 implement a plan approved by the court under par. (cr). In implementing the plan,
16 the department may contract with a county department, under s. 51.42 (3) (aw) 1.
17 d., with another public agency or with a private agency to provide the treatment and
18 services identified in the plan. The department may request the court to make such
19 orders as are necessary to ensure implementation of the plan.

20 ~~*-0284/3.16*~~ SECTION 3204. 980.06 (2) (d) of the statutes is amended to read:
21 980.06 (2) (d) An order for supervised release places the person in the custody
22 and control of the department. The department shall arrange for control, care and
23 treatment of the person in the least restrictive manner consistent with the
24 requirements of the person and in accordance with the plan for supervised release
25 approved by the court under par. (cr) or s. 980.08 (5) (d), whichever is applicable. A

1 person on supervised release is subject to the conditions set by the court and to the
2 rules of the department. Before a person is placed on supervised release by the court
3 under this section, the court shall so notify the municipal police department and
4 county sheriff for the municipality and county in which the person will be residing.
5 The notification requirement under this paragraph does not apply if a municipal
6 police department or county sheriff submits to the court a written statement waiving
7 the right to be notified. If the department alleges that a released person has violated
8 any condition or rule, or that the safety of others requires that supervised release be
9 revoked, he or she may be taken into custody under the rules of the department. The
10 department shall submit a statement showing probable cause of the detention and
11 a petition to revoke the order for supervised release to the committing court and the
12 regional office of the state public defender responsible for handling cases in the
13 county where the committing court is located within 48 hours after the detention.
14 The court shall hear the petition within 30 days, unless the hearing or time deadline
15 is waived by the detained person. Pending the revocation hearing, the department
16 may detain the person in a jail or in a hospital, center or facility specified by s. 51.15
17 (2). The state has the burden of proving by clear and convincing evidence that any
18 rule or condition of release has been violated, or that the safety of others requires that
19 supervised release be revoked. If the court determines after hearing that any rule
20 or condition of release has been violated, or that the safety of others requires that
21 supervised release be revoked, it may revoke the order for supervised release and
22 order that the released person be placed in an appropriate institution until the
23 person is discharged from the commitment under s. 980.09 or until again placed on
24 supervised release under s. 980.08.

25 ***-0284/3.17* SECTION 3205.** 980.065 (1m) of the statutes is amended to read:

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1 980.065 (1m) The department ~~may~~ shall place a person committed to
2 institutional care under s. 980.06 (2) (b) or (ct) at a ~~mental health unit or facility,~~
3 ~~including a~~ the secure mental health unit or facility at established under s. 46.055,
4 the Wisconsin resource center established under s. 46.056 or a secure mental health
5 unit or facility provided by the department of corrections under sub. (2).

6 *~~-0284/3.18~~* **SECTION 3206.** 980.065 (2) of the statutes is amended to read:

7 980.065 (2) The department may contract with the department of corrections
8 for the provision of a secure mental health unit or facility for persons committed to
9 institutional care under s. 980.06 (2) (b) or (ct). The department shall operate a
10 secure mental health unit or facility provided by the department of corrections under
11 this subsection and shall promulgate rules governing the custody and discipline of
12 persons placed by the department in the secure mental health unit or facility
13 provided by the department of corrections under this subsection.

14 *~~-0284/3.19~~* **SECTION 3207.** 980.07 (1) of the statutes is amended to read:

15 980.07 (1) If a person has been committed under s. 980.06 and has not been
16 discharged under s. 980.09, the department shall conduct an examination of his or
17 her mental condition within 6 months after an initial commitment under s. 980.06
18 and again thereafter at least once each 12 months for the purpose of determining
19 whether the person has made sufficient progress ~~to be entitled to transfer to a less~~
20 ~~restrictive facility, to~~ for the court to consider whether the person should be placed
21 on supervised release or to discharge ~~discharged~~. At the time of a reexamination
22 under this section, the person who has been committed may retain or, ~~if he or she is~~
23 ~~indigent and so requests,~~ seek to have the court ~~may appoint a qualified expert or a~~
24 ~~professional person to examine him or her~~ an examiner as provided under s. 980.03
25 (4).

****NOTE: This is reconciled s. 980.07 (1). This SECTION has been affected by drafts with the following LRB numbers: LRB-0113/1 and LRB-0284/2.

1 ***-0284/3.20* SECTION 3208.** 980.08 (3) of the statutes is amended to read:
2 980.08 (3) Within 20 days after receipt of the petition, the court shall appoint
3 one or more examiners having the specialized knowledge determined by the court to
4 be appropriate, who shall examine the person and furnish a written report of the
5 examination to the court within 30 days after appointment. The examiners shall
6 have reasonable access to the person for purposes of examination and to the person's
7 past and present treatment records, as defined in s. 51.30 (1) (b), and patient health
8 care records, as provided under s. 146.82 (2) (c). If any such examiner believes that
9 the person is appropriate for supervised release under the criterion specified in sub.
10 (4) (a), the examiner shall report on the type of treatment and services that the
11 person may need while in the community on supervised release. The county shall
12 pay the costs of an examiner appointed under this subsection as provided under s.
13 51.20 (18) (a).

****NOTE: This is reconciled s. 980.08 (3). This SECTION has been affected by drafts with the following LRB numbers: LRB-0113/1 and LRB-0284/2.

14 ***-0284/3.21* SECTION 3209.** 980.08 (4) of the statutes is renumbered 980.08
15 (4) (a) and amended to read:
16 980.08 (4) (a) The court, without a jury, shall hear the petition within 30 days
17 after the report of the court-appointed examiner is filed with the court, unless the
18 petitioner waives this time limit. Expenses of proceedings under this subsection
19 shall be paid as provided under s. 51.20 (18) (b), (c) and (d). The court shall grant the
20 petition unless the state proves by clear and convincing evidence that the person is
21 still a sexually violent persons and that it is still substantially probable that the
22 person will engage in acts of sexual violence if the person is ~~not continued in~~

1 institutional care does not reside in a facility with a level of security comparable to
2 a secure mental health unit or facility under s. 980.065.

3 (b) In making a decision under ~~this subsection~~ par. (a), the court may consider,
4 without limitation because of enumeration, the nature and circumstances of the
5 behavior that was the basis of the allegation in the petition under s. 980.02 (2) (a),
6 the person's mental history and present mental condition, where the person will live,
7 how the person will support himself or herself and what arrangements are available
8 to ensure that the person has access to and will participate in necessary treatment,
9 including pharmacological treatment using an antiandrogen or the chemical
10 equivalent of an antiandrogen if the person is a serious child sex offender. A decision
11 under this ~~subsection~~ paragraph on a petition filed by a person who is a serious child
12 sex offender may not be made based on the fact that the person is a proper subject
13 for pharmacological treatment using an antiandrogen or the chemical equivalent of
14 an antiandrogen or on the fact that the person is willing to participate in
15 pharmacological treatment using an antiandrogen or the chemical equivalent of an
16 antiandrogen.

****NOTE: This is reconciled s. 980.08 (4). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0113/1 and LRB-0284/2.

17 ***-0284/3.22* SECTION 3210.** 980.08 (4) (c) of the statutes is created to read:

18 980.08 (4) (c) If a court determines under par. (a) that the person is still a
19 sexually violent person and that it is substantially probable that the person will
20 engage in acts of sexual violence unless he or she resides in a facility with a level of
21 security comparable to that of a secure mental health unit or facility specified in s.
22 980.065, but the person establishes that it is likely that the daily cost of supervised
23 release under a plan providing for the person to reside in a secure facility would not

1 exceed the daily cost of institutional care for the person, then the court may withhold
2 final determination of the person's petition and order the department to prepare a
3 supervised release plan under sub. (5) (a). After preparation of a supervised release
4 plan ordered under this paragraph, the proceedings shall continue as provided under
5 sub. (5) (c), (d), (de) and (dm), as appropriate.

6 *~~0284/3.23~~* **SECTION 3211.** 980.08 (5) of the statutes is renumbered 980.08
7 (5) (a) and amended to read:

8 980.08 (5) (a) If the court finds under sub. (4) (a) that the person is appropriate
9 for supervised release or orders preparation of a supervised release plan under sub.
10 (4) (c), the court shall notify the department. The department and the county
11 department under s. 51.42 in the county of residence of the person, as determined
12 under s. 980.105, shall prepare a plan that identifies the treatment and services, if
13 any, that the person will receive in the community. If the county department of the
14 person's county of residence declines to prepare a plan, the department may arrange
15 for another county to prepare the plan if that county agrees to prepare the plan and
16 if the person will be living in that county. If the department is unable to arrange for
17 another county to prepare a plan, the court shall designate a county department to
18 prepare the plan, order the county department to prepare the plan and place the
19 person on supervised release in that county, except that the court may not so
20 designate the county department in any county where there is a facility in which
21 persons committed to institutional care under this chapter are placed, unless that
22 county is also the person's county of residence.

23 (b) The plan prepared under par. (a) shall address the person's need, if any, for
24 supervision, counseling, medication, community support services, residential
25 services, vocational services, and alcohol or other drug abuse treatment. If the

1 person is a serious child sex offender, the plan shall address the person's need for
2 pharmacological treatment using an antiandrogen or the chemical equivalent of an
3 antiandrogen. ~~The department may contract with a county department, under s.~~
4 ~~51.42 (3) (aw) 1. d., with another public agency or with a private agency to provide~~
5 ~~the treatment and services identified in the plan.~~ The plan shall specify who will be
6 responsible for providing the treatment and services identified in the plan. If the
7 plan was ordered to be prepared under sub. (4) (c), the plan shall include information
8 concerning the daily cost of supervised release under the plan and the daily cost of
9 institutional care for the person.

10 (c) 2. The plan prepared under par. (a) shall be presented to the court for its
11 approval within 60 days after the court finding finds that the person is appropriate
12 for supervised release under sub. (4) (a) or orders preparation of the plan under sub.
13 (4) (c), unless the department, county department and person to be released request
14 additional time to develop the plan. If the county department of the person's county
15 of residence declines to prepare a plan, the department may arrange for another
16 county to prepare the plan if that county agrees to prepare the plan and if the person
17 will be living in that county. If the department is unable to arrange for another
18 county to prepare a plan, the court shall designate a county department to prepare
19 the plan, order the county department to prepare the plan and place the person on
20 supervised release in that county, except that the court may not so designate the
21 county department in any county where there is a facility in which persons
22 committed to institutional care under this chapter are placed unless that county is
23 also the person's county of residence. The court shall hold a hearing on the plan
24 within 30 days after the plan is presented to the court, unless the department, county
25 department and person to be released agree to a later hearing date. At least 10 days

1 before the hearing under this subdivision, the court shall give written notice of the
2 hearing to the person to be released, the district attorney or department of justice,
3 whichever is applicable, the department, the county department that prepared the
4 plan, the chief executive officer of the county in which the person would reside under
5 the plan and the chief executive officer of the city, village or town in which the person
6 would reside under the plan. The person, the district attorney or the attorney
7 general, whichever is applicable, and any chief executive officer who receives notice
8 of the hearing, or the chief executive officer's designee, may present evidence at the
9 hearing. The county department that prepared the plan and the department may,
10 and upon request of the court shall, present evidence at the hearing.

11 ***-0284/3.24*** **SECTION 3212.** 980.08 (5) (c) 1. of the statutes is created to read:

12 980.08 (5) (c) 1. In this paragraph, "chief executive officer" means a mayor, city
13 manager, village president, town chairperson, county executive or chairperson of the
14 county board of supervisors.

15 ***-0284/3.25*** **SECTION 3213.** 980.08 (5) (d), (de), (dm), (ds) and (e) of the
16 statutes are created to read:

17 980.08 (5) (d) Based on the provisions of the plan and on the evidence presented
18 at the hearing under par. (c) 2., the court shall determine whether the plan provides
19 adequate treatment and services to the person and adequate protection to the
20 community. If the court finds that the plan does not provide either adequate
21 treatment and services to the person or adequate protection to the community, the
22 court shall issue a written decision and order disapproving the plan and shall
23 proceed under par. (de). If the court finds that the plan provides adequate treatment
24 and services to the person and adequate protection to the community, the court shall,

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1 except as provided in par. (dm), issue a written decision and order approving the plan
2 and placing the person on supervised release in the county that prepared the plan.

3 (de) If the court disapproves a supervised release plan under par. (d), it shall
4 order the department and the county department that prepared the plan to revise
5 the plan and present it to the court by a date specified by the court. The court shall
6 hold a hearing on the revised plan and make a determination as to whether to
7 approve or disapprove the plan as provided under pars. (c) 2. and (d).

8 (dm) If a supervised release plan that satisfies the criteria under par. (d) was
9 ordered to be prepared under sub. (4) (c), the court may approve the plan and order
10 the person placed on supervised release under par. (d) only if, based on the provisions
11 of the plan and on the evidence presented at the hearing under par. (c) 2., the court
12 determines that the daily cost of supervised release would not exceed the daily cost
13 of institutional care. If the daily cost of supervised release would exceed the daily
14 cost of institutional care, the court shall disapprove the supervised release plan and
15 deny the person's petition for supervised release. The court may not order a
16 supervised released plan disapproved under this paragraph to be revised under par.
17 (de).

18 (ds) If the court approves a supervised release plan under par. (d), the court
19 shall send a copy of its decision and order approving the plan to the chief executive
20 officers who received notice of the hearing on the plan under par. (c) 2.

21 (e) The county department that prepared the plan and the department shall
22 implement a plan approved by the court under par. (d). In implementing the plan,
23 the department may contract with a county department, under s. 51.42 (3) (aw) 1.
24 d., with another public agency or with a private agency to provide the treatment and

1 services identified in the plan. The department may request the court to make such
2 orders as are necessary to ensure implementation of the plan.

3 ***-0284/3.26* SECTION 3214.** 980.12 (1) of the statutes is amended to read:

4 980.12 (1) The Except as provided in ss. 980.03 (4) and 980.08 (3), the
5 department shall pay from the appropriations under s. 20.435 (2) (a) and (bm) for all
6 costs relating to the evaluation, treatment and care of persons evaluated or
7 committed under this chapter.

8 ***-0030/1.132* SECTION 3215.** 985.01 (1) of the statutes is renumbered 985.01
9 (1m).

10 ***-0030/1.133* SECTION 3216.** 985.01 (1g) of the statutes is created to read:

11 985.01 (1g) "Governing body" has the meaning given in s. 345.05 (1) (b) and
12 includes a family care district board under s. 46.2895.

13 ***-0030/1.134* SECTION 3217.** 985.01 (3) of the statutes is amended to read:

14 985.01 (3) "Municipality" has the meaning in s. 345.05 (1) (c) and ~~"governing~~
15 ~~body" the meaning in s. 345.05 (1) (b) with reference to such municipality~~ includes
16 a family care district under s. 46.2895.

17 ***-1836/2.29* SECTION 3218.** 992.21 of the statutes is created to read:

18 **992.21 Actions by division of savings and loan validated.** Any action
19 taken by the division of savings and loan between July 1, 1996, and the effective date
20 of this section ... [revisor inserts date], under the name of the division of savings
21 institutions has the same force and effect in all respects as if the action had been
22 taken under the name of the division of savings and loan.

23 ***-1817/4.4* SECTION 3219.** Laws of 1929, chapter 151, section 1 is amended
24 to read:

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1 [Laws of 1929, chapter 151] Section 1. All the right, title and interest of the
2 state of Wisconsin in the lands hereinafter described, whether any part or parcel
3 thereof may be, at the time of the passage and publication of this act, dry or
4 submerged under the waters of Lake Michigan are hereby ceded, granted and
5 confirmed to the city of Milwaukee, a municipal corporation, for the purpose of
6 improving, filling, and utilizing the same for public park purposes or in aid of
7 navigation and the fisheries, in any manner the said city may deem expedient,~~and~~
8 ~~particularly for the purpose of.~~ Such land may also be used for the purpose of
9 establishing and maintaining thereon breakwaters, bulkheads, piers, wharves,
10 warehouses, transfer sheds, railway tracks, airports, and other harbor facilities,
11 together with such other uses not inconsistent with the improvement of navigation
12 and fisheries in Lake Michigan, and the navigable waters tributary thereto, as said
13 city may deem expedient.

14 ***-1817/4.5*** **SECTION 3220.** Laws of 1929, chapter 151, section 3 is amended
15 to read:

16 [Laws of 1929, chapter 151] Section 3. The said grantee, the city of Milwaukee,
17 shall not convey any portion or the whole of the lands so granted, ceded and
18 confirmed, and described in section 2 of this act, to any other party, either by
19 warranty deed, quit claim, or in any other manner, except that it may convey to the
20 government of the United States such portion thereof as may be desirable for the
21 promotion of navigation; and it may also convey said lands to any harbor district or
22 other public corporation that may hereafter be organized, under any law of this state,
23 for public park purposes or for the purpose of maintaining and operating a public
24 port; and it may further lease for limited terms not exceeding thirty years, such
25 particular parcels or portions thereof as the board of harbor commissioners may

1 deem expedient, to parties desiring to employ such leased portions and parcels for
2 public park purposes or in the maintaining, operating or using of any harbor facilities
3 thereon.

4 ***-1817/4.6*** SECTION 3221. Laws of 1929, chapter 151, section 4 is amended
5 to read:

6 [Laws of 1929, chapter 151] Section 4. Whenever the said city of Milwaukee
7 shall convey or attempt to convey the whole or any portion of the lands hereby
8 granted, ceded or confirmed, to any other party except as herein provided, or shall
9 use said lands or any part thereof for purposes permanently inconsistent with their
10 use for public park purposes or for the promotion of navigation and the fisheries, such
11 land, or any part thereof so conveyed or attempted to be conveyed, or used
12 inconsistently as hereinabove stated, shall revert to the state of Wisconsin.

13 ***-1817/4.7*** SECTION 3222. Laws of 1973, chapter 76, section 1 is amended to
14 read:

15 [Laws of 1973, chapter 76] Section 1. All the right, title and interest of the state
16 of Wisconsin in the lands hereinafter described, whether any part or parcel thereof
17 may be, at the time of the passage and publication of this act, dry or submerged under
18 the waters of Lake Michigan are hereby ceded, granted and confirmed to the city of
19 Milwaukee, a municipal corporation, for the purpose of improving, filling, and
20 utilizing the same for public park purposes or in aid of navigation and the fisheries
21 and in addition for such further and other use which the board of harbor
22 commissioners of the city of Milwaukee may deem appropriate and expedient and
23 which the common council approves by resolution. Such land ~~shall~~ may also be used
24 for the purpose of establishing and maintaining thereon breakwaters, bulkheads,
25 piers, wharves, warehouses, transfer sheds, railway tracks, airports, and other

1 harbor facilities, together with such other uses not inconsistent with the
2 improvement of navigation and fisheries in Lake Michigan, and the navigable
3 waters tributary thereto, as the city may deem expedient.

4 ***-1817/4.8* SECTION 3223.** Laws of 1973, chapter 76, section 3 is amended to
5 read:

6 [Laws of 1973, chapter 76] Section 3. The city of Milwaukee, shall not convey
7 any portion or the whole of the lands so granted, ceded and confirmed, and described
8 in SECTION 2 of this act, to any other party, either by warranty deed, quit claim, or
9 in any other manner, except that it may convey to the government of the United
10 States such portion thereof as may be desirable for the promotion of navigation; and
11 it may also convey lands to any harbor district or other public corporation that may
12 hereafter be organized, under any law of this state, for public park purposes or for
13 the purpose of maintaining and operating a public port; and it may further lease for
14 an initial term not exceeding 30 years, such particular parcels or portions thereof as
15 the board of harbor commissioners considers advisable, to parties desiring to employ
16 such leased portions and parcels for public park purposes or in a manner determined
17 by the board of harbor commissioners to be for the best interests of port and harbor
18 development.

19 ***-1834/2.2* SECTION 3224.** 1997 Wisconsin Act 4, section 4 (1) (a), as last
20 affected by 1997 Wisconsin Act 27, section 5510s, is amended to read:

21 [1997 Wisconsin Act 4] Section 4 (1) (a) Notwithstanding 1995 Wisconsin Act
22 27, section 9126 (23) and (26v), the department of corrections may, from July 1, 1997,
23 until July 1, ~~1999~~ 2001, operate the ~~juvenile~~ secured correctional facility, as defined
24 in section 938.02 (15m) of the statutes, authorized under 1995 Wisconsin Act 27,
25 section 9126 (26v), as a state prison named in section 302.01 of the statutes, as

1 affected by this act, for the placement of prisoners, as defined in section 301.01 (2)
2 of the statutes, who are not more than 21 years of age and who are not violent
3 offenders, as determined by the department of corrections.

4 ***-0689/2.10* SECTION 3225.** 1995 Wisconsin Act 292, section 5 is repealed.

5 ***-0689/2.11* SECTION 3226.** 1995 Wisconsin Act 292, section 12 is repealed.

6 ***-0689/2.12* SECTION 3227.** 1995 Wisconsin Act 292, section 14 is repealed.

7 ***-0689/2.13* SECTION 3228.** 1995 Wisconsin Act 292, section 16 is repealed.

8 ***-0689/2.14* SECTION 3229.** 1995 Wisconsin Act 292, section 20 is repealed.

9 ***-0689/2.15* SECTION 3230.** 1995 Wisconsin Act 292, section 22 is repealed.

10 ***-0689/2.16* SECTION 3231.** 1995 Wisconsin Act 292, section 24 is repealed.

11 ***-0689/2.17* SECTION 3232.** 1995 Wisconsin Act 292, section 28 is repealed.

12 ***-0689/2.18* SECTION 3233.** 1995 Wisconsin Act 292, section 30 is repealed.

13 ***-0689/2.19* SECTION 3234.** 1995 Wisconsin Act 292, section 30h is repealed.

14 ***-0689/2.20* SECTION 3235.** 1995 Wisconsin Act 292, section 32 is repealed.

15 ***-0689/2.21* SECTION 3236.** 1995 Wisconsin Act 292, section 37 (1) is repealed.

16 ***-1618/2.6* SECTION 3237.** 1997 Wisconsin Act 27, section 9410 (5g) is
17 amended to read:

18 [1997 Wisconsin Act 27] Section 9410 (5g) **ELIMINATION OF RECYCLING MARKET**
19 **DEVELOPMENT BOARD.** The treatment of sections 15.07 (1) (b) 19., 15.155 (2), ~~16.72 (7)~~
20 ~~(by SECTION 119d)~~, 20.143 (1) (L) (by SECTION 200d), (st) (by SECTION 204d) and (tm)
21 (by SECTION 205d), 20.923 (4) (a) 4q., 36.25 (30g), 560.031 (by SECTION 4338c), (2), (3)
22 and (4), 560.09 (5) and 560.65 (4) (a) and subchapter III of chapter 287 (by SECTION
23 3620m) of the statutes takes effect on June 30, 2001.

24 ***-0120/P2.7* SECTION 3238.** 1997 Wisconsin Act 84, section 168 (intro.) is
25 amended to read:

1 [1997 Wisconsin Act 84] Section 168 **Effective dates.** (intro.) This act takes
2 effect on the date stated in the notice published by the secretary of transportation
3 in the Wisconsin Administrative Register under section 85.515 of the statutes, as
4 created by this act, or on ~~the first day of the 25th month beginning after publication~~
5 May 1, 2001, whichever is earlier, except as follows:

6 ***-0269/3.5*** **SECTION 3239.** 1997 Wisconsin Act 154, section 3 (1) is amended
7 to read:

8 [1997 Wisconsin Act 154] Section 3 (1) STATEWIDE TRAUMA CARE SYSTEM; REPORT.
9 The department of health and family services and the statewide trauma advisory
10 council shall prepare a joint report on the development and implementation of a
11 statewide trauma care system. The report shall make recommendations on issues
12 that need to be resolved in developing and implementing the system, including
13 minimum services in rendering patient care; transport protocols; area trauma
14 advisory councils and plans; development of a method to classify hospitals as to their
15 respective emergency care capabilities and methods to make the resulting
16 information available for public use; improving the communications systems
17 between hospitals and prehospital elements of the trauma care system; development
18 of a statewide trauma registry, including a data system to measure the effectiveness
19 of trauma care and to develop ways to promote ongoing quality improvement; triage;
20 interfacility transfers; enhancing the training and education of health care
21 personnel involved in the provision of trauma care services; and monitoring
22 adherence to rules. Not later than January 1, ~~2000~~ 2001, the department and the
23 statewide trauma advisory council shall submit the report to the legislature in the
24 manner provided under section 13.172 (2) of the statutes, to the joint committee on

1 finance of the legislature as provided in subsection (2), to the governor and to the
2 emergency medical services board.

3 ***-0480/P3.9101*** SECTION **9101. Nonstatutory provisions;**
4 **administration.**

5 ***-1267/1.9101*** SECTION **9101. Nonstatutory provisions;**
6 **administration.**

7 (1) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From federal and program
8 revenue moneys appropriated to the department of administration for the office of
9 justice assistance under section 20.505 (6) (g) and (pb) of the statutes, the
10 department shall expend \$83,600 in fiscal year 1999–2000 and \$87,800 in fiscal year
11 2000–01 to provide the multijurisdictional enforcement group serving Dane County
12 with funding for one assistant district attorney to prosecute criminal violations of
13 chapter 961 of the statutes.

14 (2) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From federal and
15 program revenue moneys appropriated to the department of administration for the
16 office of justice assistance under section 20.505 (6) (g) and (pb) of the statutes, the
17 department shall expend \$263,000 in fiscal year 1999–2000 and \$271,300 in fiscal
18 year 2000–01 to provide the multijurisdictional enforcement group serving
19 Milwaukee County with funding for 3 assistant district attorneys to prosecute
20 criminal violations of chapter 961 of the statutes.

21 ***-1268/2.9101*** SECTION **9101. Nonstatutory provisions;**
22 **administration.**

23 (1) INFORMATION CONCERNING SEXUALLY VIOLENT PERSON COMMITMENT CASES.

24 (a) In any case in which the district attorney files a sexually violent person
25 petition under section 980.02 (1) (b) of the statutes on or after the effective date this

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1 paragraph but before July 1, 2001, the district attorney shall maintain a record of
2 the amount of time spent by the district attorney and by any deputy district attorneys
3 or assistant district attorneys doing all of the following:

4 1. Prosecuting the petition through trial under section 980.05 of the statutes
5 and, if applicable, commitment of the person subject to the petition under section
6 980.06 of the statutes.

7 2. If applicable, representing the state on petitions brought by the person who
8 is the subject of the petition for supervised release under section 980.08 of the
9 statutes or for discharge under section 980.09 or 980.10 of the statutes.

10 (b) Annually, on a date specified by the department of administration, the
11 district attorney shall submit to the department of administration a report
12 summarizing the records under paragraph (a) covering the preceding 12-month
13 period. The department of administration shall maintain the information submitted
14 under this paragraph by district attorneys.

15 ***-1411/5.9101* SECTION 9101. Nonstatutory provisions; administration.**

16 (1) PURCHASE, REPLACEMENT AND MAINTENANCE OF STATE CRIME LABORATORY
17 EQUIPMENT. The secretary of administration shall allocate \$254,700 in fiscal year
18 1999-2000 and \$254,700 in fiscal year 2000-01 from the appropriation accounts
19 under section 20.505 (6) (h) and (pc) of the statutes to provide the department of
20 justice with funding for the purchase, replacement and maintenance of state crime
21 laboratory equipment.

22 (2) PURCHASE OF EQUIPMENT OF DEOXYRIBONUCLEIC ACID ANALYSIS. In fiscal year
23 1999-2000, the secretary of administration shall allocate \$226,800 from the
24 appropriation accounts under section 20.505 (6) (h) and (pc) of the statutes to provide

1 the department of justice with funding for the purchase of equipment for analyzing
2 deoxyribonucleic acid using the short tandem repeat method.

3 (3) CONVERSION OF DEOXYRIBONUCLEIC ACID DATA BANK. In fiscal year 1999–2000,
4 the secretary of administration shall allocate \$450,000 from the appropriation
5 accounts under section 20.505 (6) (h) and (pc) of the statutes to provide the
6 department of justice with funding for converting the deoxyribonucleic acid data
7 bank under section 165.77 (3) of the statutes to make it compatible with the short
8 tandem repeat method of deoxyribonucleic acid analysis.

9 ***-1696/7.9101* SECTION 9101. Nonstatutory provisions;**
10 **administration.**

11 (1) EDUCATIONAL BROADCASTING.

12 (a) *Transfer of University of Wisconsin System funds.* If the secretary of
13 administration determines that the federal communications commission has
14 approved the transfer of all broadcasting licenses held by the educational
15 communications board and the board of regents of the University of Wisconsin
16 System to the corporation described under section 39.81 of the statutes, as created
17 by this act, on the effective date of the last license transferred, all unencumbered
18 balances appropriated to the board of regents of the University of Wisconsin System
19 under section 20.285 of the statutes for public broadcasting, as determined by the
20 secretary of administration, are transferred to the corporation described under
21 section 39.81 of the statutes, as created by this act.

22 (b) *Transfer of educational communications board funds.* If the secretary of
23 administration determines that the federal communications commission has
24 approved the transfer of all broadcasting licenses held by the educational
25 communications board and the board of regents of the University of Wisconsin

1 System to the corporation described under section 39.81 of the statutes, as created
2 by this act, on the effective date of the last license transferred:

3 1. To the appropriation account under section 20.218 (1) (b) of the statutes, as
4 created by this act, there is transferred the unencumbered balance of the
5 appropriation accounts under section 20.225 (1) (a), (b), (d) to (ka) and (m) of the
6 statutes, and the amounts in the schedule for the appropriation account under
7 section 20.218 (1) (b) of the statutes, as created by this act, are increased by the sum
8 of the amounts transferred from the appropriation accounts under section 20.225 (1)
9 (a), (b), (d) to (ka) and (m) of the statutes.

10 2. To the appropriation account under section 20.505 (5) (i) of the statutes, as
11 created by this act, there is transferred the unencumbered balance of the
12 appropriation account under section 20.225 (1) (kb) of the statutes, and the amounts
13 in the schedule for the appropriation account under section 20.505 (5) (i) of the
14 statutes, as created by this act, are increased by the amount transferred from the
15 appropriation account under section 20.225 (1) (kb) of the statutes.

16 (c) *Operational plan for educational broadcasting corporation.* The persons
17 under section 39.81 (1) of the statutes, as created by this act, shall prepare an
18 operational plan for the corporation described under section 39.81 of the statutes, as
19 created by this act. The operational plan shall include all of the following:

20 1. A list of those individuals employed by the board of regents of the University
21 of Wisconsin System and the educational communications board who are best-suited
22 to provide educational broadcasting services for the corporation described under
23 section 39.81 of the statutes, as created by this act.

24 2. The number of authorized FTE positions for the board of regents of the
25 University of Wisconsin System that would be eliminated if all broadcasting licenses

1 held by the educational communications board and the board of regents of the
2 University of Wisconsin System were transferred to the corporation described under
3 section 39.81 of the statutes, as created by this act.

4 3. An estimate of the level of funding necessary to cover the annual operating
5 expenses of the corporation described under section 39.81 of the statutes, as created
6 by this act.

7 4. An estimate of the amount of money necessary to fund the appropriations
8 under sections 20.255 (1) (fw) and 20.285 (1) (fu) of the statutes.

9 5. A recommendation about whether the department of administration should
10 undertake the construction and operation of national weather service transmitters.

11 (d) *Review of operational plan.* The secretary of administration shall submit
12 the operational plan under paragraph (c) to the cochairpersons of the joint committee
13 on finance. If the cochairpersons of the joint committee on finance do not notify the
14 secretary of administration within 14 working days after the date of the submittal
15 of the operational plan that the joint committee on finance has scheduled a meeting
16 to review the operational plan, the operational plan may be implemented as proposed
17 by the secretary of administration. If, within 14 working days after the date of the
18 submittal of the operational plan, the cochairpersons of the joint committee on
19 finance notify the secretary of administration that the joint committee on finance has
20 scheduled a meeting to review the operational plan, the operational plan may be
21 implemented only upon approval of the joint committee on finance.

22 (e) *Positions decrease.* If the secretary of administration determines that the
23 federal communications commission has approved the transfer of all broadcasting
24 licenses held by the educational communications board and the board of regents of
25 the University of Wisconsin System to the corporation described under section 39.81

1 of the statutes, as created by this act, on the effective date of the last license
2 transferred the authorized FTE positions for the University of Wisconsin System are
3 decreased by the number determined under paragraph (c) 2.

4 (f) *Determination of license transfer date.* If the secretary of administration
5 determines that the federal communications commission has approved the transfer
6 of all broadcasting licenses held by the educational communications commission and
7 the board of regents of the University of Wisconsin System to the corporation
8 described under section 39.81 of the statutes, as created by this act, the secretary
9 shall immediately notify the revisor of statutes in writing of the effective date of the
10 last license transferred.

11 ***-1806/3.9101* SECTION 9101. Nonstatutory provisions;**
12 **administration.**

13 (1) TRANSFER OF COLLEGE TUITION PREPAYMENT PROGRAM.

14 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
15 liabilities of the department of administration primarily related to the
16 administration of the college tuition prepayment program, as determined by the
17 secretary of administration, shall become the assets and liabilities of the state
18 treasurer.

19 (b) *Employee transfers.* All incumbent employees holding positions in the
20 department of administration performing duties primarily related to the
21 administration of the college tuition prepayment program, as determined by the
22 secretary of administration, are transferred on the effective date of this paragraph
23 to the state treasurer.

24 (c) *Employee status.* Employees transferred under paragraph (b) have all the
25 rights and the same status under subchapter V of chapter 111 and chapter 230 of the

1 statutes in the state treasurer's office that they enjoyed in the department of
2 administration immediately before the transfer. Notwithstanding section 230.28 (4)
3 of the statutes, no employe so transferred who has attained permanent status in
4 class is required to serve a probationary period.

5 (d) *Tangible personal property.* On the effective date of this paragraph, all
6 tangible personal property, including records, of the department of administration
7 that is primarily related to the administration of the college tuition prepayment
8 program, as determined by the secretary of administration, is transferred to the
9 state treasurer.

10 (e) *Contracts.* All contracts entered into by the department of administration
11 that are in effect on the effective date of this paragraph and that are primarily related
12 to the administration of the college tuition prepayment program, as determined by
13 the secretary of administration, remain in effect and are transferred to the state
14 treasurer. The state treasurer shall carry out any such contractual obligations until
15 modified or rescinded by the state treasurer to the extent allowed under contract.

16 (f) *Rules and orders.* All rules promulgated by the department of
17 administration that are in effect on the effective date of this paragraph and that are
18 primarily related to the administration of the college tuition prepayment program,
19 as determined by the secretary of administration, remain in effect until their
20 specified expiration date or until amended or repealed by the state treasurer. All
21 orders issued by the department of administration that are in effect on the effective
22 date of this paragraph and that are primarily related to the administration of the
23 college tuition prepayment program, as determined by the secretary of
24 administration, remain in effect until their specified expiration date or until
25 modified or rescinded by the state treasurer.

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1 (g) *Pending matters.* Any matters pending with the department of
2 administration on the effective date of this paragraph that are primarily related to
3 the administration of the college tuition prepayment program, as determined by the
4 secretary of administration, are transferred to the state treasurer and all materials
5 submitted to or actions taken by the department of administration with respect to
6 the pending matters are considered as having been submitted or taken by the state
7 treasurer.

8 ***-1840/2.9101*** **SECTION 9101. Nonstatutory provisions;**
9 **administration.**

10 (1) **INSTALLATION OF EQUIPMENT FOR AUTOMATED JUSTICE INFORMATION SYSTEMS.**
11 The secretary of administration shall allocate \$363,900 in fiscal year 1999–2000 and
12 \$1,782,000 in fiscal year 2000–01 from the appropriation accounts under section
13 20.505 (6) (h) and (pc) of the statutes to fund the installation of equipment for
14 automated justice information systems.

15 (2) **OPERATIONS RELATING TO AUTOMATED JUSTICE INFORMATION SYSTEMS.** The
16 secretary of administration shall allocate \$446,500 in fiscal year 1999–2000 and
17 \$446,500 in fiscal year 2000–01 from the appropriation account under section 20.505
18 (6) (pc) of the statutes to fund the general operations of the department of
19 administration relating to automated justice information systems.

20 (3) **DEPARTMENT OF CORRECTIONS ALCOHOL AND OTHER DRUG ABUSE PROGRAMS.** The
21 secretary of administration shall allocate \$1,000,000 in fiscal year 1999–2000 and
22 \$1,000,000 in fiscal year 2000–01 from the appropriation accounts under section
23 20.505 (6) (h) and (pc) of the statutes to fund alcohol and other drug abuse programs
24 in the department of corrections.

1 (4) DEPARTMENT OF CORRECTIONS INFORMATION TECHNOLOGY. The secretary of
2 administration shall allocate \$533,300 in fiscal year 1999-2000 and \$1,200,000 in
3 fiscal year 2000-01 from the appropriation accounts under section 20.505 (6) (h) and
4 (pc) of the statutes to provide the department of corrections with funding for
5 information technology.

6 (5) REIMBURSEMENT TO COUNTIES FOR CRIME VICTIM AND WITNESS SERVICES. The
7 secretary of administration shall allocate \$850,800 in fiscal year 1999-2000 and
8 \$850,800 in fiscal year 2000-01 from the appropriation accounts under section
9 20.505 (6) (g) and (pb) of the statutes to provide reimbursement to counties for
10 providing services to victims and witnesses of crime.

11 ***-1938/1.9101*** **SECTION 9101. Nonstatutory provisions;**
12 **administration.**

13 (1) PRIVATIZATION OF PUBLIC BROADCASTING TOWERS.

14 (a) In this subsection:

15 1. "Department" means the department of administration.

16 2. "Communications towers" means state-owned or state-leased
17 communications towers that are used for public broadcasting and any related
18 structures, equipment and property, except for the communications tower operated
19 by the Milwaukee area technical college.

20 (b) The department, after consultation with all other state agencies, shall
21 prepare a report on the privatization of communications towers. The report shall
22 include each of the following:

23 1. An inventory of all communications towers.

24 2. A plan for implementing privatization of communications towers, including
25 any plans and specifications for the sale or sublease of communications towers to

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1 private bidders and any proposed contract terms for the state to lease back sufficient
2 capacity on communications towers in order to meet the state's current
3 communications needs and for providing for any construction or expansion that is
4 necessary to meet the state's future communications needs.

5 (c) No later than June 30, 2000, the department shall submit the report under
6 paragraph (b) to the joint committee on finance of the legislature for its review. If
7 the cochairpersons of the committee do not notify the department within 14 working
8 days after the date of submittal of the report that the committee has scheduled a
9 meeting for the purpose of reviewing the report, the plan included in the report may
10 be implemented as proposed by the department. If, within 14 working days after the
11 date of submittal, the cochairpersons of the committee notify the department that
12 the committee has scheduled a meeting for the purpose of reviewing the report, the
13 plan may be implemented only upon approval of the committee.

14 ***-1969/P2.9101* SECTION 9101. Nonstatutory provisions;**
15 **administration.**

16 (1) SYNAR COMPLIANCE CHECKS. The legislative reference bureau shall prepare
17 legislation authorizing the development of a statewide protocol for licensing
18 authorities and law enforcement agencies in conducting compliance surveys to
19 determine the prevalence of illegal retail sales of tobacco products to underage
20 persons, based on instructions provided by the department of administration. The
21 final instructions for this legislation shall be submitted to the legislative reference
22 bureau by the department of administration not later than March 1, 1999. The
23 secretary of administration shall submit the proposed legislation to the
24 cochairpersons of the joint committee on finance no later than April 1, 1999.

1 ***-2005/4.9101*** SECTION **9101. Nonstatutory provisions;**
2 **administration.**

3 (1) GLASS CEILING BOARD INITIAL TERMS. Notwithstanding section 15.105 (26) of
4 the statutes, as created by this act, of the members first appointed to the glass ceiling
5 board under section 15.105 (26) (b) of the statutes, the governor shall designate 7
6 members to serve for terms expiring on May 1, 2001; 7 members to serve for terms
7 expiring on May 1, 2002; and 7 members to serve for terms expiring on May 1, 2003.

8 ***-2052/2.9101*** SECTION **9101. Nonstatutory provisions;**
9 **administration.**

10 (1) DETERMINATION OF COSTS FOR PAY RATE OR RANGE ADJUSTMENTS FOR CERTAIN
11 EMPLOYES OF THE DEPARTMENTS OF CORRECTIONS AND HEALTH AND FAMILY SERVICES.
12 During the 1999–2001 biennium, the secretary of administration shall determine
13 which costs of the departments of corrections and health and family services may be
14 supplemented from the appropriation accounts under section 20.865 (1) (cb) and (ib)
15 of the statutes.

16 ***-0480/P3.9102*** SECTION 9102. Nonstatutory provisions; adolescent
17 pregnancy prevention and pregnancy services board.

18 ***-0030/1.9103*** SECTION 9103. Nonstatutory provisions; aging and
19 long-term care board.

20 (1) LENGTH OF INITIAL TERMS OF MEMBERS OF BOARD ON AGING AND LONG-TERM CARE.
21 Notwithstanding the length of terms specified for members of the board on aging and
22 long-term care appointed under section 15.105 (10) of the statutes, as affected by this
23 act, one of the 2 additional initial members appointed under that subsection shall be
24 appointed for a term expiring on May 1, 2005, and the other of the 2 additional initial

1 members appointed under that subsection shall be appointed for a term expiring on
2 May 1, 2006.

3 ***-0480/P3.9103* SECTION 9103. Nonstatutory provisions; aging and**
4 **long-term care board.**

5 ***-0480/P3.9104* SECTION 9104. Nonstatutory provisions; agriculture,**
6 **trade and consumer protection.**

7 ***-1785/P3.9104* SECTION 9104. Nonstatutory provisions; agriculture,**
8 **trade and consumer protection.**

9 (1) SOIL AND WATER CONSERVATION STANDARDS. A county land conservation
10 committee shall submit revised soil and water conservation standards that comply
11 with section 92.105 (1) of the statutes, as affected by this act, to the land and water
12 conservation board no later than September 1, 2000.

13 (2) FARMLAND PRESERVATION RULES. Using the procedure under section 227.24
14 of the statutes, the department of agriculture, trade and consumer protection may
15 promulgate a rule under section 91.04 of the statutes, as created by this act, or under
16 any other provision of the statutes if the rule is necessary to implement the changes
17 related to the farmland preservation credit made by this act for the period before the
18 effective date of any permanent rule promulgated under section 91.04 of the statutes,
19 as created by this act, or promulgated to implement those changes, but not to exceed
20 the period authorized under section 227.24 (1) (c) and (2) of the statutes.
21 Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department
22 is not required to provide evidence that promulgating a rule under this subsection
23 as an emergency rule is necessary for the preservation of the public peace, health,
24 safety or welfare and is not required to provide a finding of emergency for a rule
25 promulgated under this subsection.

1 ***-2070/1.9104* SECTION 9104. Nonstatutory provisions; agriculture,**
2 **trade and consumer protection.**

3 (1) EMERGENCY RULES FOR DRAINAGE DISTRICT BOARD GRANTS. Using the procedure
4 under section 227.24 of the statutes, the department of agriculture, trade and
5 consumer protection may promulgate a rule under section 88.15 (2) of the statutes,
6 as created by this act, for the period before the effective date of the permanent rule
7 promulgated under section 88.15 (2) of the statutes, as created by this act, but not
8 to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.
9 Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department
10 is not required to provide evidence that promulgating a rule under this subsection
11 as an emergency rule is necessary for the preservation of the public peace, health,
12 safety or welfare and is not required to provide a finding of emergency for a rule
13 promulgated under this subsection.

14 ***-0480/P3.9105* SECTION 9105. Nonstatutory provisions; arts board.**

15 ***-0480/P3.9106* SECTION 9106. Nonstatutory provisions; boundary**
16 **area commission, Minnesota-Wisconsin.**

17 ***-0480/P3.9107* SECTION 9107. Nonstatutory provisions; building**
18 **commission.**

19 ***-1542/2.9107* SECTION 9107. Nonstatutory provisions; building**
20 **commission.**

21 (1) 1999-2001 AUTHORIZED STATE BUILDING PROGRAM. For the fiscal years
22 beginning on July 1, 1999, and ending on June 30, 2001, the authorized state
23 building program is as follows:

1 (a) UNIVERSITY OF WISCONSIN SYSTEM

2 1. *Projects financed by program revenue supported*3 *borrowing:*

4 Ashland — Full-scale aquaculture demonstration

5 facility \$3,000,000

6 2. *Agency totals:*7 Program revenue supported borrowing 3,000,000

8 Total — All sources of funds \$3,000,000

9 (b) SUMMARY

10 Total program revenue supported borrowing \$3,000,000

11 Total — All sources of funds \$3,000,000

12 ***-0480/P3.9108* SECTION 9108. Nonstatutory provisions; child abuse**
13 **and neglect prevention board.**14 ***-0480/P3.9109* SECTION 9109. Nonstatutory provisions; circuit courts.**15 ***-0480/P3.9110* SECTION 9110. Nonstatutory provisions; commerce.**16 ***-0824/9.9110* SECTION 9110. Nonstatutory provisions; commerce.**17 (1) GRANTS TO BROWN COUNTY. From the appropriation under section 20.143 (1)
18 (kj) of the statutes, the department of commerce shall make grants to Brown County
19 of \$500,000 in fiscal year 1999–2000 and \$1,000,000 in fiscal year 2000–01 for
20 economic development.21 ***-0935/2.9110* SECTION 9110. Nonstatutory provisions; commerce.**22 (1) SMALL SEWAGE SYSTEMS. The department of commerce may use the procedure
23 specified under section 227.24 of the statutes to promulgate the rule required under
24 section 145.02 (4) (c) of the statutes, as created by this act, for the period before the

1 effective date of a permanent rule, but not to exceed the period authorized under
2 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),
3 (2) (b) and (3) of the statutes, the department is not required to provide evidence that
4 promulgating a rule under this subsection as an emergency rule is necessary for the
5 preservation of the public peace, health, safety or welfare and is not required to
6 provide a finding of emergency for a rule promulgated under this subsection.

7 ***-1669/5.9110* SECTION 9110. Nonstatutory provisions; commerce.**

8 (1) RULES FOR DETERMINING PRIORITY OF SITES OF PETROLEUM PRODUCT DISCHARGES.
9 Using the procedure under section 227.24 of the statutes, the department of
10 commerce shall promulgate the rules required under section 101.144 (3g) of the
11 statutes, as created by this act, for the period before the effective date of the
12 permanent rules under that provision, but not to exceed the period authorized under
13 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),
14 (2) (b) and (3) of the statutes, the department is not required to provide evidence that
15 promulgating rules under this subsection is necessary for the preservation of the
16 public peace, health, safety or welfare and is not required to provide a finding of
17 emergency for rules promulgated under this subsection. The department shall
18 promulgate rules under this subsection no later than the 30th day after the effective
19 date of this subsection.

20 ***-2072/2.9110* SECTION 9110. Nonstatutory provisions; commerce.**

21 (1) LOAN FOR PEDESTRIAN BRIDGE PROJECT.

22 (a) The department of commerce may make a loan of not more than \$600,000
23 from the appropriations under section 20.143 (1) (c) and (ie) of the statutes, as
24 affected by this act, to a person for a project that includes a pedestrian bridge, if all
25 of the following apply:

1 1. The person submits a plan to the department of commerce detailing the
2 proposed use of the loan and the secretary of commerce approves the plan.

3 2. The person enters into a written agreement with the department of
4 commerce that specifies the loan terms and the conditions for use of the loan
5 proceeds, including reporting and auditing requirements.

6 3. The person agrees in writing to submit to the department of commerce,
7 within 6 months after spending the full amount of the loan, a report detailing how
8 the loan proceeds were used.

9 (b) The department of commerce shall deposit in the appropriation account
10 under section 20.143 (1) (ie) of the statutes, as affected by this act, any moneys
11 received in repayment of the loan.

12 (c) The department of commerce may not pay loan proceeds under this
13 subsection after June 30, 2000.

14 (2) GRANT FOR MANUFACTURING TECHNOLOGY TRAINING CENTER.

15 (a) In this subsection:

16 1. "Consortium" means an association of business, governmental and
17 educational entities.

18 2. "Department" means the department of commerce.

19 3. "Secretary" means the secretary of commerce.

20 (b) Subject to paragraph (d), the department may make a grant of not more
21 than \$1,000,000 from the appropriation under section 20.143 (1) (c) of the statutes,
22 as affected by this act, to a consortium for a manufacturing technology training
23 center if all of the following apply:

24 1. The consortium is located in the Racine-Kenosha area.

1 2. The consortium submits a plan to the department detailing the proposed use
2 of the grant and the secretary approves the plan.

3 3. The consortium enters into a written agreement with the department that
4 specifies the conditions for use of the grant proceeds, including reporting and
5 auditing requirements.

6 4. The consortium agrees in writing to submit to the department the report
7 required under paragraph (c) by the time required under paragraph (c).

8 (c) If a consortium receives a grant under this subsection, it shall submit to the
9 department, within 6 months after spending the full amount of the grant, a report
10 detailing how the grant proceeds were used.

11 (d) 1. The department may not pay grant proceeds under this subsection after
12 June 30, 2001.

13 2. The department may not disburse more than \$500,000 in grant proceeds
14 under this subsection in either fiscal year 1999–2000 or fiscal year 2000–01.

15 ***-0480/P3.9111*** **SECTION 9111. Nonstatutory provisions; corrections.**

16 ***-2105/1.9111*** **SECTION 9111. Nonstatutory provisions; corrections.**

17 (1) **SECURED GROUP HOME RATES.** By January 1, 2000, the department of
18 corrections shall calculate and submit to the department of administration per
19 person daily cost assessments under section 301.26 (4) (d) 3. and 4. of the statutes
20 for juveniles who are placed in a secured group home, as defined in section 938.02
21 (15p) of the statutes, as created by this act.

22 ***-0480/P3.9112*** **SECTION 9112. Nonstatutory provisions; court of**
23 **appeals.**

24 ***-0480/P3.9113*** **SECTION 9113. Nonstatutory provisions; educational**
25 **communications board.**

1 ***-0480/P3.9114*** SECTION 9114. Nonstatutory provisions; elections
2 board.

3 ***-0480/P3.9115*** SECTION 9115. Nonstatutory provisions; employe trust
4 funds.

5 ***-0480/P3.9116*** SECTION 9116. Nonstatutory provisions; employment
6 relations commission.

7 ***-0480/P3.9117*** SECTION 9117. Nonstatutory provisions; employment
8 relations department.

9 ***-0480/P3.9118*** SECTION 9118. Nonstatutory provisions; ethics board.

10 ***-0480/P3.9119*** SECTION 9119. Nonstatutory provisions; financial
11 institutions.

12 ***-1836/2.9119*** SECTION 9119. Nonstatutory provisions; financial
13 institutions.

14 (1) EMERGENCY RULE-MAKING AUTHORITY. Using the procedure under section
15 227.24 of the statutes, the division of banking shall promulgate rules required under
16 chapter 222 of the statutes, as created by this act, for the period before permanent
17 rules become effective, but not to exceed the period authorized under section 227.24
18 (1)(c) and (2) of the statutes. Notwithstanding section 227.24 (1)(a) and (2)(b) of the
19 statutes, the division of banking need not provide evidence of the necessity of
20 preservation of the public peace, health, safety or welfare in promulgating rules
21 under this subsection.

22 ***-0480/P3.9121*** SECTION 9121. Nonstatutory provisions; governor.

23 ***-0480/P3.9122*** SECTION 9122. Nonstatutory provisions; Health and
24 Educational Facilities Authority.

1 ***-0030/1.9123* SECTION 9123. Nonstatutory provisions; health and**
2 **family services.**

3 (1) RULES FOR FAMILY CARE BENEFIT. Using the procedure under section 227.24
4 of the statutes, the department of health and family services shall promulgate the
5 rules required under sections 46.286 (4) to (7), 46.288 (1) to (4) and 50.02 (2) (d) of
6 the statutes, as created by this act, for the period before the effective date of the
7 permanent rules promulgated under sections 46.286 (4) to (7), 46.288 (1) to (4) and
8 50.02 (2) (d) of the statutes, as created by this act, but not to exceed the period
9 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
10 section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required
11 to provide evidence that promulgating a rule under this subsection as an emergency
12 rule is necessary for the preservation of the public peace, health, safety or welfare
13 and is not required to provide a finding of emergency for a rule promulgated under
14 this subsection.

15 ***-0266/3.9123* SECTION 9123. Nonstatutory provisions; health and**
16 **family services.**

17 (1) HEALTH INSURANCE RISK-SHARING PLAN AND MEDICAL ASSISTANCE PURCHASE
18 PLAN. The department of health and family services shall evaluate how to coordinate
19 the health insurance risk-sharing plan under chapter 149 of the statutes, as affected
20 by this act, and the medical assistance purchase plan under section 49.472 of the
21 statutes, as created by this act. If necessary, the department shall develop proposed
22 legislation that coordinates the programs and that addresses the provision of health
23 care coverage for individuals who are eligible for both programs.

24 ***-0326/3.9123* SECTION 9123. Nonstatutory provisions; health and**
25 **family services.**

SECTION 9123

1 (1) MENTAL HEALTH AND ALCOHOL OR OTHER DRUG ABUSE MANAGED CARE
2 DEMONSTRATION PROJECTS.

3 (a) From the appropriation under section 20.435 (6) (a) and (n) of the statutes,
4 the department of health and family services shall contract with counties or federally
5 recognized American Indian tribes or bands to provide up to 2 demonstration projects
6 in state fiscal year 2000–01. The demonstration projects shall be to provide mental
7 health and alcohol or other drug abuse services under managed care programs to
8 persons who suffer from mental illness, alcohol or other drug dependency or both
9 mental illness and alcohol or other drug dependency.

10 (b) The department of health and family services shall submit for approval by
11 the secretary of the federal department of health and human services any requests
12 for waiver of federal medical assistance laws that are necessary to effectuate the
13 managed care demonstration projects under this subsection.

14 ***-0329/4.9123*** **SECTION 9123. Nonstatutory provisions; health and**
15 **family services.**

16 (1) EMERGENCY MEDICAL SERVICES LICENSE RENEWAL AND LATE FEES AND
17 FORFEITURES; RULES.

18 (a) The department of health and family services shall submit in proposed form
19 the rules required under section 146.50 (13) (d) of the statutes, as created by this act,
20 to the legislative council staff under section 227.15 (1) of the statutes no later than
21 the first day of the 4th month beginning after the effective date of this paragraph.

22 (b) Using the procedure under section 227.24 of the statutes, the department
23 of health and family services may promulgate rules required under section 146.50
24 (13) (d) of the statutes, as created by this act, for the period before the effective date
25 of the rules submitted under paragraph (a), but not to exceed the period authorized

1 under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24
2 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide
3 evidence that promulgating a rule under this paragraph as an emergency rule is
4 necessary for the preservation of the public peace, health, safety or welfare and is not
5 required to provide a finding of emergency for a rule promulgated under this
6 paragraph.

7 ***-0480/P3.9123* SECTION 9123. Nonstatutory provisions; health and**
8 **family services.**

9 ***-0483/4.9123* SECTION 9123. Nonstatutory provisions; health and**
10 **family services.**

11 (1) PRELIMINARY BREATH SCREENING INSTRUMENTS. From the amounts credited to
12 the appropriation account under section 20.435 (6) (hx) of the statutes, the secretary
13 of administration shall transfer \$290,900 to the appropriation account under section
14 20.395 (5) (ci) of the statutes not later than 30 days after the effective date of this
15 subsection.

16 ***-0689/2.9123* SECTION 9123. Nonstatutory provisions; health and**
17 **family services.**

18 (1) FIFTH STANDARD FOR EMERGENCY DETENTION AND CIVIL COMMITMENT. The
19 repeal of 1995 Wisconsin Act 292, sections 5, 12, 14, 16, 20, 22, 24, 28, 30, 30h, 32 and
20 37 (1), by this act applies notwithstanding section 990.03 (3) of the statutes.

21 ***-1695/1.9123* SECTION 9123. Nonstatutory provisions; health and**
22 **family services.**

23 (1) REPORT TO LEGISLATURE REGARDING HUNGER PREVENTION GRANTS. The
24 department of health and family services shall, by June 30, 2000, submit a report to
25 the governor, and to the legislature in the manner provided under section 13.172 (2)

1 of the statutes, on grants made under section 46.765, 1997 stats., and the
2 community-based hunger prevention activities conducted using those grants.

3 ***-1847/1.9123* SECTION 9123. Nonstatutory provisions; health and**
4 **family services.**

5 (1) OFFICE OF HEALTH CARE INFORMATION REQUEST FOR INFORMATION. By January
6 1, 2000, the office of health care information shall issue a request for information to
7 determine whether an entity would be interested in purchasing data from the office
8 to analyze the data, prepare reports and make the reports available for sale to any
9 interested organizations.

10 ***-0480/P3.9124* SECTION 9124. Nonstatutory provisions; historical**
11 **society.**

12 ***-0480/P3.9125* SECTION 9125. Nonstatutory provisions; Housing and**
13 **Economic Development Authority.**

14 ***-1220/2.9125* SECTION 9125. Nonstatutory provisions; Housing and**
15 **Economic Development Authority.**

16 (1) TRANSFER TO WISCONSIN DEVELOPMENT RESERVE FUND. In fiscal year
17 1999-2000, the Wisconsin Housing and Economic Development Authority shall
18 transfer at least \$5,100,000 from the housing rehabilitation loan program
19 administration fund to the Wisconsin development reserve fund, regardless of
20 whether the chairperson of the Wisconsin Housing and Economic Development
21 Authority certifies that the funds are no longer required for the housing
22 rehabilitation loan program under section 234.51 (2) (b) of the statutes, as affected
23 by this act.

24 ***-0480/P3.9126* SECTION 9126. Nonstatutory provisions; insurance.**

25 ***-1815/1.9126* SECTION 9126. Nonstatutory provisions; insurance.**

1 (1) GRANT FOR ESTABLISHING SMALL EMPLOYER HEALTH INSURANCE PURCHASING
2 POOLS.

3 (a) In this subsection:

4 1. "Commissioner" means the commissioner of insurance.

5 2. "Office" means the office of the commissioner of insurance.

6 3. "Small employer" has the meaning given in section 635.02 (7) of the statutes.

7 (b) The office may make a grant of not more than \$200,000 from the
8 appropriation under section 20.145 (1) (c) of the statutes, as created by this act, to
9 a private organization for the purpose of establishing health insurance purchasing
10 pools for private small employers if all of the following apply:

11 1. The private organization submits a plan to the office detailing the proposed
12 use of the grant and the commissioner approves the plan.

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

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

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

21 (d) The office may not pay grant proceeds under this subsection after June 30,
22 2000.

23 ***-0480/P3.9127* SECTION 9127. Nonstatutory provisions; investment**
24 **board.**

1 ***-1731/3.9127* SECTION 9127. Nonstatutory provisions; investment**
2 **board.**

3 (1) BONUS COMPENSATION PLAN FOR CERTAIN EMPLOYES OF THE INVESTMENT BOARD.
4 Notwithstanding section 25.156 (6m) (b) of the statutes, as created by this act, the
5 secretary shall, no later than October 1, 1999, determine which employes of the
6 investment board are investment professionals and eligible for the plan of bonus
7 compensation provided under section 25.156 (6m) (a) of the statutes, as created by
8 this act, for the 1999–2000 fiscal year, and shall report this determination to the
9 investment board.

10 ***-0480/P3.9128* SECTION 9128. Nonstatutory provisions; joint**
11 **committee on finance.**

12 ***-0480/P3.9129* SECTION 9129. Nonstatutory provisions; judicial**
13 **commission.**

14 ***-0480/P3.9130* SECTION 9130. Nonstatutory provisions; justice.**

15 ***-0480/P3.9131* SECTION 9131. Nonstatutory provisions; legislature.**

16 ***-0480/P3.9132* SECTION 9132. Nonstatutory provisions; lieutenant**
17 **governor.**

18 ***-0480/P3.9133* SECTION 9133. Nonstatutory provisions; lower**
19 **Wisconsin state riverway board.**

20 ***-0480/P3.9134* SECTION 9134. Nonstatutory provisions; Medical**
21 **College of Wisconsin.**

22 ***-0480/P3.9135* SECTION 9135. Nonstatutory provisions; military**
23 **affairs.**

24 ***-0197/5.9136* SECTION 9136. Nonstatutory provisions; natural**
25 **resources.**

1 (1) RULES FOR SAFETY PROGRAMS OF INSTRUCTION. The department of natural
2 resources may use the procedure under section 227.24 of the statutes to promulgate
3 rules under sections 23.33 (5) (d), 29.591 (3), 30.74 (1) (b) and 350.055 of the statutes,
4 as affected by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes,
5 the emergency rules may remain in effect until January 1, 2000, or the date on which
6 permanent rules take effect, whichever is sooner. Notwithstanding section 227.24
7 (1) (a) and (3) of the statutes, the department is not required to provide evidence that
8 promulgating a rule under this subsection as an emergency rule is necessary for the
9 preservation of public peace, health, safety or welfare and is not required to provide
10 a finding of emergency for a rule promulgated under this subsection.

11 *~~-0480/P3.9136~~* **SECTION 9136. Nonstatutory provisions; natural**
12 **resources.**

13 *~~-1420/2.9136~~* **SECTION 9136. Nonstatutory provisions; natural**
14 **resources.**

15 (1) EMERGENCY RULE-MAKING AUTHORITY. Using the procedure under section
16 227.24 of the statutes, the department of natural resources shall promulgate rules
17 required under section 292.75 of the statutes, as created by this act, for the period
18 before permanent rules become effective, but not to exceed the period authorized
19 under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24
20 (1) (a) and (2) (b) of the statutes, the department is not required to provide evidence
21 that promulgating a rule under this subsection as an emergency rule is necessary for
22 the preservation of the public peace, health, safety or welfare and is not required to
23 provide a finding of emergency for a rule promulgated under this subsection.

24 *~~-1423/3.9136~~* **SECTION 9136. Nonstatutory provisions; natural**
25 **resources.**

SECTION 9136**(1) RULES CONCERNING NATURAL ATTENUATION OF GROUNDWATER CONTAMINATION.**

Using the procedure under section 227.24 of the statutes, the department of natural resources shall promulgate the rules required under section 292.15 (2) (ae) of the statutes, as created by this act, for the period before the effective date of the permanent rules under that provision, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide evidence that promulgating rules under this subsection is necessary for the preservation of the public peace, health, safety or welfare and is not required to provide a finding of emergency for rules promulgated under this subsection.

***-1553/P1.9136* SECTION 9136. Nonstatutory provisions; natural resources.**

(1) DRINKING WATER STUDY. During the 2000–01 fiscal year, the department of natural resources shall provide a grant from the appropriation under section 20.370 (6) (ck) of the statutes, as created by this act, to the town of Swiss, Burnett County, and the St. Croix band of Chippewa for a study to determine the best technological approaches to addressing water quality problems threatening drinking water and overall water quality problems of the St. Croix, Namekagon and Yellow rivers. The town and the band shall submit a report describing the findings of the study to the department of natural resources and the department of administration no later than January 1, 2003.

-1639/2.9136* SECTION 9136. Nonstatutory provisions; natural resources.*(1) RADIO SERVICES.**

1 (a) *Position transfers.* There are transferred from the department of natural
2 resources to the department of transportation 7.0 FTE incumbent employes holding
3 positions in the department of natural resources performing duties primarily related
4 to radio services.

5 (b) *Employe status.* Employes transferred under paragraph (a) have all the
6 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
7 statutes in the department of transportation that they enjoyed in the department of
8 natural resources immediately before the transfer. Notwithstanding section 230.28
9 (4) of the statutes, no employe so transferred who has attained permanent status in
10 class is required to serve a probationary period.

11 (c) *Payments to the department of transportation.* If the department of
12 transportation provides radio services to the department of natural resources under
13 section 85.12 of the statutes in fiscal years 1999–2000 and 2000–01, the department
14 of natural resources shall make payments to the department of transportation for
15 these services from the appropriations under section 20.370 (8) (mt) of the statutes,
16 as affected by this act, and section 20.370 (8) (mu) of the statutes on the first day of
17 each quarter of fiscal years 1999–2000 and 2000–01, except that the department of
18 natural resources shall make its first payment in fiscal year 1999–2000 on July 31,
19 1999, or 10 days after the effective date of this paragraph, whichever occurs first.

20 ***-1670/P1.9136*** **SECTION 9136. Nonstatutory provisions; natural**
21 **resources.**

22 (1) DATABASE OF PROPERTIES ON WHICH GROUNDWATER STANDARDS ARE EXCEEDED.
23 Using the procedure under section 227.24 of the statutes, the department of natural
24 resources may promulgate a rule under section 292.57 (2) of the statutes, as created
25 by this act, for the period before the effective date of the rule promulgated under

1 section 292.57 (2) of the statutes, as created by this act, but not to exceed the period
2 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
3 section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required
4 to provide evidence that promulgating a rule under this subsection as an emergency
5 rule is necessary for the preservation of the public peace, health, safety or welfare
6 and is not required to provide a finding of emergency for a rule promulgated under
7 this subsection.

8 ***-1833/2.9136* SECTION 9136. Nonstatutory provisions; natural**
9 **resources.**

10 (1) STUDY OF LAND APPLICATION OF SEPTAGE. The department of natural resources
11 shall study this state's program for regulating the application of septage to land. No
12 later than September 1, 2000, the department shall submit a report presenting the
13 results of the study, including relevant data, identification of problems and
14 recommendations to improve the program, to the legislature in the manner provided
15 in section 13.172 (2) of the statutes, to the governor and to the department of
16 administration.

17 ***-1957/1.9136* SECTION 9136. Nonstatutory provisions; natural**
18 **resources.**

19 (1) MEMORANDUM OF UNDERSTANDING FOR CONTAMINATED TRANSPORTATION
20 CONSTRUCTION ZONES. Not later than January 1, 2000, the secretary of natural
21 resources and the secretary of transportation jointly shall submit to the secretary of
22 administration a memorandum of understanding between the department of
23 natural resources and the department of transportation. The memorandum of
24 understanding shall establish the respective responsibilities of the department of
25 natural resources and the department of transportation for hazardous substances

1 discovered on any property under the jurisdiction of the department of
2 transportation. Any actions to restore the environment or to minimize the harmful
3 effects of the hazardous substances on the property shall be based upon the risk to
4 public health and the environment and shall, to the greatest extent practicable, rely
5 on natural processes of attenuation without human intervention. The memorandum
6 of understanding shall establish a means of resolving disputes between the agencies
7 arising under the memorandum of understanding. The memorandum of
8 understanding does not take effect unless the secretary of administration approves
9 of it in writing to the secretary of natural resources and the secretary of
10 transportation.

11 ***-1961/1.9136* SECTION 9136. Nonstatutory provisions; natural**
12 **resources.**

13 (1) MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION. The state of Wisconsin
14 withdraws from the Minnesota-Wisconsin boundary area commission and from the
15 compact creating the commission under chapter 274, laws of 1965. The governor of
16 Wisconsin shall inform the governor of Minnesota of this withdrawal no later than
17 10 days after the effective date of this subsection.

18 ***-1984/1.9136* SECTION 9136. Nonstatutory provisions; natural**
19 **resources.**

20 (1) GRANTS FOR WHEELCHAIR RECYCLING PROJECT. From the appropriation
21 account under section 20.370 (6) (br) of the statutes, as affected by this act, the
22 department of natural resources shall award the following grants to the Wheelchair
23 Recycling Project, a part of the Madison chapter of the National Spinal Cord Injury
24 Association, for the purpose of refurbishing used wheelchairs and other mobility

1 devices and returning them to use by persons who otherwise would not have access
2 to needed or appropriate equipment:

3 (a) On September 1, 1999, \$75,000.

4 (b) On July 1, 2000, \$50,000.

5 ***-0480/P3.9137* SECTION 9137. Nonstatutory provisions; personnel**
6 **commission.**

7 ***-0480/P3.9138* SECTION 9138. Nonstatutory provisions; public**
8 **defender board.**

9 ***-0480/P3.9139* SECTION 9139. Nonstatutory provisions; public**
10 **instruction.**

11 ***-0480/P3.9140* SECTION 9140. Nonstatutory provisions; public lands,**
12 **board of commissioners of.**

13 ***-0250/4.9141* SECTION 9141. Nonstatutory provisions; public service**
14 **commission.**

15 (1) TRANSFER OF EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM.

16 (a) In this subsection:

17 1. "Board" means the technology for educational achievement in Wisconsin
18 board.

19 2. "Commission" means the public service commission.

20 3. "Secretary" means the secretary of administration.

21 (b) During the period beginning on the effective date of this paragraph and
22 ending on the first day of the 3rd month beginning after the effective date of this
23 paragraph, the commission shall cooperate with the board in providing orderly and
24 efficient transfers under this subsection. On the first day of the 3rd month beginning
25 after the effective date of this paragraph, all of the following apply:

1 1. All rules that have been promulgated by the commission under section
2 196.218 (4r) (b), 1997 stats., and that are in effect shall become rules of the board and
3 shall remain in effect until their specified expiration dates or until amended or
4 repealed by the board. All determinations that have been made by the commission
5 under section 196.218 (4r) (g), 1997 stats., regarding documentation of contracts
6 shall become determinations of the board and shall remain in effect until modified
7 or rescinded by the board.

8 2. Any matter relating to the administration of the educational
9 telecommunications access program under section 196.218 (4r), 1997 stats., that is
10 pending with the commission is transferred to the board, and all materials submitted
11 to or actions taken by the commission with respect to the pending matter are
12 considered to have been submitted to or taken by the board.

13 3. All tangible personal property, including records, of the commission
14 pertaining to the administration of the educational telecommunications access
15 program under section 196.218 (4r), 1997 stats., as determined by the secretary, is
16 transferred to the board.

17 4. All contracts entered into by the commission in effect on the effective date
18 of this subdivision pertaining to the administration of the educational
19 telecommunications access program under section 196.218 (4r), 1997 stats., as
20 determined by the secretary, remain in effect and are transferred to the board. The
21 board shall carry out any obligations under such a contract until the contract is
22 modified or rescinded by the board to the extent allowed under the contract.

23 5. The assets and liabilities of the commission pertaining to the administration
24 of the educational telecommunications access program under section 196.218 (4r),

1 1997 stats., as determined by the secretary, shall become the assets and liabilities
2 of the board.

3 ***-0480/P3.9141* SECTION 9141. Nonstatutory provisions; public service**
4 **commission.**

5 ***-0632/1.9141* SECTION 9141. Nonstatutory provisions; public service**
6 **commission.**

7 (1) SUBMITTAL OF INFORMATION.

8 (a) The public service commission shall submit in proposed form the rules
9 required under section 196.02 (7m) (b) of the statutes, as created by this act, to the
10 legislative council staff under section 227.15 (1) of the statutes no later than the
11 effective date of this paragraph.

12 (b) Using the procedure under section 227.24 of the statutes, the public service
13 commission may promulgate rules under section 196.02 (7m) (b) of the statutes, as
14 created by this act, for the period before the effective date of the permanent rules
15 promulgated under section 196.02 (7m) (b) of the statutes, as created by this act, but
16 not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.
17 Notwithstanding section 227.24 (1) and (3) of the statutes, the commission is not
18 required to make a finding of emergency.

19 ***-1692/1.9141* SECTION 9141. Nonstatutory provisions; public service**
20 **commission.**

21 (1) RETAIL CHOICE STUDY.

22 (a) The public service commission shall conduct a study on implementing retail
23 choice for all consumers of electricity in this state. The study shall address each of
24 the following:

1 1. The infrastructure changes that are necessary for implementing retail choice
2 and the cost and timing of the changes.

3 2. The benefits of retail choice to residential, commercial and industrial classes
4 of consumers.

5 3. A schedule for implementing retail choice for each class of consumers
6 specified in subdivision 2.

7 4. Recommendations for regulating new market entrants in a manner that
8 ensures equitable treatment of all market participants, including any proposed
9 licensing or certification requirements.

10 5. The calculation and recovery of the transitional costs incurred in
11 implementing retail choice.

12 6. The calculation and recovery of stranded costs, including securitization as
13 a means of recovery.

14 7. The taxation changes that are necessary to ensure the equitable distribution
15 of the tax burden on producers, distributors, marketers and transmitters of
16 electricity in a manner that is revenue neutral.

17 8. The equitable allocation on all market participants, including cooperative
18 associations organized under chapter 185 of the statutes, of the costs of public
19 benefits programs, including low-income energy assistance and energy efficiency
20 programs.

21 9. The development and use of renewable energy resources under retail choice.

22 10. The statutory changes that are necessary to implement retail choice,
23 including any recommended changes to sections 196.85, 196.855 and 196.857 of the
24 statutes.

1 11. Any other issue that the commission determines is necessary for a
2 comprehensive study of implementing retail choice.

3 (b) The public service commission shall report the results of the study to the
4 legislature in the manner provided under section 13.172 (2) of the statutes no later
5 than the first day of the 12th month beginning after the effective date of this
6 paragraph.

7 ***-1950/4.9141*** **SECTION 9141. Nonstatutory provisions; public service**
8 **commission.**

9 (1) TRANSFER OF INSTITUTIONAL ASSISTANCE PROGRAM.

10 (a) In this subsection:

11 1. "Board" means the technology for educational achievement in Wisconsin
12 board.

13 2. "Commission" means the public service commission.

14 3. "Institutional assistance program" means the assistance for institutions
15 program created by the commission that is described in section PSC 160.11,
16 Wisconsin Administrative Code.

17 (b) On the effective date of this paragraph, the assets and liabilities of the
18 commission primarily related to the administration of the institutional assistance
19 program, as determined by the secretary of administration, shall become the assets
20 and liabilities of the board.

21 (c) On the effective date of this paragraph, all tangible personal property,
22 including records, of the commission that is primarily related to the administration
23 of the institutional assistance program, as determined by the secretary of
24 administration, is transferred to the board.

1 (d) All contracts entered into by the commission in effect on the effective date
2 of this paragraph that are primarily related to the administration of the institutional
3 assistance program, as determined by the secretary of administration, remain in
4 effect and are transferred to the board. The board shall carry out any obligations
5 under such a contract until the contract is modified or rescinded by the board to the
6 extent allowed under the contract.

7 (e) All rules promulgated by the commission that are in effect on the effective
8 date of this paragraph that are primarily related to the administration of the
9 institutional assistance program, as determined by the secretary of administration,
10 remain in effect until their specified expiration date or until amended or repealed by
11 the board. All orders issued by the commission that are in effect on the effective date
12 of this paragraph that are primarily related to the administration of the institutional
13 assistance program, as determined by the secretary of administration, remain in
14 effect until their specified expiration date or until modified or rescinded by the board.

15 (f) Any matter pending with the commission on the effective date of this
16 paragraph that is primarily related to the administration of the institutional
17 assistance program, as determined by the secretary of administration, is transferred
18 to the board and all materials submitted to or actions taken by the commission with
19 respect to the pending matter are considered as having been submitted to or taken
20 by the board.

21 ***-0480/P3.9142* SECTION 9142. Nonstatutory provisions; regulation
22 and licensing.**

23 ***-0646/2.9142* SECTION 9142. Nonstatutory provisions; regulation and
24 licensing.**

25 (1) HEARING INSTRUMENT SPECIALIST LICENSES.

1 (a) The department of regulation and licensing shall pay a renewal fee refund
2 of \$150 to a person who holds a valid audiologist license if he or she has held a valid
3 hearing instrument specialist license that was renewed on February 1, 1998, and he
4 or she surrenders the hearing instrument specialist license to the department on or
5 before the first day of the 3rd month beginning after the effective date of this
6 paragraph.

7 (b) Notwithstanding sections 440.08 (2) (a) 38. and 459.09 of the statutes, as
8 affected by this act, a person that applies to renew a hearing instrument specialist
9 license that expires on February 1, 2001, is required to pay a renewal fee of 50% of
10 the amount specified in section 440.08 (2) (a) 38. of the statutes, as affected by this
11 act.

12 ***-1893/2.9142* SECTION 9142. Nonstatutory provisions; regulation and**
13 **licensing.**

14 (1) PROPOSED LEGISLATION; CREDENTIALING BOARDS AND CREDENTIAL RENEWAL FEES.
15 The department of regulation and licensing shall prepare proposed legislation that
16 establishes a regular and orderly process for the department to evaluate the
17 continued necessity of at least 25% of the credentialing boards, as defined in section
18 440.01 (2) (bm) of the statutes, on an annual basis and for eliminating the
19 credentialing boards that are determined to be unnecessary. The proposed
20 legislation shall also include provisions for establishing credential renewal fees that
21 must be paid by credential holders every 4 years rather than every 2 years as
22 required under current law. No later than August 1, 2000, the department of
23 regulation and licensing shall submit the proposed legislation in proper form to the
24 legislature in the manner provided under section 13.172 (2) of the statutes and to the
25 governor.

1 ***-0480/P3.9143* SECTION 9143. Nonstatutory provisions; revenue.**

2 ***-0480/P3.9144* SECTION 9144. Nonstatutory provisions; secretary of**
3 **state.**

4 ***-0480/P3.9145* SECTION 9145. Nonstatutory provisions; state fair park**
5 **board.**

6 ***-0480/P3.9146* SECTION 9146. Nonstatutory provisions; supreme**
7 **court.**

8 ***-0480/P3.9147* SECTION 9147. Nonstatutory provisions; technical**
9 **college system.**

10 ***-1888/2.9147* SECTION 9147. Nonstatutory provisions; technical**
11 **college system.**

12 (1) PRINTING PROGRAM GRANT. In the 1999–2000 and 2000–01 fiscal years the
13 state technical college system board shall pay the amount appropriated to the board
14 under section 20.292 (1) (er) of the statutes, as created by this act, to the district
15 board governing Waukesha County Technical College for the development of its
16 printing program.

17 ***-0480/P3.9148* SECTION 9148. Nonstatutory provisions; technology**
18 **for educational achievement in Wisconsin board.**

19 ***-0480/P3.9149* SECTION 9149. Nonstatutory provisions; tourism.**

20 ***-0480/P3.9150* SECTION 9150. Nonstatutory provisions;**
21 **transportation.**

22 ***-1157/P2.9150* SECTION 9150. Nonstatutory provisions;**
23 **transportation.**

24 (1) MOTOR VEHICLE PURCHASE CONTRACT SERVICE FEES. Not later than January
25 1, 2000, the secretary of transportation shall review section Trans. 139.05 (8) of the

1 Wisconsin Administrative Code and consider the effects of that rule on motor vehicle
2 dealers and consumers.

3 ***-1162/2.9150* SECTION 9150. Nonstatutory provisions; transportation.**

4 (1) RICHARD I. BONG AIR MUSEUM. Of the amounts appropriated to the
5 department of transportation under section 20.395 (2) (nx) of the statutes, the
6 department shall award a grant of \$1,000,000 in fiscal year 2000–01 to the city of
7 Superior for the purpose of constructing the Richard I. Bong air museum in Superior,
8 except that the amount of the grant awarded under this subsection may not exceed
9 90% of the costs of constructing the air museum.

10 ***-1817/4.9150* SECTION 9150. Nonstatutory provisions; transportation.**

11 (1) MILWAUKEE LAKESHORE BICYCLE AND PEDESTRIAN FACILITIES GRANTS. The
12 department of transportation shall award grants from the appropriation under
13 section 20.395 (2) (ny) of the statutes, as created by this act, to the department of
14 natural resources for the purpose of constructing pedestrian and bicycle facilities
15 along Lake Michigan in the city of Milwaukee.

16 ***-1914/2.9150* SECTION 9150. Nonstatutory provisions; transportation.**

17 (1) STATEWIDE TRAUMA CARE SYSTEM TRANSFER. On July 1, 2001, there is
18 transferred from the appropriation account under section 20.395 (5) (dq) of the
19 statutes, as affected by this act, to the appropriation account under section 20.435
20 (1) (a) of the statutes the sum of \$64,900 for the purposes of the statewide trauma
21 care system under section 146.56 of the statutes.

22 ***-2028/2.9150* SECTION 9150. Nonstatutory provisions; transportation.**

23 (1) RAILROAD GRADE CROSSINGS COMMITTEE. There is created a railroad grade
24 crossings committee consisting of 2 members appointed by the secretary of
25 transportation and 2 members appointed by the office of commissioner of railroads.

1 Members shall be appointed within 45 days after the effective date of this subsection.
2 The committee shall review each railroad grade crossing in this state and, if the
3 committee determines that existing warning or safety devices or other conditions at
4 the railroad grade crossing do not adequately protect and promote public safety, may
5 recommend that the office of commissioner of railroads consider improvements to the
6 railroad grade crossing. Committee recommendations shall be made by a majority
7 of the committee members. If no majority of committee members agree on whether
8 to recommend a railroad grade crossing for improvements, the secretary of
9 transportation shall make that recommendation. A majority of committee members
10 may reverse a recommendation made under this subsection by providing notice of the
11 reversal to the office of commissioner of railroads and the secretary of transportation.
12 The committee shall maintain a railroad grade crossings database, shall establish
13 threshold requirements for recommendations under this subsection and shall
14 recommend to the secretary of transportation desirable funding levels for the
15 railroad crossing improvement program. The committee shall cease to exist when
16 the committee has reviewed every railroad grade crossing in this state and made its
17 final recommendations, or on July 1, 2002, whichever occurs sooner.

18 ***-0480/P3.9151* SECTION 9151. Nonstatutory provisions; treasurer.**

19 ***-1808/1.9151* SECTION 9151. Nonstatutory provisions; treasurer.**

20 (1) UNCLAIMED PROPERTY TRANSITIONAL PROVISION. The renumbering of section
21 177.01 (10) of the statutes and the creation of section 177.01 (10) (b) of the statutes
22 do not apply to abandoned property delivered to the state treasurer before the
23 effective date of this subsection.

24 ***-0480/P3.9152* SECTION 9152. Nonstatutory provisions; University of**
25 **Wisconsin Hospitals and Clinics Authority.**