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1           \*~~1516/4.19~~\* **SECTION 3197.** 948.11 (4) (b) 3. a. of the statutes is amended to  
2 read:

3           948.11 (4) (b) 3. a. Is a technical college, is a school approved by the ~~educational~~  
4 ~~approval higher educational aids~~ board under s. 39.51 or is a school described in s.  
5 39.51 ~~(9) (f), (g) or (h) (1) (e) 6., 7. or 8.~~; and

6           \*~~0589/2.29~~\* **SECTION 3198.** 949.08 (2) (g) of the statutes is repealed and  
7 recreated to read:

8           949.08 (2) (g) Is included on the statewide support lien docket under s. 49.854  
9 (2) (b), unless the victim provides to the department a payment agreement that has  
10 been approved by the county child support agency under s. 59.53 (5) and that is  
11 consistent with rules promulgated under s. 49.858 (2) (a).

12           \*~~1410/2.4~~\* **SECTION 3199.** 950.06 (2) of the statutes is amended to read:

13           950.06 (2) The costs of providing services under sub. (1m) shall be paid for by  
14 the county, but the county is eligible to receive reimbursement from the state for not  
15 more than 90% of the costs incurred in providing those services. The department  
16 shall determine the level of services for which a county may be reimbursed. The  
17 county board shall file a claim for reimbursement with the department. The  
18 department shall reimburse counties under this subsection from the appropriation  
19 under s. 20.455 (5) ~~(gc), (k), (kk), (kp) and (mh)~~ and, on a semiannual basis, from the  
20 appropriations under s. 20.455 (5) (c) and (g).

21           \*~~1410/2.5~~\* **SECTION 3200.** 950.06 (5) of the statutes is amended to read:

22           950.06 (5) The department shall review and approve the implementation and  
23 operation of programs and the annual reports under this section. The department  
24 may suspend or terminate reimbursement under s. ~~20.455 (5) (c) and (g) sub. (2)~~ if  
25 the county fails to comply with its duties under this section. The department shall

**BILL****SECTION 3200**

1 promulgate rules under ch. 227 for implementing and administering county  
2 programs approved under this section.

3 **\*-2105/1.129\* SECTION 3201.** 968.255 (7) (b) of the statutes is amended to read:

4 968.255 (7) (b) Is placed in or transferred to a secured correctional facility, as  
5 defined in s. 938.02 (15m), ~~or~~ a secured child caring institution, as defined in s. 938.02  
6 (15g), or a secured group home, as defined in s. 938.02 (15p).

7 **\*-2105/1.130\* SECTION 3202.** 973.013 (3m) of the statutes is amended to read:

8 973.013 (3m) If a person who has not attained the age of 16 years is sentenced  
9 to the Wisconsin state prisons, the department of corrections shall place the person  
10 at a secured juvenile correctional facility ~~or~~ a secured child caring institution or a  
11 secured group home, unless the department of corrections determines that  
12 placement in an institution under s. 302.01 is appropriate based on the person's prior  
13 record of adjustment in a correctional setting, if any; the person's present and  
14 potential vocational and educational needs, interests and abilities; the adequacy and  
15 suitability of available facilities; the services and procedures available for treatment  
16 of the person within the various institutions; the protection of the public; and any  
17 other considerations promulgated by the department of corrections by rule. This  
18 subsection does not preclude the department of corrections from designating an  
19 adult correctional institution as a reception center for the person and subsequently  
20 transferring the person to a secured juvenile correctional facility ~~or~~ a secured child  
21 caring institution or a secured group home. Section 302.11 and ch. 304 apply to all  
22 persons placed in a secured juvenile correctional facility ~~or~~ a secured child caring  
23 institution or a secured group home under this subsection.

24 **\*-0063/2.32\* SECTION 3203.** 973.05 (1) of the statutes is amended to read:

**BILL**

1           973.05 (1) When a defendant is sentenced to pay a fine, the court may grant  
2 permission for the payment of the fine, of the penalty assessment imposed by s.  
3 ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime victim and  
4 witness assistance surcharge under s. 973.045, the crime laboratories and drug law  
5 enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid  
6 analysis surcharge under s. 973.046, any applicable drug abuse program  
7 improvement surcharge imposed by s. 961.41 (5), any applicable consumer  
8 information assessment imposed by s. 100.261, any applicable domestic abuse  
9 assessment imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver  
10 improvement surcharge imposed by s. 346.655, any applicable enforcement  
11 assessment imposed by s. 253.06 (4) (c), any applicable weapons assessment imposed  
12 by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4),  
13 any applicable environmental assessment imposed by s. 299.93, any applicable wild  
14 animal protection assessment imposed by s. 29.983, any applicable natural resources  
15 assessment imposed by s. 29.987 and any applicable natural resources restitution  
16 payment imposed by s. 29.989 to be made within a period not to exceed 60 days. If  
17 no such permission is embodied in the sentence, the fine, the penalty assessment, the  
18 jail assessment, the crime victim and witness assistance surcharge, the crime  
19 laboratories and drug law enforcement assessment, any applicable deoxyribonucleic  
20 acid analysis surcharge, any applicable drug abuse program improvement  
21 surcharge, any applicable consumer information assessment, any applicable  
22 domestic abuse assessment, any applicable driver improvement surcharge, any  
23 applicable enforcement assessment, any applicable weapons assessment, any  
24 applicable uninsured employer assessment, any applicable environmental  
25 assessment, any applicable wild animal protection assessment, any applicable

**BILL****SECTION 3203**

1 natural resources assessment and any applicable natural resources restitution  
2 payment shall be payable immediately.

3 **\*-0063/2.33\* SECTION 3204.** 973.05 (2) of the statutes is amended to read:

4 973.05 (2) When a defendant is sentenced to pay a fine and is also placed on  
5 probation, the court may make the payment of the fine, the penalty assessment, the  
6 jail assessment, the crime victim and witness assistance surcharge, the crime  
7 laboratories and drug law enforcement assessment, any applicable deoxyribonucleic  
8 acid analysis surcharge, any applicable drug abuse program improvement  
9 surcharge, any applicable consumer information assessment, any applicable  
10 domestic abuse assessment, any applicable uninsured employer assessment, any  
11 applicable driver improvement surcharge, any applicable enforcement assessment  
12 under s. 253.06 (4) (c), any applicable weapons assessment, any applicable  
13 environmental assessment, any applicable wild animal protection assessment, any  
14 applicable natural resources assessment and any applicable natural resources  
15 restitution payments a condition of probation. When the payments are made a  
16 condition of probation by the court, payments thereon shall be applied first to  
17 payment of the penalty assessment until paid in full, shall then be applied to the  
18 payment of the jail assessment until paid in full, shall then be applied to the payment  
19 of part A of the crime victim and witness assistance surcharge until paid in full, shall  
20 then be applied to part B of the crime victim and witness assistance surcharge until  
21 paid in full, shall then be applied to the crime laboratories and drug law enforcement  
22 assessment until paid in full, shall then be applied to the deoxyribonucleic acid  
23 analysis surcharge until paid in full, shall then be applied to the drug abuse  
24 improvement surcharge until paid in full, shall then be applied to payment of the  
25 driver improvement surcharge until paid in full, shall then be applied to payment

**BILL**

1 of the domestic abuse assessment until paid in full, shall then be applied to payment  
2 of the consumer information assessment until paid in full, shall then be applied to  
3 payment of the natural resources assessment if applicable until paid in full, shall  
4 then be applied to payment of the natural resources restitution payment until paid  
5 in full, shall then be applied to the payment of the environmental assessment if  
6 applicable until paid in full, shall then be applied to the payment of the wild animal  
7 protection assessment if applicable until paid in full, shall then be applied to  
8 payment of the weapons assessment until paid in full, shall then be applied to  
9 payment of the uninsured employer assessment until paid in full, shall then be  
10 applied to payment of the enforcement assessment under s. 253.06 (4) (c), if  
11 applicable, until paid in full and shall then be applied to payment of the fine.

12 \***-0063/2.34\*** SECTION 3205. 973.07 of the statutes is amended to read:

13 **973.07 Failure to pay fine or costs or to comply with certain**  
14 **community service work.** If the fine, costs, penalty assessment, jail assessment,  
15 crime victim and witness assistance surcharge, crime laboratories and drug law  
16 enforcement assessment, applicable deoxyribonucleic acid analysis surcharge,  
17 applicable drug abuse program improvement surcharge, applicable consumer  
18 information assessment, applicable domestic abuse assessment, applicable driver  
19 improvement surcharge, applicable enforcement assessment under s. 253.06 (4) (c),  
20 applicable weapons assessment, applicable uninsured employer assessment,  
21 applicable environmental assessment, applicable wild animal protection  
22 assessment, applicable natural resources assessment and applicable natural  
23 resources restitution payments are not paid or community service work under s.  
24 943.017 (3) is not completed as required by the sentence, the defendant may be  
25 committed to the county jail until the fine, costs, penalty assessment, jail

**BILL****SECTION 3205**

1 assessment, crime victim and witness assistance surcharge, crime laboratories and  
2 drug law enforcement assessment, applicable deoxyribonucleic acid analysis  
3 surcharge, applicable drug abuse program improvement surcharge, applicable  
4 consumer information assessment, applicable domestic abuse assessment,  
5 applicable driver improvement surcharge, applicable enforcement assessment  
6 under s. 253.06 (4) (c), applicable weapons assessment, applicable uninsured  
7 employer assessment, applicable environmental assessment, applicable wild animal  
8 protection assessment, applicable natural resources assessment or applicable  
9 natural resources restitution payments are paid or discharged, or the community  
10 service work under s. 943.017 (3) is completed, for a period fixed by the court not to  
11 exceed 6 months.

12 \*~~0440/1.1~~\* **SECTION 3206.** 977.08 (5) (b) (intro.) of the statutes is amended to  
13 read:

14 977.08 (5) (b) (intro.) Except as provided in ~~par. pars. (bn) and (br)~~, any of the  
15 following constitutes an annual caseload standard for an assistant state public  
16 defender in the subunit responsible for trials:

17 \*~~0440/1.2~~\* **SECTION 3207.** 977.08 (5) (br) of the statutes is created to read:

18 977.08 (5) (br) Beginning on July 1, 2000, the state public defender may exempt  
19 up to 10 full-time assistant state public defenders in the subunit responsible for  
20 trials from the annual caseload standards under par. (b) based on their need to  
21 perform other assigned duties.

22 \*~~1268/2.1~~\* **SECTION 3208.** 978.03 (3) of the statutes is amended to read:

23 978.03 (3) Any assistant district attorney under sub. (1), (1m) or (2) must be  
24 an attorney admitted to practice law in this state and, except as provided in s.  
25 978.043, may perform any duty required by law to be performed by the district

**BILL**

1 attorney. The district attorney of the prosecutorial unit under sub. (1), (1m) or (2)  
2 may appoint such temporary counsel as may be authorized by the department of  
3 administration.

4 **\*-1268/2.2\* SECTION 3209.** 978.04 of the statutes is amended to read:

5 **978.04 Assistants in certain prosecutorial units.** The district attorney of  
6 any prosecutorial unit having a population of less than 100,000 may appoint one or  
7 more assistant district attorneys as necessary to carry out the duties of his or her  
8 office and as may be requested by the department of administration authorized in  
9 accordance with s. 16.505. Any such assistant district attorney must be an attorney  
10 admitted to practice law in this state and, except as provided in s. 978.043, may  
11 perform any duty required by law to be performed by the district attorney.

12 **\*-1268/2.3\* SECTION 3210.** 978.043 of the statutes is created to read:

13 **978.043 Assistants for prosecution of sexually violent person**  
14 **commitment cases.** The district attorney of the prosecutorial unit that consists of  
15 Brown County and the district attorney of the prosecutorial unit that consists of  
16 Milwaukee County shall each assign one assistant district attorney in his or her  
17 prosecutorial unit to be a sexually violent person commitment prosecutor. An  
18 assistant district attorney assigned under this section to be a sexually violent person  
19 commitment prosecutor may engage only in the prosecution of sexually violent  
20 person commitment proceedings under ch. 980 and, at the request of the district  
21 attorney of the prosecutorial unit, may file and prosecute sexually violent person  
22 commitment proceedings under ch. 980 in any prosecutorial unit in this state.

23 **\*-1268/2.4\* SECTION 3211.** 978.05 (8) (b) of the statutes is amended to read:

24 978.05 (8) (b) Hire, employ and supervise his or her staff and, subject to s.  
25 978.043, make appropriate assignments of the staff throughout the prosecutorial

**BILL****SECTION 3211**

1 unit. The district attorney may request the assistance of district attorneys, deputy  
2 district attorneys or assistant district attorneys from other prosecutorial units or  
3 assistant attorneys general who then may appear and assist in the investigation and  
4 prosecution of any matter for which a district attorney is responsible under this  
5 chapter in like manner as assistants in the prosecutorial unit and with the same  
6 authority as the district attorney in the unit in which the action is brought. Nothing  
7 in this paragraph limits the authority of counties to regulate the hiring, employment  
8 and supervision of county employes.

9 **\*-1412/1.1\* SECTION 3212.** 978.13 (1) (b) of the statutes is amended to read:

10 978.13 (1) (b) In counties having a population of 500,000 or more, the salary  
11 and fringe benefit costs of 2 clerk positions providing clerical services to the  
12 prosecutors in the district attorney's office handling cases involving felony violations  
13 under ch. 961. The state treasurer shall pay the amount authorized under this  
14 paragraph to the county treasurer pursuant to a voucher submitted by the district  
15 attorney to the department of administration from the appropriation under s. 20.475  
16 (1) (i). The amount paid under this paragraph may not exceed ~~\$70,500~~ \$75,200 in  
17 the ~~1997-98~~ 1999-2000 fiscal year and ~~\$73,000~~ \$77,500 in the ~~1998-99~~ 2000-01  
18 fiscal year.

19 **\*-1412/1.2\* SECTION 3213.** 978.13 (1) (c) of the statutes is amended to read:

20 978.13 (1) (c) In counties having a population of 500,000 or more, the salary and  
21 fringe benefit costs of clerk positions in the district attorney's office necessary for the  
22 prosecution of violent crime cases primarily involving felony violations under s.  
23 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,  
24 940.06, 940.225, 943.23 (1g), (1m) and (1r) and 943.32 (2). The state treasurer shall  
25 pay the amount authorized under this paragraph to the county treasurer pursuant

**BILL**

1 to a voucher submitted by the district attorney to the secretary of administration  
2 from the appropriation under s. 20.475 (1)(i). The amount paid under this paragraph  
3 may not exceed ~~\$88,500~~ \$94,400 in the ~~1997-98~~ 1999-2000 fiscal year and ~~\$91,600~~  
4 \$97,200 in the ~~1998-99~~ 2000-01 fiscal year.

5 \*~~0284/3.7~~\* **SECTION 3214.** 980.01 (1) of the statutes is renumbered 980.01  
6 (1s).

7 \*~~0284/3.8~~\* **SECTION 3215.** 980.01 (1L) and (1m) of the statutes are created to  
8 read:

9 980.01 (1L) "Daily cost of institutional care" means the daily cost of programs  
10 and facilities for the control, care and treatment of a person placed at a secure mental  
11 health unit or facility specified in s. 980.065.

12 (1m) "Daily cost of supervised release" means the daily cost of providing for all  
13 necessary programs and facilities for the control, care and treatment of a person on  
14 supervised release under this chapter.

15 \*~~2105/1.131~~\* **SECTION 3216.** 980.015 (2) (b) of the statutes is amended to read:  
16 980.015 (2) (b) The anticipated release from a secured correctional facility, as  
17 defined in s. 938.02 (15m), or a secured child caring institution, as defined in s. 938.02  
18 (15g), or a secured group home, as defined in s. 938.02 (15p), of a person adjudicated  
19 delinquent under s. 938.183 or 938.34 on the basis of a sexually violent offense.

20 \*~~2105/1.132~~\* **SECTION 3217.** 980.02 (1) (b) 2. of the statutes is amended to  
21 read:

22 980.02 (1) (b) 2. The county in which the person will reside or be placed upon  
23 his or her discharge from a sentence, release on parole or extended supervision, or  
24 release from imprisonment, from a secured correctional facility, as defined in s.

**BILL****SECTION 3217**

1 938.02 (15m), ~~or from~~ a secured child caring institution, as defined in s. 938.02 (15g),  
2 from a secured group home, as defined in s. 938.02 (15p), or from a commitment order.

3 **\*-2105/1.133\* SECTION 3218.** 980.02 (2) (ag) of the statutes is amended to read:

4 980.02 (2) (ag) The person is within 90 days of discharge or release, on parole,  
5 extended supervision or otherwise, from a sentence that was imposed for a conviction  
6 for a sexually violent offense, from a secured correctional facility, as defined in s.  
7 938.02 (15m), ~~or from~~ a secured child caring institution, as defined in s. 938.02 (15g),  
8 or from a secured group home, as defined in s. 938.02 (15p), if the person was placed  
9 in the facility for being adjudicated delinquent under s. 938.183 or 938.34 on the  
10 basis of a sexually violent offense or from a commitment order that was entered as  
11 a result of a sexually violent offense.

12 **\*-2105/1.134\* SECTION 3219.** 980.02 (4) (am) of the statutes is amended to  
13 read:

14 980.02 (4) (am) The circuit court for the county in which the person will reside  
15 or be placed upon his or her discharge from a sentence, release on parole or extended  
16 supervision, or release from imprisonment, from a secured correctional facility, as  
17 defined in s. 938.02 (15m), ~~or from~~ a secured child caring institution, as defined in  
18 s. 938.02 (15g), from a secured group home, as defined in s. 938.02 (15p), or from a  
19 commitment order.

20 **\*-2105/1.135\* SECTION 3220.** 980.02 (4) (b) of the statutes is amended to read:

21 980.02 (4) (b) The circuit court for the county in which the person is in custody  
22 under a sentence, a placement to a secured correctional facility, as defined in s.  
23 938.02 (15m), ~~or~~ a secured child caring institution, as defined in s. 938.02 (15g), or  
24 a secured group home, as defined in s. 938.02 (15p), or a commitment order.

25 **\*-0284/3.9\* SECTION 3221.** 980.03 (4) of the statutes is amended to read:

**BILL**

1           980.03 (4) Whenever ~~the a~~ person who is the subject of ~~the a~~ petition filed under  
2 s. 980.02 or who has been committed under s. 980.06 is required to submit to an  
3 examination under this chapter, he or she may retain experts or professional persons  
4 to perform an examination. If the person retains a qualified expert or professional  
5 person of his or her own choice to conduct an examination, the examiner shall have  
6 reasonable access to the person for the purpose of the examination, as well as to the  
7 person's past and present treatment records, as defined in s. 51.30 (1) (b), and patient  
8 health care records as provided under s. 146.82 (2) (c). If the person is indigent, the  
9 court shall, upon the person's request, appoint a qualified and available expert or  
10 professional person to perform an examination and participate in the trial or other  
11 proceeding on the person's behalf. Upon the order of the circuit court, the county  
12 shall pay, as part of the costs of the action, the costs of ~~a court-appointed an~~ expert  
13 or professional person appointed by a court under this subsection to perform an  
14 examination and participate in the trial or other proceeding on behalf of an indigent  
15 person. An expert or professional person appointed to assist an indigent person who  
16 is subject to a petition may not be subject to any order by the court for the  
17 sequestration of witnesses at any proceeding under this chapter.

18           \*~~-2105/1.136~~\* SECTION 3222. 980.04 (1) of the statutes is amended to read:

19           980.04 (1) Upon the filing of a petition under s. 980.02, the court shall review  
20 the petition to determine whether to issue an order for detention of the person who  
21 is the subject of the petition. The person shall be detained only if there is cause to  
22 believe that the person is eligible for commitment under s. 980.05 (5). A person  
23 detained under this subsection shall be held in a facility approved by the department.  
24 If the person is serving a sentence of imprisonment, is in a secured correctional  
25 facility, as defined in s. 938.02 (15m), ~~or~~ a secured child caring institution, as defined

**BILL****SECTION 3222**

1 in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), or is  
2 committed to institutional care, and the court orders detention under this  
3 subsection, the court shall order that the person be transferred to a detention facility  
4 approved by the department. A detention order under this subsection remains in  
5 effect until the person is discharged after a trial under s. 980.05 or until the effective  
6 date of a commitment order under s. 980.06, whichever is applicable.

7 **\*-0284/3.10\* SECTION 3223.** 980.06 (2) (a) of the statutes is amended to read:

8 980.06 (2) (a) The court shall enter an initial commitment order under this  
9 section pursuant to a hearing held as soon as practicable after the judgment that the  
10 person who is the subject of a petition under s. 980.02 is a sexually violent person is  
11 entered. If the court lacks sufficient information to make the determination required  
12 by par. (b) immediately after trial, it may adjourn the hearing and order the  
13 department to ~~conduct~~ submit a written report as to whether the criterion under par.  
14 (b) for institutional care is met. For purposes of preparing the report the department  
15 shall conduct a predisposition investigation using the procedure in s. 972.15 or a  
16 supplementary mental examination, or both, ~~to assist the court in framing the~~  
17 ~~commitment order. A supplementary mental examination under this paragraph~~  
18 ~~shall be conducted~~ in accordance with s. 971.17 (2) (b) to (f), or both, and may conduct  
19 any other investigation or inquiry that it considers appropriate to make the  
20 determinations required in the report. The report shall be based on the results of any  
21 predisposition investigation, supplementary mental examination and other  
22 investigation or inquiry conducted by the department.

23 **\*-0284/3.11\* SECTION 3224.** 980.06 (2) (b) of the statutes is amended to read:

24 980.06 (2) (b) An order for commitment under this section shall specify either  
25 institutional care or supervised release. Except as provided in par. (bt), the court

**BILL**

1 shall order institutional care if it finds that it is substantially probable that the  
2 person will engage in acts of sexual violence unless the person resides in a facility  
3 with a level of security comparable to that of a secure mental health unit or facility  
4 specified in s. 980.065.

5 (bm) In determining under par. (b) whether commitment shall be for  
6 institutional care or for supervised release, the court may consider, without  
7 limitation because of enumeration, the nature and circumstances of the behavior  
8 that was the basis of the allegation in the petition under s. 980.02 (2) (a), the person's  
9 mental history and present mental condition, where the person will live, how the  
10 person will support himself or herself, and what arrangements are available to  
11 ensure that the person has access to and will participate in necessary treatment,  
12 including pharmacological treatment using an antiandrogen or the chemical  
13 equivalent of an antiandrogen if the person is a serious child sex offender. In deciding  
14 whether to order supervised release of person who is a serious child sex offender, the  
15 court may not consider, as a factor in making its decision, that the person is a proper  
16 subject for pharmacological treatment using an antiandrogen or the chemical  
17 equivalent of an antiandrogen or that the person is willing to participate in  
18 pharmacological treatment using an antiandrogen or the chemical equivalent of an  
19 antiandrogen. ~~The department shall arrange for control, care and treatment of the~~  
20 ~~person in the least restrictive manner consistent with the requirements of the person~~  
21 ~~and in accordance with the court's commitment order.~~

22 \*-0284/3.12\* SECTION 3225. 980.06 (2) (bt) of the statutes is created to read:

23 980.06 (2) (bt) If a court determines under par. (b) that it is substantially  
24 probable that the person will engage in acts of sexual violence unless he or she  
25 resides in a facility with a level of security comparable to that of a secure mental

**BILL****SECTION 3225**

1 health unit or facility specified in s. 980.065, but the person establishes that it is  
2 likely that the daily cost of supervised release under a plan providing for the person  
3 to reside in a secure facility would not exceed the daily cost of institutional care for  
4 the person, then the court may withhold final determination of the commitment  
5 order and order the department to prepare a supervised release plan under par. (c).  
6 After preparation of a supervised release plan ordered under this paragraph, the  
7 proceedings shall continue as provided under pars. (cm), (cr), (cs) and (ct), as  
8 appropriate.

9 \*~~0284/3.13~~\* **SECTION 3226.** 980.06 (2) (c) of the statutes is amended to read:

10 980.06 (2) (c) If the court finds under par. (b) that the person is appropriate for  
11 supervised release or orders preparation of a supervised release plan under par. (bt),  
12 the court shall notify the department. The department and the county department  
13 under s. 51.42 in the county of residence of the person, as determined under s.  
14 980.105, shall prepare a plan that identifies the treatment and services, if any, that  
15 the person will receive in the community. If the county department of the person's  
16 county of residence declines to prepare a plan, the department may arrange for  
17 another county to prepare the plan if that county agrees to prepare the plan and if  
18 the person will be living in that county. If the department is unable to arrange for  
19 another county to prepare a plan, the court shall designate a county department to  
20 prepare the plan, order the county department to prepare the plan and place the  
21 person on supervised release in that county, except that the court may not so  
22 designate the county department in any county where there is a facility in which  
23 persons committed to institutional care under this chapter are placed, unless that  
24 county is also the person's county of residence.

**BILL**

1            (cg) The plan prepared under par. (c) shall address the person's need, if any, for  
2 supervision, counseling, medication, community support services, residential  
3 services, vocational services, and alcohol or other drug abuse treatment. If the  
4 person is a serious child sex offender, the plan shall address the person's need for  
5 pharmacological treatment using an antiandrogen or the chemical equivalent of an  
6 antiandrogen. ~~The department may contract with a county department, under s.~~  
7 ~~51.42 (3) (aw) 1. d., with another public agency or with a private agency to provide~~  
8 ~~the treatment and services identified in the plan.~~ The plan shall specify who will be  
9 responsible for providing the treatment and services identified in the plan. If the  
10 plan was ordered to be prepared under par. (bt), the plan shall include information  
11 concerning the daily cost of supervised release under the plan and the daily cost of  
12 institutional care for the person.

13            (cm) 2. The plan prepared under par. (c) shall be presented to the court for its  
14 approval within 21 days after the court finding finds that the person is appropriate  
15 for supervised release under par. (b) or orders preparation of the plan under par. (bt),  
16 unless the department, county department and person to be released request  
17 additional time to develop the plan. ~~If the county department of the person's county~~  
18 ~~of residence declines to prepare a plan, the department may arrange for another~~  
19 ~~county to prepare the plan if that county agrees to prepare the plan and if the person~~  
20 ~~will be living in that county. If the department is unable to arrange for another~~  
21 ~~county to prepare a plan, the court shall designate a county department to prepare~~  
22 ~~the plan, order the county department to prepare the plan and place the person on~~  
23 ~~supervised release in that county, except that the court may not so designate the~~  
24 ~~county department in any county where there is a facility in which persons are~~  
25 ~~detained or evaluated under s. 980.04 or in which persons committed to institutional~~

**BILL****SECTION 3226**

1 ~~care under this chapter are placed, unless that county is also the person's county of~~  
2 ~~residence. The court shall hold a hearing on the plan within 30 days after the plan~~  
3 ~~is presented to the court, unless the department, county department and person to~~  
4 ~~be released agree to a later hearing date. At least 10 days before the hearing under~~  
5 ~~this subdivision, the court shall give written notice of the hearing to the person to be~~  
6 ~~released, the district attorney or department of justice, whichever is applicable, the~~  
7 ~~department, the county department that prepared the plan, the chief executive~~  
8 ~~officer of the county in which the person would reside under the plan and the chief~~  
9 ~~executive officer of the city, village or town in which the person would reside under~~  
10 ~~the plan. The person, the district attorney or the attorney general, whichever is~~  
11 ~~applicable, and any chief executive officer who receives notice of the hearing, or the~~  
12 ~~chief executive officer's designee, may present evidence at the hearing. The county~~  
13 ~~department that prepared the plan and the department may, and upon request of the~~  
14 ~~court shall, present evidence at the hearing.~~

15 \***-0284/3.14\*** SECTION 3227. 980.06 (2) (cm) 1. of the statutes is created to read:

16 980.06 (2) (cm) 1. In this paragraph, "chief executive officer" means a mayor,  
17 city manager, village president, town chairperson, county executive or chairperson  
18 of the county board of supervisors.

19 \***-0284/3.15\*** SECTION 3228. 980.06 (2) (cr), (cs), (ct), (cu) and (cv) of the  
20 statutes are created to read:

21 980.06 (2) (cr) Based on the provisions of the plan and on the evidence  
22 presented at the hearing under par. (cm) 2., the court shall determine whether the  
23 plan provides adequate treatment and services to the person and adequate  
24 protection to the community. If the court finds that the plan does not provide  
25 adequate treatment and services to the person or adequate protection to the

**BILL**

1 community, the court shall issue a written decision and order disapproving the plan  
2 and shall proceed under par. (cs). If the court finds that the plan provides either  
3 adequate treatment and services to the person or adequate protection to the  
4 community, the court shall, except as provided in par. (ct), issue a written decision  
5 and order approving the plan and placing the person on supervised release in the  
6 county that prepared the plan.

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

12 (ct) If a supervised release plan that satisfies the criteria under par. (cr) was  
13 ordered to be prepared under par. (bt), the court may approve the plan and order the  
14 person placed on supervised release under par. (cr) only if, based on the provisions  
15 of the plan and on the evidence presented at the hearing under par. (cm) 2., the court  
16 determines that the daily cost of supervised release would not exceed the daily cost  
17 of institutional care. If the daily cost of supervised release would exceed the daily  
18 cost of institutional care, the court shall disapprove the supervised release plan and  
19 order the person to be placed in institutional care. The court may not order a  
20 supervised released plan disapproved under this paragraph to be revised under par.  
21 (cs).

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

**BILL****SECTION 3228**

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

7           \*~~0284/3.16~~\* **SECTION 3229.** 980.06 (2) (d) of the statutes is amended to read:

8           980.06 (2) (d) An order for supervised release places the person in the custody  
9 and control of the department. The department shall arrange for control, care and  
10 treatment of the person in the least restrictive manner consistent with the  
11 requirements of the person and in accordance with the plan for supervised release  
12 approved by the court under par. (cr) or s. 980.08 (5) (d), whichever is applicable. A  
13 person on supervised release is subject to the conditions set by the court and to the  
14 rules of the department. Before a person is placed on supervised release by the court  
15 under this section, the court shall so notify the municipal police department and  
16 county sheriff for the municipality and county in which the person will be residing.  
17 The notification requirement under this paragraph does not apply if a municipal  
18 police department or county sheriff submits to the court a written statement waiving  
19 the right to be notified. If the department alleges that a released person has violated  
20 any condition or rule, or that the safety of others requires that supervised release be  
21 revoked, he or she may be taken into custody under the rules of the department. The  
22 department shall submit a statement showing probable cause of the detention and  
23 a petition to revoke the order for supervised release to the committing court and the  
24 regional office of the state public defender responsible for handling cases in the  
25 county where the committing court is located within 48 hours after the detention.

**BILL**

1 The court shall hear the petition within 30 days, unless the hearing or time deadline  
2 is waived by the detained person. Pending the revocation hearing, the department  
3 may detain the person in a jail or in a hospital, center or facility specified by s. 51.15  
4 (2). The state has the burden of proving by clear and convincing evidence that any  
5 rule or condition of release has been violated, or that the safety of others requires that  
6 supervised release be revoked. If the court determines after hearing that any rule  
7 or condition of release has been violated, or that the safety of others requires that  
8 supervised release be revoked, it may revoke the order for supervised release and  
9 order that the released person be placed in an appropriate institution until the  
10 person is discharged from the commitment under s. 980.09 or until again placed on  
11 supervised release under s. 980.08.

12 \*~~0284/3.17~~\* SECTION 3230. 980.065 (1m) of the statutes is amended to read:  
13 980.065 (1m) The department ~~may~~ shall place a person committed to  
14 institutional care under s. 980.06 (2) (b) or (ct) at ~~a mental health unit or facility,~~  
15 ~~including a~~ the secure mental health unit or facility at established under s. 46.055,  
16 the Wisconsin resource center established under s. 46.056 or a secure mental health  
17 unit or facility provided by the department of corrections under sub. (2).

18 \*~~0284/3.18~~\* SECTION 3231. 980.065 (2) of the statutes is amended to read:  
19 980.065 (2) The department may contract with the department of corrections  
20 for the provision of a secure mental health unit or facility for persons committed to  
21 institutional care under s. 980.06 (2) (b) or (ct). The department shall operate a  
22 secure mental health unit or facility provided by the department of corrections under  
23 this subsection and shall promulgate rules governing the custody and discipline of  
24 persons placed by the department in the secure mental health unit or facility  
25 provided by the department of corrections under this subsection.

**BILL****SECTION 3232**

1           \*~~0284/3.19~~\* **SECTION 3232.** 980.07 (1) of the statutes is amended to read:

2           980.07 (1) If a person has been committed under s. 980.06 and has not been  
3 discharged under s. 980.09, the department shall conduct an examination of his or  
4 her mental condition within 6 months after an initial commitment under s. 980.06  
5 and again thereafter at least once each 12 months for the purpose of determining  
6 whether the person has made sufficient progress ~~to be entitled to transfer to a less~~  
7 ~~restrictive facility, to~~ for the court to consider whether the person should be placed  
8 on supervised release or to discharge discharged. At the time of a reexamination  
9 under this section, the person who has been committed may retain or, ~~if he or she is~~  
10 ~~indigent and so requests,~~ seek to have the court may appoint a qualified expert or a  
11 professional person to examine him or her an examiner as provided under s. 980.03  
12 (4).

13           \*~~0284/3.20~~\* **SECTION 3233.** 980.08 (3) of the statutes is amended to read:

14           980.08 (3) Within 20 days after receipt of the petition, the court shall appoint  
15 one or more examiners having the specialized knowledge determined by the court to  
16 be appropriate, who shall examine the person and furnish a written report of the  
17 examination to the court within 30 days after appointment. The examiners shall  
18 have reasonable access to the person for purposes of examination and to the person's  
19 past and present treatment records, as defined in s. 51.30 (1) (b), and patient health  
20 care records, as provided under s. 146.82 (2) (c). If any such examiner believes that  
21 the person is appropriate for supervised release under the criterion specified in sub.  
22 (4) (a), the examiner shall report on the type of treatment and services that the  
23 person may need while in the community on supervised release. The county shall  
24 pay the costs of an examiner appointed under this subsection as provided under s.  
25 51.20 (18) (a).

**BILL**

1           \*~~0284/3.21~~\* **SECTION 3234.** 980.08 (4) of the statutes is renumbered 980.08

2           (4) (a) and amended to read:

3           980.08 (4) (a) The court, without a jury, shall hear the petition within 30 days  
4           after the report of the court-appointed examiner is filed with the court, unless the  
5           petitioner waives this time limit. Expenses of proceedings under this subsection  
6           shall be paid as provided under s. 51.20 (18) (b), (c) and (d). The court shall grant the  
7           petition unless the state proves by clear and convincing evidence that the person is  
8           still a sexually violent persons and that it is still substantially probable that the  
9           person will engage in acts of sexual violence if the person is ~~not continued in~~  
10          institutional care does not reside in a facility with a level of security comparable to  
11          a secure mental health unit or facility under s. 980.065.

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

**BILL****SECTION 3235**

1           \*~~0284/3.22~~\* **SECTION 3235.** 980.08 (4) (c) of the statutes is created to read:

2           980.08 (4) (c) If a court determines under par. (a) that the person is still a  
3 sexually violent person and that it is substantially probable that the person will  
4 engage in acts of sexual violence unless he or she resides in a facility with a level of  
5 security comparable to that of a secure mental health unit or facility specified in s.  
6 980.065, but the person establishes that it is likely that the daily cost of supervised  
7 release under a plan providing for the person to reside in a secure facility would not  
8 exceed the daily cost of institutional care for the person, then the court may withhold  
9 final determination of the person's petition and order the department to prepare a  
10 supervised release plan under sub. (5) (a). After preparation of a supervised release  
11 plan ordered under this paragraph, the proceedings shall continue as provided under  
12 sub. (5) (c), (d), (de) and (dm), as appropriate.

13           \*~~0284/3.23~~\* **SECTION 3236.** 980.08 (5) of the statutes is renumbered 980.08  
14 (5) (a) and amended to read:

15           980.08 (5) (a) If the court finds under sub. (4) (a) that the person is appropriate  
16 for supervised release or orders preparation of a supervised release plan under sub.  
17 (4) (c), the court shall notify the department. The department and the county  
18 department under s. 51.42 in the county of residence of the person, as determined  
19 under s. 980.105, shall prepare a plan that identifies the treatment and services, if  
20 any, that the person will receive in the community. If the county department of the  
21 person's county of residence declines to prepare a plan, the department may arrange  
22 for another county to prepare the plan if that county agrees to prepare the plan and  
23 if the person will be living in that county. If the department is unable to arrange for  
24 another county to prepare a plan, the court shall designate a county department to  
25 prepare the plan, order the county department to prepare the plan and place the

**BILL**

1 person on supervised release in that county, except that the court may not so  
2 designate the county department in any county where there is a facility in which  
3 persons committed to institutional care under this chapter are placed, unless that  
4 county is also the person's county of residence.

5 (b) The plan prepared under par. (a) shall address the person's need, if any, for  
6 supervision, counseling, medication, community support services, residential  
7 services, vocational services, and alcohol or other drug abuse treatment. If the  
8 person is a serious child sex offender, the plan shall address the person's need for  
9 pharmacological treatment using an antiandrogen or the chemical equivalent of an  
10 antiandrogen. ~~The department may contract with a county department, under s.~~  
11 ~~51.42 (3) (aw) 1. d., with another public agency or with a private agency to provide~~  
12 ~~the treatment and services identified in the plan.~~ The plan shall specify who will be  
13 responsible for providing the treatment and services identified in the plan. If the  
14 plan was ordered to be prepared under sub. (4) (c), the plan shall include information  
15 concerning the daily cost of supervised release under the plan and the daily cost of  
16 institutional care for the person.

17 (c) 2. The plan prepared under par. (a) shall be presented to the court for its  
18 approval within 60 days after the court finding finds that the person is appropriate  
19 for supervised release under sub. (4) (a) or orders preparation of the plan under sub.  
20 (4) (c), unless the department, county department and person to be released request  
21 additional time to develop the plan. If the county department of the person's county  
22 of residence declines to prepare a plan, the department may arrange for another  
23 county to prepare the plan if that county agrees to prepare the plan and if the person  
24 will be living in that county. If the department is unable to arrange for another  
25 county to prepare a plan, the court shall designate a county department to prepare

**BILL****SECTION 3236**

1 ~~the plan, order the county department to prepare the plan and place the person on~~  
2 ~~supervised release in that county, except that the court may not so designate the~~  
3 ~~county department in any county where there is a facility in which persons~~  
4 ~~committed to institutional care under this chapter are placed unless that county is~~  
5 ~~also the person's county of residence. The court shall hold a hearing on the plan~~  
6 ~~within 30 days after the plan is presented to the court, unless the department, county~~  
7 ~~department and person to be released agree to a later hearing date. At least 10 days~~  
8 ~~before the hearing under this subdivision, the court shall give written notice of the~~  
9 ~~hearing to the person to be released, the district attorney or department of justice,~~  
10 ~~whichever is applicable, the department, the county department that prepared the~~  
11 ~~plan, the chief executive officer of the county in which the person would reside under~~  
12 ~~the plan and the chief executive officer of the city, village or town in which the person~~  
13 ~~would reside under the plan. The person, the district attorney or the attorney~~  
14 ~~general, whichever is applicable, and any chief executive officer who receives notice~~  
15 ~~of the hearing, or the chief executive officer's designee, may present evidence at the~~  
16 ~~hearing. The county department that prepared the plan and the department may,~~  
17 ~~and upon request of the court shall, present evidence at the hearing.~~

18 \*~~0284/3.24~~\* **SECTION 3237.** 980.08 (5) (c) 1. of the statutes is created to read:

19 980.08 (5) (c) 1. In this paragraph, "chief executive officer" means a mayor, city  
20 manager, village president, town chairperson, county executive or chairperson of the  
21 county board of supervisors.

22 \*~~0284/3.25~~\* **SECTION 3238.** 980.08 (5) (d), (de), (dm), (ds) and (e) of the  
23 statutes are created to read:

24 980.08 (5) (d) Based on the provisions of the plan and on the evidence presented  
25 at the hearing under par. (c) 2., the court shall determine whether the plan provides

**BILL**

1 adequate treatment and services to the person and adequate protection to the  
2 community. If the court finds that the plan does not provide either adequate  
3 treatment and services to the person or adequate protection to the community, the  
4 court shall issue a written decision and order disapproving the plan and shall  
5 proceed under par. (de). If the court finds that the plan provides adequate treatment  
6 and services to the person and adequate protection to the community, the court shall,  
7 except as provided in par. (dm), issue a written decision and order approving the plan  
8 and placing the person on supervised release in the county that prepared the plan.

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

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

**BILL****SECTION 3238**

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

4 (e) The county department that prepared the plan and the department shall  
5 implement a plan approved by the court under par. (d). In implementing the plan,  
6 the department may contract with a county department, under s. 51.42 (3) (aw) 1.  
7 d., with another public agency or with a private agency to provide the treatment and  
8 services identified in the plan. The department may request the court to make such  
9 orders as are necessary to ensure implementation of the plan.

10 **\*-0284/3.26\* SECTION 3239.** 980.12 (1) of the statutes is amended to read:

11 980.12 (1) The Except as provided in ss. 980.03 (4) and 980.08 (3), the  
12 department shall pay from the appropriations under s. 20.435 (2) (a) and (bm) for all  
13 costs relating to the evaluation, treatment and care of persons evaluated or  
14 committed under this chapter.

15 **\*-0030/2.132\* SECTION 3240.** 985.01 (1) of the statutes is renumbered 985.01  
16 (1m).

17 **\*-0030/2.133\* SECTION 3241.** 985.01 (1g) of the statutes is created to read:

18 985.01 (1g) "Governing body" has the meaning given in s. 345.05 (1) (b) and  
19 includes a family care district board under s. 46.2895.

20 **\*-0030/2.134\* SECTION 3242.** 985.01 (3) of the statutes is amended to read:

21 985.01 (3) "Municipality" has the meaning in s. 345.05 (1) (c) and ~~"governing~~  
22 ~~body" the meaning in s. 345.05 (1) (b) with reference to such municipality includes~~  
23 a family care district under s. 46.2895.

24 **\*-1836/2.29\* SECTION 3243.** 992.21 of the statutes is created to read:

**BILL**

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

6           \***-1817/4.4\*** SECTION 3244. Laws of 1929, chapter 151, section 1 is amended  
7 to read:

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

21           \***-1817/4.5\*** SECTION 3245. Laws of 1929, chapter 151, section 3 is amended  
22 to read:

23           [Laws of 1929, chapter 151] Section 3. The said grantee, the city of Milwaukee,  
24 shall not convey any portion or the whole of the lands so granted, ceded and  
25 confirmed, and described in section 2 of this act, to any other party, either by

**BILL****SECTION 3245**

1 warranty deed, quit claim, or in any other manner, except that it may convey to the  
2 government of the United States such portion thereof as may be desirable for the  
3 promotion of navigation; and it may also convey said lands to any harbor district or  
4 other public corporation that may hereafter be organized, under any law of this state,  
5 for public park purposes or for the purpose of maintaining and operating a public  
6 port; and it may further lease for limited terms not exceeding thirty years, such  
7 particular parcels or portions thereof as the board of harbor commissioners may  
8 deem expedient, to parties desiring to employ such leased portions and parcels for  
9 public park purposes or in the maintaining, operating or using of any harbor facilities  
10 thereon.

11 **\*-1817/4.6\* SECTION 3246.** Laws of 1929, chapter 151, section 4 is amended  
12 to read:

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

20 **\*-1817/4.7\* SECTION 3247.** Laws of 1973, chapter 76, section 1 is amended to  
21 read:

22 [Laws of 1973, chapter 76] Section 1. All the right, title and interest of the state  
23 of Wisconsin in the lands hereinafter described, whether any part or parcel thereof  
24 may be, at the time of the passage and publication of this act, dry or submerged under  
25 the waters of Lake Michigan are hereby ceded, granted and confirmed to the city of

**BILL**

1 Milwaukee, a municipal corporation, for the purpose of improving, filling, and  
2 utilizing the same for public park purposes or in aid of navigation and the fisheries  
3 and in addition for such further and other use which the board of harbor  
4 commissioners of the city of Milwaukee may deem appropriate and expedient and  
5 which the common council approves by resolution. Such land ~~shall~~ may also be used  
6 for the purpose of establishing and maintaining thereon breakwaters, bulkheads,  
7 piers, wharves, warehouses, transfer sheds, railway tracks, airports, and other  
8 harbor facilities, together with such other uses not inconsistent with the  
9 improvement of navigation and fisheries in Lake Michigan, and the navigable  
10 waters tributary thereto, as the city may deem expedient.

11 \***-1817/4.8\*** SECTION 3248. Laws of 1973, chapter 76, section 3 is amended to  
12 read:

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

**BILL****SECTION 3249**

- 1           \***-0689/2.10\*** SECTION 3249. 1995 Wisconsin Act 292, section 5 is repealed.
- 2           \***-0689/2.11\*** SECTION 3250. 1995 Wisconsin Act 292, section 12 is repealed.
- 3           \***-0689/2.12\*** SECTION 3251. 1995 Wisconsin Act 292, section 14 is repealed.
- 4           \***-0689/2.13\*** SECTION 3252. 1995 Wisconsin Act 292, section 16 is repealed.
- 5           \***-0689/2.14\*** SECTION 3253. 1995 Wisconsin Act 292, section 20 is repealed.
- 6           \***-0689/2.15\*** SECTION 3254. 1995 Wisconsin Act 292, section 22 is repealed.
- 7           \***-0689/2.16\*** SECTION 3255. 1995 Wisconsin Act 292, section 24 is repealed.
- 8           \***-0689/2.17\*** SECTION 3256. 1995 Wisconsin Act 292, section 28 is repealed.
- 9           \***-0689/2.18\*** SECTION 3257. 1995 Wisconsin Act 292, section 30 is repealed.
- 10          \***-0689/2.19\*** SECTION 3258. 1995 Wisconsin Act 292, section 30h is repealed.
- 11          \***-0689/2.20\*** SECTION 3259. 1995 Wisconsin Act 292, section 32 is repealed.
- 12          \***-0689/2.21\*** SECTION 3260. 1995 Wisconsin Act 292, section 37 (1) is repealed.
- 13          \***-1834/2.2\*** SECTION 3261. 1997 Wisconsin Act 4, section 4 (1) (a), as last  
14 affected by 1997 Wisconsin Act 27, section 5510s, is amended to read:
- 15           [1997 Wisconsin Act 4] Section 4 (1) (a) Notwithstanding 1995 Wisconsin Act  
16 27, section 9126 (23) and (26v), the department of corrections may, from July 1, 1997,  
17 until July 1, ~~1999~~ 2001, operate the juvenile secured correctional facility, as defined  
18 in section 938.02 (15m) of the statutes, authorized under 1995 Wisconsin Act 27,  
19 section 9126 (26v), as a state prison named in section 302.01 of the statutes, as  
20 affected by this act, for the placement of prisoners, as defined in section 301.01 (2)  
21 of the statutes, who are not more than 21 years of age and who are not violent  
22 offenders, as determined by the department of corrections.
- 23          \***-1618/3.6\*** SECTION 3262. 1997 Wisconsin Act 27, section 9410 (5g) is  
24 amended to read:

**BILL**

1 [1997 Wisconsin Act 27] Section 9410 (5g) ELIMINATION OF RECYCLING MARKET  
2 DEVELOPMENT BOARD. The treatment of sections 15.07 (1) (b) 19., 15.155 (2), ~~16.72 (7)~~  
3 ~~(by SECTION 119d)~~, 20.143 (1) (L) (by SECTION 200d), (st) (by SECTION 204d) and (tm)  
4 (by SECTION 205d), 20.923 (4) (a) 4q., 36.25 (30g), 560.031 (by SECTION 4338c), (2), (3)  
5 and (4), 560.09 (5) and 560.65 (4) (a) and subchapter III of chapter 287 (by SECTION  
6 3620m) of the statutes takes effect on June 30, 2001.

7 **\*-0120/1.7\* SECTION 3263.** 1997 Wisconsin Act 84, section 168 (intro.) is  
8 amended to read:

9 [1997 Wisconsin Act 84] Section 168. **Effective dates.** (intro.) This act takes  
10 effect on the date stated in the notice published by the secretary of transportation  
11 in the Wisconsin Administrative Register under section 85.515 of the statutes, as  
12 created by this act, or on ~~the first day of the 25th month beginning after publication~~  
13 May 1, 2001, whichever is earlier, except as follows:

14 **\*-0269/3.5\* SECTION 3264.** 1997 Wisconsin Act 154, section 3 (1) is amended  
15 to read:

16 [1997 Wisconsin Act 154] Section 3 (1) STATEWIDE TRAUMA CARE SYSTEM; REPORT.  
17 The department of health and family services and the statewide trauma advisory  
18 council shall prepare a joint report on the development and implementation of a  
19 statewide trauma care system. The report shall make recommendations on issues  
20 that need to be resolved in developing and implementing the system, including  
21 minimum services in rendering patient care; transport protocols; area trauma  
22 advisory councils and plans; development of a method to classify hospitals as to their  
23 respective emergency care capabilities and methods to make the resulting  
24 information available for public use; improving the communications systems  
25 between hospitals and prehospital elements of the trauma care system; development

**BILL****SECTION 3264**

1 of a statewide trauma registry, including a data system to measure the effectiveness  
2 of trauma care and to develop ways to promote ongoing quality improvement; triage;  
3 interfacility transfers; enhancing the training and education of health care  
4 personnel involved in the provision of trauma care services; and monitoring  
5 adherence to rules. Not later than January 1, ~~2000~~ 2001, the department and the  
6 statewide trauma advisory council shall submit the report to the legislature in the  
7 manner provided under section 13.172 (2) of the statutes, to the joint committee on  
8 finance of the legislature as provided in subsection (2), to the governor and to the  
9 emergency medical services board.

10 \*~~0400/7.20~~\* **SECTION 3265.** 1997 Wisconsin Act 237, section 4x is repealed.

11 \*~~0400/7.21~~\* **SECTION 3266.** 1997 Wisconsin Act 237, section 48h is repealed.

12 \*~~0400/7.22~~\* **SECTION 3267.** 1997 Wisconsin Act 237, section 9101 (1z) (b), (c)  
13 (intro.), (d) 1., (g) (intro.) and (h) are amended to read:

14 [1997 Wisconsin Act 237] Section 9101 (1z) (b) *Purpose of grants.* From the  
15 appropriation under section 20.505 (4) ~~(1)~~ (fm) of the statutes, ~~as created by this act,~~  
16 ~~the national and community service board~~ department of administration shall  
17 award grants, in the amounts specified in paragraph (c), to countywide consortiums  
18 to assist those countywide consortiums in coordinating and documenting progress  
19 within their counties toward reaching the goal of providing the 5 fundamental  
20 resources to underserved youth.

21 (c) *Amount of grants.* (intro.) ~~The national and community service board~~  
22 department of administration shall determine the amount of a grant awarded under  
23 paragraph (b) based on the number of underserved youth who are to receive the 5  
24 fundamental resources as a result of the countywide consortium's efforts under  
25 paragraph (f). ~~The national and community service board~~ department of

**BILL**

1 administration shall award the following amounts based on the following numbers  
2 of underserved youth targeted by a countywide consortium:

3 (d) 1. The ~~national and community service board~~ department of administration  
4 may award a grant under paragraph (b) only to a countywide consortium that agrees  
5 to match the grant, in cash, in an amount this is not less than 200% of the grant  
6 amount received.

7 (g) *Fiscal agent; reporting.* (intro.) Each countywide consortium that applies  
8 for a grant under paragraph (b) shall identify a fiscal agent who shall receive,  
9 manage and account for the grant moneys awarded under paragraph (b) and the  
10 matching funds committed under paragraph (d) 1. and who shall provide to the  
11 ~~national and community service board~~ department of administration the following  
12 reports detailing the progress of the countywide consortium in accomplishing the  
13 tasks specified in paragraph (f):

14 (h) *Capacity building.* The ~~national and community service board~~ department  
15 of administration may expend any moneys in the appropriation account under  
16 section 20.505 (4) (1) (fm) of the statutes, ~~as created by this act,~~ that are not awarded  
17 as grants under paragraph (b) to build the capacity of individuals, public agencies,  
18 nonprofit organizations and other persons to provide the 5 fundamental resources  
19 to underserved youth by contracting for the provision of the training and technical  
20 assistance specified in paragraph (f) 4.

21 **\*-0400/7.23\* SECTION 3268.** 1997 Wisconsin Act 237, section 9401 (1z) is  
22 repealed.

23 **SECTION 9101. Nonstatutory provisions; administration.**

24 **\*-0400/7.9101\* (1) TRANSFER OF NATIONAL AND COMMUNITY SERVICES BOARD.**

**BILL****SECTION 9101**

1           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
2 liabilities of the department of administration primarily related to the functions of  
3 the national and community service board, except the Wisconsin challenge grant  
4 program, as determined by the secretary of administration, shall become the assets  
5 and liabilities of the department of health and family services.

6           (b) *Positions and employes.*

7           1. On the effective date of this subdivision, all full-time equivalent positions  
8 in the department of administration having duties primarily related to the functions  
9 of the national and community service board, except the Wisconsin challenge grant  
10 program, as determined by the secretary of administration, are transferred to the  
11 department of health and family services.

12           2. All incumbent employes holding positions specified in subdivision 1. are  
13 transferred on the effective date of this subdivision to the department of health and  
14 family services.

15           3. Employes transferred under subdivision 2. have all the rights and the same  
16 status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
17 department of health and family services that they enjoyed in the department of  
18 administration immediately before the transfer. Notwithstanding section 230.28 (4)  
19 of the statutes, no employe so transferred who has attained permanent status in class  
20 is required to serve a probationary period.

21           (c) *Tangible personal property.* On the effective date of this paragraph, all  
22 tangible personal property, including records, of the department of administration  
23 that is primarily related to the functions of the national and community service  
24 board, except the Wisconsin challenge grant program, as determined by the

**BILL**

1 secretary of administration, is transferred to the department of health and family  
2 services.

3 (d) *Contracts.* All contracts entered into by the department of administration  
4 in effect on the effective date of this paragraph that are primarily related to the  
5 functions of the national and community service board, except the Wisconsin  
6 challenge grant program, as determined by the secretary of administration, remain  
7 in effect and are transferred to the department of health and family services. The  
8 department of health and family services shall carry out any contractual obligations  
9 under such a contract until the contract is modified or rescinded by the department  
10 of health and family services to the extent allowed under the contract.

11 **\*-1267/1.9101\*** (2) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From federal  
12 and program revenue moneys appropriated to the department of administration for  
13 the office of justice assistance under section 20.505 (6) (kp) of the statutes, as affected  
14 by this act, and section 20.505 (6) (pb) of the statutes, the department shall expend  
15 \$83,600 in fiscal year 1999–2000 and \$87,800 in fiscal year 2000–01 to provide the  
16 multijurisdictional enforcement group serving Dane County with funding for one  
17 assistant district attorney to prosecute criminal violations of chapter 961 of the  
18 statutes.

19 **\*-1267/1.9101\*** (3) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From  
20 federal and program revenue moneys appropriated to the department of  
21 administration for the office of justice assistance under section 20.505 (6) (kp) of the  
22 statutes; as affected by this act, and section 20.505 (6) (pb) of the statutes, the  
23 department shall expend \$263,000 in fiscal year 1999–2000 and \$271,300 in fiscal  
24 year 2000–01 to provide the multijurisdictional enforcement group serving

**BILL****SECTION 9101**

1 Milwaukee County with funding for 3 assistant district attorneys to prosecute  
2 criminal violations of chapter 961 of the statutes.

3 **\*-1268/2.9101\*** (4) INFORMATION CONCERNING SEXUALLY VIOLENT PERSON  
4 COMMITMENT CASES.

5 (a) In any case in which the district attorney files a sexually violent person  
6 petition under section 980.02 (1) (b) of the statutes, as affected by this act, on or after  
7 the effective date this paragraph but before July 1, 2001, the district attorney shall  
8 maintain a record of the amount of time spent by the district attorney and by any  
9 deputy district attorneys or assistant district attorneys doing all of the following:

10 1. Prosecuting the petition through trial under section 980.05 of the statutes  
11 and, if applicable, commitment of the person subject to the petition under section  
12 980.06 of the statutes, as affected by this act.

13 2. If applicable, representing the state on petitions brought by the person who  
14 is the subject of the petition for supervised release under section 980.08 of the  
15 statutes, as affected by this act, or for discharge under section 980.09 or 980.10 of the  
16 statutes.

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

22 **\*-1411/5.9101\*** (5) PURCHASE, REPLACEMENT AND MAINTENANCE OF STATE CRIME  
23 LABORATORY EQUIPMENT. The secretary of administration shall allocate \$254,700 in  
24 fiscal year 1999–2000 and \$254,700 in fiscal year 2000–01 from the appropriations  
25 under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505

**BILL**

1 (6) (pc) of the statutes to provide the department of justice with funding for the  
2 purchase, replacement and maintenance of state crime laboratory equipment.

3 **\*-1411/5.9101\*** (6) PURCHASE OF EQUIPMENT OF DEOXYRIBONUCLEIC ACID  
4 ANALYSIS. In fiscal year 1999–2000, the secretary of administration shall allocate  
5 \$226,800 from the appropriations under section 20.505 (6) (kt) of the statutes, as  
6 affected by this act, and section 20.505 (6) (pc) of the statutes to provide the  
7 department of justice with funding for the purchase of equipment for analyzing  
8 deoxyribonucleic acid using the short tandem repeat method.

9 **\*-1411/5.9101\*** (7) CONVERSION OF DEOXYRIBONUCLEIC ACID DATA BANK. In fiscal  
10 year 1999–2000, the secretary of administration shall allocate \$450,000 from the  
11 appropriations under section 20.505 (6) (kt) of the statutes, as affected by this act,  
12 and section 20.505 (6) (pc) of the statutes to provide the department of justice with  
13 funding for converting the deoxyribonucleic acid data bank under section 165.77 (3)  
14 of the statutes to make it compatible with the short tandem repeat method of  
15 deoxyribonucleic acid analysis.

16 **\*-1696/7.9101\*** (8) EDUCATIONAL BROADCASTING.

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

**BILL****SECTION 9101**

1 as determined by the secretary of administration, are transferred to the corporation  
2 described under section 39.81 of the statutes, as created by this act.

3 (b) *Transfer of educational communications board funds.* If the secretary of  
4 administration determines that the federal communications commission has  
5 approved the transfer of all broadcasting licenses held by the educational  
6 communications board and the board of regents of the University of Wisconsin  
7 System to the corporation described under section 39.81 of the statutes, as created  
8 by this act, on the effective date of the last license transferred:

9 1. To the appropriation account under section 20.218 (1) (b) of the statutes, as  
10 created by this act, there is transferred the unencumbered balance of the  
11 appropriation accounts under section 20.225 (1) (a), (b), (d) to (ka) and (m) of the  
12 statutes, as affected by this act, and the amounts in the schedule for the  
13 appropriation account under section 20.218 (1) (b) of the statutes, as created by this  
14 act, are increased by the sum of the amounts transferred from the appropriation  
15 accounts under section 20.225 (1) (a), (b), (d) to (ka) and (m) of the statutes, as  
16 affected by this act.

17 2. To the appropriation account under section 20.505 (5) (i) of the statutes, as  
18 created by this act, there is transferred the unencumbered balance of the  
19 appropriation account under section 20.225 (1) (kb) of the statutes, as affected by this  
20 act, and the amounts in the schedule for the appropriation account under section  
21 20.505 (5) (i) of the statutes, as created by this act, are increased by the amount  
22 transferred from the appropriation account under section 20.225 (1) (kb) of the  
23 statutes, as affected by this act.

24 (c) *Operational plan for educational broadcasting corporation.* The persons  
25 under section 39.81 (1) of the statutes, as created by this act, shall prepare an

**BILL**

1 operational plan for the corporation described under section 39.81 of the statutes, as  
2 created by this act. The operational plan shall include all of the following:

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

7 2. The number of authorized FTE positions for the board of regents of the  
8 University of Wisconsin System that would be eliminated if all broadcasting licenses  
9 held by the educational communications board and the board of regents of the  
10 University of Wisconsin System were transferred to the corporation described under  
11 section 39.81 of the statutes, as created by this act.

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

15 4. An estimate of the amount of money necessary to fund the appropriations  
16 under section 20.255 (1) (fw) of the statutes, as created by this act, and section 20.285  
17 (1) (fu) of the statutes.

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

20 (d) *Review of operational plan.* The secretary of administration shall submit  
21 the operational plan under paragraph (c) to the cochairpersons of the joint committee  
22 on finance. If the cochairpersons of the joint committee on finance do not notify the  
23 secretary of administration within 14 working days after the date of the submittal  
24 of the operational plan that the joint committee on finance has scheduled a meeting  
25 to review the operational plan, the operational plan may be implemented as proposed

**BILL****SECTION 9101**

1 by the secretary of administration. If, within 14 working days after the date of the  
2 submittal of the operational plan, the cochairpersons of the joint committee on  
3 finance notify the secretary of administration that the joint committee on finance has  
4 scheduled a meeting to review the operational plan, the operational plan may be  
5 implemented only upon approval of the joint committee on finance.

6 (e) *Positions decrease.* If the secretary of administration determines that the  
7 federal communications commission has approved the transfer of all broadcasting  
8 licenses held by the educational communications board and the board of regents of  
9 the University of Wisconsin System to the corporation described under section 39.81  
10 of the statutes, as created by this act, on the effective date of the last license  
11 transferred the authorized FTE positions for the University of Wisconsin System are  
12 decreased by the number determined under paragraph (c) 2.

13 (f) *Determination of license transfer date.* If the secretary of administration  
14 determines that the federal communications commission has approved the transfer  
15 of all broadcasting licenses held by the educational communications commission and  
16 the board of regents of the University of Wisconsin System to the corporation  
17 described under section 39.81 of the statutes, as created by this act, the secretary  
18 shall immediately notify the revisor of statutes in writing of the effective date of the  
19 last license transferred.

20 **\*-1806/3.9101\*** (9) TRANSFER OF COLLEGE TUITION PREPAYMENT PROGRAM.

21 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and  
22 liabilities of the department of administration primarily related to the  
23 administration of the college tuition prepayment program, as determined by the  
24 secretary of administration, shall become the assets and liabilities of the state  
25 treasurer.

**BILL**

1           (b) *Employee transfers.* All incumbent employes holding positions in the  
2 department of administration performing duties primarily related to the  
3 administration of the college tuition prepayment program, as determined by the  
4 secretary of administration, are transferred on the effective date of this paragraph  
5 to the state treasurer.

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

12           (d) *Tangible personal property.* On the effective date of this paragraph, all  
13 tangible personal property, including records, of the department of administration  
14 that is primarily related to the administration of the college tuition prepayment  
15 program, as determined by the secretary of administration, is transferred to the  
16 state treasurer.

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

23           (f) *Rules and orders.* All rules promulgated by the department of  
24 administration that are in effect on the effective date of this paragraph and that are  
25 primarily related to the administration of the college tuition prepayment program,

**BILL****SECTION 9101**

1 as determined by the secretary of administration, remain in effect until their  
2 specified expiration date or until amended or repealed by the state treasurer. All  
3 orders issued by the department of administration that are in effect on the effective  
4 date of this paragraph and that are primarily related to the administration of the  
5 college tuition prepayment program, as determined by the secretary of  
6 administration, remain in effect until their specified expiration date or until  
7 modified or rescinded by the state treasurer.

8 (g) *Pending matters.* Any matters pending with the department of  
9 administration on the effective date of this paragraph that are primarily related to  
10 the administration of the college tuition prepayment program, as determined by the  
11 secretary of administration, are transferred to the state treasurer and all materials  
12 submitted to or actions taken by the department of administration with respect to  
13 the pending matters are considered as having been submitted or taken by the state  
14 treasurer.

15 **\*-1840/2.9101\*** (10) INSTALLATION OF EQUIPMENT FOR AUTOMATED JUSTICE  
16 INFORMATION SYSTEMS. The secretary of administration shall allocate \$363,900 in  
17 fiscal year 1999–2000 and \$1,782,000 in fiscal year 2000–01 from the appropriations  
18 under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505  
19 (6) (pc) of the statutes to fund the installation of equipment for automated justice  
20 information systems.

21 **\*-1840/2.9101\*** (11) OPERATIONS RELATING TO AUTOMATED JUSTICE INFORMATION  
22 SYSTEMS. The secretary of administration shall allocate \$446,500 in fiscal year  
23 1999–2000 and \$446,500 in fiscal year 2000–01 from the appropriation under section  
24 20.505 (6) (pc) of the statutes to fund the general operations of the department of  
25 administration relating to automated justice information systems.

**BILL**

1           \***-1840/2.9101\*** (12) DEPARTMENT OF CORRECTIONS ALCOHOL AND OTHER DRUG  
2 ABUSE PROGRAMS. The secretary of administration shall allocate \$1,000,000 in fiscal  
3 year 1999–2000 and \$1,000,000 in fiscal year 2000–01 from the appropriations  
4 under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505  
5 (6) (pc) of the statutes to fund alcohol and other drug abuse programs in the  
6 department of corrections.

7           \***-1840/2.9101\*** (13) DEPARTMENT OF CORRECTIONS INFORMATION TECHNOLOGY.  
8 The secretary of administration shall allocate \$533,300 in fiscal year 1999–2000 and  
9 \$1,200,000 in fiscal year 2000–01 from the appropriations under section 20.505 (6)  
10 (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes  
11 to provide the department of corrections with funding for information technology.

12           \***-1840/2.9101\*** (14) REIMBURSEMENT TO COUNTIES FOR CRIME VICTIM AND WITNESS  
13 SERVICES. The secretary of administration shall allocate \$850,800 in fiscal year  
14 1999–2000 and \$850,800 in fiscal year 2000–01 from the appropriations under  
15 section 20.505 (6) (kp) of the statutes, as affected by this act, and section 20.505 (6)  
16 (pb) of the statutes to provide reimbursement to counties for providing services to  
17 victims and witnesses of crime.

18           \***-1938/1.9101\*** (15) PRIVATIZATION OF PUBLIC BROADCASTING TOWERS.

19           (a) In this subsection:

- 20           1. “Department” means the department of administration.
- 21           2. “Communications towers” means state-owned or state-leased  
22 communications towers that are used for public broadcasting and any related  
23 structures, equipment and property, except for the communications tower operated  
24 by the Milwaukee area technical college.

**BILL****SECTION 9101**

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

4 1. An inventory of all communications towers.

5 2. A plan for implementing privatization of communications towers, including  
6 any plans and specifications for the sale or sublease of communications towers to  
7 private bidders and any proposed contract terms for the state to lease back sufficient  
8 capacity on communications towers in order to meet the state's current  
9 communications needs and for providing for any construction or expansion that is  
10 necessary to meet the state's future communications needs.

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

20 **\*-1969/1.9101\*** (16) SYNAR COMPLIANCE CHECKS. The legislative reference  
21 bureau shall prepare legislation authorizing the development of a statewide protocol  
22 for licensing authorities and law enforcement agencies in conducting compliance  
23 surveys to determine the prevalence of illegal retail sales of tobacco products to  
24 underage persons, based on instructions provided by the department of  
25 administration. The final instructions for this legislation shall be submitted to the

**BILL**

1 legislative reference bureau by the department of administration not later than  
2 March 1, 1999. The secretary of administration shall submit the proposed legislation  
3 to the cochairpersons of the joint committee on finance no later than April 1, 1999.

4 **\*-2005/5.9101\*** (17) **GLASS CEILING BOARD INITIAL TERMS.** Notwithstanding  
5 section 15.105 (26) of the statutes, as created by this act, of the members first  
6 appointed to the glass ceiling board under section 15.105 (26) (b) of the statutes, the  
7 governor shall designate 7 members to serve for terms expiring on May 1, 2001; 7  
8 members to serve for terms expiring on May 1, 2002; and 7 members to serve for  
9 terms expiring on May 1, 2003.

10 **\*-2052/2.9101\*** (18) **DETERMINATION OF COSTS FOR PAY RATE OR RANGE**  
11 **ADJUSTMENTS FOR CERTAIN EMPLOYES OF THE DEPARTMENTS OF CORRECTIONS AND HEALTH**  
12 **AND FAMILY SERVICES.** During the 1999–2001 biennium, the secretary of  
13 administration shall determine which costs of the departments of corrections and  
14 health and family services may be supplemented from the appropriation accounts  
15 under section 20.865 (1) (cb) and (ib) of the statutes, as created by this act.

16 **\*-0480/2.9102\*** **SECTION 9102. Nonstatutory provisions; adolescent**  
17 **pregnancy prevention and pregnancy services board.**

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

20 **\*-0030/2.9103\*** (1) **LENGTH OF INITIAL TERMS OF MEMBERS OF BOARD ON AGING AND**  
21 **LONG-TERM CARE.** Notwithstanding the length of terms specified for members of the  
22 board on aging and long-term care appointed under section 15.105 (10) of the  
23 statutes, as affected by this act, one of the 2 additional initial members appointed  
24 under that subsection shall be appointed for a term expiring on May 1, 2005, and the

**BILL****SECTION 9103**

1 other of the 2 additional initial members appointed under that subsection shall be  
2 appointed for a term expiring on May 1, 2006.

3 **SECTION 9104. Nonstatutory provisions; agriculture, trade and**  
4 **consumer protection.**

5 **\*-1785/1.9104\*** (1) SOIL AND WATER CONSERVATION STANDARDS. A county land  
6 conservation committee shall submit revised soil and water conservation standards  
7 that comply with section 92.105 (1) of the statutes, as affected by this act, to the land  
8 and water conservation board no later than September 1, 2000.

9 **\*-1785/1.9104\*** (2) FARMLAND PRESERVATION RULES. Using the procedure under  
10 section 227.24 of the statutes, the department of agriculture, trade and consumer  
11 protection may promulgate a rule under section 91.04 of the statutes, as created by  
12 this act, or under any other provision of the statutes if the rule is necessary to  
13 implement the changes related to the farmland preservation credit made by this act  
14 for the period before the effective date of any permanent rule promulgated under  
15 section 91.04 of the statutes, as created by this act, or promulgated to implement  
16 those changes, but not to exceed the period authorized under section 227.24 (1) (c)  
17 and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the  
18 statutes, the department is not required to provide evidence that promulgating a rule  
19 under this subsection as an emergency rule is necessary for the preservation of the  
20 public peace, health, safety or welfare and is not required to provide a finding of  
21 emergency for a rule promulgated under this subsection.

22 **\*-2070/1.9104\*** (3) EMERGENCY RULES FOR DRAINAGE DISTRICT BOARD GRANTS.  
23 Using the procedure under section 227.24 of the statutes, the department of  
24 agriculture, trade and consumer protection may promulgate a rule under section  
25 88.15 (2) of the statutes, as created by this act, for the period before the effective date

**BILL**

1 of the permanent rule promulgated under section 88.15 (2) of the statutes, as created  
2 by this act, but not to exceed the period authorized under section 227.24 (1) (c) and  
3 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the  
4 statutes, the department is not required to provide evidence that promulgating a rule  
5 under this subsection as an emergency rule is necessary for the preservation of the  
6 public peace, health, safety or welfare and is not required to provide a finding of  
7 emergency for a rule promulgated under this subsection.

8 **\*-0480/2.9105\* SECTION 9105. Nonstatutory provisions; arts board.**

9 **\*-0480/2.9106\* SECTION 9106. Nonstatutory provisions; boundary area**  
10 **commission, Minnesota-Wisconsin.**

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

17 **SECTION 9107. Nonstatutory provisions; building commission.**

18 **\*-1542/2.9107\* (1) 1999-2001 AUTHORIZED STATE BUILDING PROGRAM.** For the  
19 fiscal years beginning on July 1, 1999, and ending on June 30, 2001, the authorized  
20 state building program is as follows:

21 (a) UNIVERSITY OF WISCONSIN SYSTEM

22 1. *Projects financed by program revenue supported*  
23 *borrowing:*

**BILL****SECTION 9107**

1 Ashland — Full-scale aquaculture demonstration  
2 facility \$ 3,000,000

3 *2. Agency totals:*

4 Program revenue supported borrowing \$ 3,000,000  
5 Total — All sources of funds \$ 3,000,000

## 6 (b) SUMMARY

7 Total program revenue supported borrowing \$ 3,000,000  
8 Total — All sources of funds \$ 3,000,000

9 **\*-0480/2.9108\* SECTION 9108. Nonstatutory provisions; child abuse and**  
10 **neglect prevention board.**

11 **\*-0480/2.9109\* SECTION 9109. Nonstatutory provisions; circuit courts.**

12 **SECTION 9110. Nonstatutory provisions; commerce.**

13 **\*-0824/9.9110\* (1) GRANTS TO BROWN COUNTY.** From the appropriation under  
14 section 20.143 (1) (kj) of the statutes, the department of commerce shall make grants  
15 to Brown County of \$500,000 in fiscal year 1999–2000 and \$1,000,000 in fiscal year  
16 2000–01 for economic development.

17 **\*-0935/3.9110\* (2) SMALL SEWAGE SYSTEMS.** The department of commerce may  
18 use the procedure specified under section 227.24 of the statutes to promulgate the  
19 rule required under section 145.02 (4) (c) of the statutes, as created by this act, for  
20 the period before the effective date of a permanent rule, but not to exceed the period  
21 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding  
22 section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required  
23 to provide evidence that promulgating a rule under this subsection as an emergency  
24 rule is necessary for the preservation of the public peace, health, safety or welfare

**BILL**

1 and is not required to provide a finding of emergency for a rule promulgated under  
2 this subsection.

3 **\*-1669/5.9110\*** (3) RULES FOR DETERMINING PRIORITY OF SITES OF PETROLEUM  
4 PRODUCT DISCHARGES. Using the procedure under section 227.24 of the statutes, the  
5 department of commerce shall promulgate the rules required under section 101.144  
6 (3g) of the statutes, as created by this act, for the period before the effective date of  
7 the permanent rules under that provision, but not to exceed the period authorized  
8 under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24  
9 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide  
10 evidence that promulgating rules under this subsection is necessary for the  
11 preservation of the public peace, health, safety or welfare and is not required to  
12 provide a finding of emergency for rules promulgated under this subsection. The  
13 department shall promulgate rules under this subsection no later than the 30th day  
14 after the effective date of this subsection.

15 **\*-2072/2.9110\*** (4) LOAN FOR PEDESTRIAN BRIDGE PROJECT.

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

- 20 1. The person submits a plan to the department of commerce detailing the  
21 proposed use of the loan and the secretary of commerce approves the plan.
- 22 2. The person enters into a written agreement with the department of  
23 commerce that specifies the loan terms and the conditions for use of the loan  
24 proceeds, including reporting and auditing requirements.

**BILL****SECTION 9110**

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

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

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

9           \***2072/2.9110**\* (5) GRANT FOR MANUFACTURING TECHNOLOGY TRAINING CENTER.

10          (a) In this subsection:

11           1. "Consortium" means an association of business, governmental and  
12 educational entities.

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

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

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

19           1. The consortium is located in the Racine–Kenosha area.

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

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

**BILL**

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

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

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

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

10           **SECTION 9111. Nonstatutory provisions; corrections.**

11           \***-2105/1.9111\*** (1) SECURED GROUP HOME RATES. By January 1, 2000, the  
12 department of corrections shall calculate and submit to the department of  
13 administration per person daily cost assessments under section 301.26 (4) (d) 3. and  
14 4. of the statutes, as affected by this act, for juveniles who are placed in a secured  
15 group home, as defined in section 938.02 (15p) of the statutes, as created by this act.

16           \***-0480/2.9112\*** **SECTION 9112. Nonstatutory provisions; court of**  
17 **appeals.**

18           \***-0480/2.9113\*** **SECTION 9113. Nonstatutory provisions; educational**  
19 **communications board.**

20           \***-0480/2.9114\*** **SECTION 9114. Nonstatutory provisions; elections board.**

21           \***-0480/2.9115\*** **SECTION 9115. Nonstatutory provisions; employe trust**  
22 **funds.**

23           \***-0480/2.9116\*** **SECTION 9116. Nonstatutory provisions; employment**  
24 **relations commission.**

**BILL****SECTION 9117**

1           \*~~0480/2.9117~~\* **SECTION 9117. Nonstatutory provisions; employment**  
2 **relations department.**

3           \*~~0480/2.9118~~\* **SECTION 9118. Nonstatutory provisions; ethics board.**

4           **SECTION 9119. Nonstatutory provisions; financial institutions.**

5           \*~~1836/2.9119~~\* (1) **EMERGENCY RULE-MAKING AUTHORITY.** Using the procedure  
6 under section 227.24 of the statutes, the division of banking shall promulgate rules  
7 required under chapter 222 of the statutes, as created by this act, for the period  
8 before permanent rules become effective, but not to exceed the period authorized  
9 under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24  
10 (1) (a) and (2) (b) of the statutes, the division of banking need not provide evidence  
11 of the necessity of preservation of the public peace, health, safety or welfare in  
12 promulgating rules under this subsection.

13           \*~~0480/2.9121~~\* **SECTION 9121. Nonstatutory provisions; governor.**

14           \*~~0480/2.9122~~\* **SECTION 9122. Nonstatutory provisions; Health and**  
15 **Educational Facilities Authority.**

16           **SECTION 9123. Nonstatutory provisions; health and family services.**

17           \*~~0030/2.9123~~\* (1) **RULES FOR FAMILY CARE BENEFIT.** Using the procedure under  
18 section 227.24 of the statutes, the department of health and family services shall  
19 promulgate the rules required under sections 46.286 (4) to (7), 46.288 (1) to (4) and  
20 50.02 (2) (d) of the statutes, as created by this act, for the period before the effective  
21 date of the permanent rules promulgated under sections 46.286 (4) to (7), 46.288 (1)  
22 to (4) and 50.02 (2) (d) of the statutes, as created by this act, but not to exceed the  
23 period authorized under section 227.24 (1) (c) and (2) of the statutes.  
24 Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department  
25 is not required to provide evidence that promulgating a rule under this subsection

**BILL**

1 as an emergency rule is necessary for the preservation of the public peace, health,  
2 safety or welfare and is not required to provide a finding of emergency for a rule  
3 promulgated under this subsection.

4 **\*-0266/3.9123\*** (2) HEALTH INSURANCE RISK-SHARING PLAN AND MEDICAL  
5 ASSISTANCE PURCHASE PLAN. The department of health and family services shall  
6 evaluate how to coordinate the health insurance risk-sharing plan under chapter  
7 149 of the statutes, as affected by this act, and the medical assistance purchase plan  
8 under section 49.472 of the statutes, as created by this act. If necessary, the  
9 department shall develop proposed legislation that coordinates the programs and  
10 that addresses the provision of health care coverage for individuals who are eligible  
11 for both programs.

12 **\*-0326/3.9123\*** (3) MENTAL HEALTH AND ALCOHOL OR OTHER DRUG ABUSE MANAGED  
13 CARE DEMONSTRATION PROJECTS.

14 (a) From the appropriations under section 20.435 (6) (a) of the statutes, as  
15 affected by this act, and section 20.435 (6) (n) of the statutes, the department of  
16 health and family services shall contract with counties or federally recognized  
17 American Indian tribes or bands to provide up to 2 demonstration projects in state  
18 fiscal year 2000–01. The demonstration projects shall be to provide mental health  
19 and alcohol or other drug abuse services under managed care programs to persons  
20 who suffer from mental illness, alcohol or other drug dependency or both mental  
21 illness and alcohol or other drug dependency.

22 (b) The department of health and family services shall submit for approval by  
23 the secretary of the federal department of health and human services any requests  
24 for waiver of federal medical assistance laws that are necessary to secure federal  
25 financial participation for the managed care demonstration projects under this

**BILL****SECTION 9123**

1 subsection. Regardless of whether a waiver is approved, the department of health  
2 and family services may contract for the provision of the managed care  
3 demonstration projects under this subsection.

4 **\*-0329/4.9123\*** (4) EMERGENCY MEDICAL SERVICES LICENSE RENEWAL AND LATE  
5 FEES AND FORFEITURES; RULES.

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

10 (b) Using the procedure under section 227.24 of the statutes, the department  
11 of health and family services may promulgate rules required under section 146.50  
12 (13) (d) of the statutes, as created by this act, for the period before the effective date  
13 of the rules submitted under paragraph (a), but not to exceed the period authorized  
14 under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24  
15 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide  
16 evidence that promulgating a rule under this paragraph as an emergency rule is  
17 necessary for the preservation of the public peace, health, safety or welfare and is not  
18 required to provide a finding of emergency for a rule promulgated under this  
19 paragraph.

20 **\*-0483/4.9123\*** (5) PRELIMINARY BREATH SCREENING INSTRUMENTS. From the  
21 appropriation account under section 20.435 (6) (hx) of the statutes, as affected by this  
22 act, the secretary of administration shall transfer \$290,900 to the appropriation  
23 account under section 20.395 (5) (ci) of the statutes not later than 30 days after the  
24 effective date of this subsection.

**BILL**

1           \***-0689/2.9123\*** (6) FIFTH STANDARD FOR EMERGENCY DETENTION AND CIVIL  
2 COMMITMENT. The repeal of 1995 Wisconsin Act 292, sections 5, 12, 14, 16, 20, 22, 24,  
3 28, 30, 30h, 32 and 37 (1), by this act applies notwithstanding section 990.03 (3) of  
4 the statutes.

5           \***-1695/1.9123\*** (7) REPORT TO LEGISLATURE REGARDING HUNGER PREVENTION  
6 GRANTS. The department of health and family services shall, by June 30, 2000,  
7 submit a report to the governor, and to the legislature in the manner provided under  
8 section 13.172 (2) of the statutes, on grants made under section 46.765, 1997 stats.,  
9 and the community-based hunger prevention activities conducted using those  
10 grants.

11           \***-1847/1.9123\*** (8) OFFICE OF HEALTH CARE INFORMATION REQUEST FOR  
12 INFORMATION. By January 1, 2000, the office of health care information shall issue  
13 a request for information to determine whether an entity would be interested in  
14 purchasing data from the office to analyze the data, prepare reports and make the  
15 reports available for sale to any interested organizations.

16           \***-0480/2.9124\*** SECTION 9124. **Nonstatutory provisions; historical**  
17 **society.**

18           SECTION 9125. **Nonstatutory provisions; Housing and Economic**  
19 **Development Authority.**

20           \***-1220/2.9125\*** (1) TRANSFER TO WISCONSIN DEVELOPMENT RESERVE FUND. In  
21 fiscal year 1999–2000, the Wisconsin Housing and Economic Development Authority  
22 shall transfer at least \$5,100,000 from the housing rehabilitation loan program  
23 administration fund to the Wisconsin development reserve fund, regardless of  
24 whether the chairperson of the Wisconsin Housing and Economic Development  
25 Authority certifies that the funds are no longer required for the housing

**BILL****SECTION 9125**

1 rehabilitation loan program under section 234.51 (2) (b) of the statutes, as affected  
2 by this act.

3 **SECTION 9126. Nonstatutory provisions; insurance.**

4 **\*-1815/1.9126\*** (1) GRANT FOR ESTABLISHING SMALL EMPLOYER HEALTH INSURANCE  
5 PURCHASING POOLS.

6 (a) In this subsection:

- 7 1. "Commissioner" means the commissioner of insurance.  
8 2. "Office" means the office of the commissioner of insurance.  
9 3. "Small employer" has the meaning given in section 635.02 (7) of the statutes.

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

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

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

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

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

24 (d) The office may not pay grant proceeds under this subsection after June 30,  
25 2000.

**BILL****1 SECTION 9127. Nonstatutory provisions; investment board.**

**2 \*-1731/3.9127\*** (1) BONUS COMPENSATION PLAN FOR CERTAIN EMPLOYES OF THE  
**3 INVESTMENT BOARD.** Notwithstanding section 25.156 (6m) (b) of the statutes, as  
**4 created by this act, the secretary shall, no later than October 1, 1999, determine**  
**5 which employes of the investment board are investment professionals and eligible**  
**6 for the plan of bonus compensation provided under section 25.156 (6m) (a) of the**  
**7 statutes, as created by this act, for the 1999-2000 fiscal year, and shall report this**  
**8 determination to the investment board.**

**9 \*-0480/2.9128\* SECTION 9128. Nonstatutory provisions; joint**  
**10 committee on finance.**

**11 \*-0480/2.9129\* SECTION 9129. Nonstatutory provisions; judicial**  
**12 commission.**

**13 \*-0480/2.9130\* SECTION 9130. Nonstatutory provisions; justice.**

**14 \*-0480/2.9131\* SECTION 9131. Nonstatutory provisions; legislature.**

**15 \*-0480/2.9132\* SECTION 9132. Nonstatutory provisions; lieutenant**  
**16 governor.**

**17 \*-0480/2.9133\* SECTION 9133. Nonstatutory provisions; lower**  
**18 Wisconsin state riverway board.**

**19 \*-0480/2.9134\* SECTION 9134. Nonstatutory provisions; Medical**  
**20 College of Wisconsin.**

**21 \*-0480/2.9135\* SECTION 9135. Nonstatutory provisions; military affairs.**

**22 SECTION 9136. Nonstatutory provisions; natural resources.**

**23 \*-0197/5.9136\*** (1) RULES FOR SAFETY PROGRAMS OF INSTRUCTION. The  
**24 department of natural resources may use the procedure under section 227.24 of the**  
**25 statutes to promulgate rules under sections 23.33 (5) (d), 29.591 (3), 30.74 (1) (b) and**

**BILL**

1 350.055 of the statutes, as affected by this act. Notwithstanding section 227.24 (1)  
2 (c) and (2) of the statutes, the emergency rules may remain in effect until January  
3 1, 2000, or the date on which permanent rules take effect, whichever is sooner.  
4 Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not  
5 required to provide evidence that promulgating a rule under this subsection as an  
6 emergency rule is necessary for the preservation of public peace, health, safety or  
7 welfare and is not required to provide a finding of emergency for a rule promulgated  
8 under this subsection.

9 **\*-1420/2.9136\*** (2) EMERGENCY RULE-MAKING AUTHORITY. Using the procedure  
10 under section 227.24 of the statutes, the department of natural resources shall  
11 promulgate rules required under section 292.75 of the statutes, as created by this act,  
12 for the period before permanent rules become effective, but not to exceed the period  
13 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding  
14 section 227.24 (1) (a) and (2) (b) of the statutes, the department is not required to  
15 provide evidence that promulgating a rule under this subsection as an emergency  
16 rule is necessary for the preservation of the public peace, health, safety or welfare  
17 and is not required to provide a finding of emergency for a rule promulgated under  
18 this subsection.

19 **\*-1423/3.9136\*** (3) RULES CONCERNING NATURAL ATTENUATION OF GROUNDWATER  
20 CONTAMINATION. Using the procedure under section 227.24 of the statutes, the  
21 department of natural resources shall promulgate the rules required under section  
22 292.15 (2) (ae) of the statutes, as created by this act, for the period before the effective  
23 date of the permanent rules under that provision, but not to exceed the period  
24 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding  
25 section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required

**BILL**

1 to provide evidence that promulgating rules under this subsection is necessary for  
2 the preservation of the public peace, health, safety or welfare and is not required to  
3 provide a finding of emergency for rules promulgated under this subsection.

4 **\*-1553/1.9136\*** (4) DRINKING WATER STUDY. During the 2000–01 fiscal year, the  
5 department of natural resources shall provide a grant from the appropriation under  
6 section 20.370 (6) (ck) of the statutes, as created by this act, to the town of Swiss,  
7 Burnett County, and the St. Croix band of Chippewa for a study to determine the best  
8 technological approaches to addressing water quality problems threatening  
9 drinking water and overall water quality problems of the St. Croix, Namekagon and  
10 Yellow rivers. The town and the band shall submit a report describing the findings  
11 of the study to the department of natural resources and the department of  
12 administration no later than January 1, 2003.

13 **\*-1639/2.9136\*** (5) RADIO SERVICES.

14 (a) *Position increases.* The authorized FTE positions for the department of  
15 natural resources are decreased by 7.0 SEG positions, funded from the appropriation  
16 under section 20.370 (8) (mu) of the statutes, for the performance of duties primarily  
17 related to radio services.

18 (b) *Employe transfers.* There are transferred from the department of natural  
19 resources to the department of transportation 7.0 FTE incumbent employes holding  
20 positions in the department of natural resources performing duties primarily related  
21 to radio services.

22 (c) *Employe status.* Employes transferred under paragraph (b) have all the  
23 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
24 statutes in the department of transportation that they enjoyed in the department of  
25 natural resources immediately before the transfer. Notwithstanding section 230.28

**BILL****SECTION 9136**

1 (4) of the statutes, no employe so transferred who has attained permanent status in  
2 class is required to serve a probationary period.

3 (d) *Payments to the department of transportation.* If the department of  
4 transportation provides radio services to the department of natural resources under  
5 section 85.12 of the statutes in fiscal years 1999–2000 and 2000–01, the department  
6 of natural resources shall make payments to the department of transportation for  
7 these services from the appropriations under section 20.370 (8) (mt) of the statutes,  
8 as affected by this act, and section 20.370 (8) (mu) of the statutes on the first day of  
9 each quarter of fiscal years 1999–2000 and 2000–01, except that the department of  
10 natural resources shall make its first payment in fiscal year 1999–2000 on July 31,  
11 1999, or 10 days after the effective date of this paragraph, whichever occurs later.

12 **\*-1670/1.9136\*** (6) DATABASE OF PROPERTIES ON WHICH GROUNDWATER STANDARDS  
13 ARE EXCEEDED. Using the procedure under section 227.24 of the statutes, the  
14 department of natural resources may promulgate a rule under section 292.57 (2) of  
15 the statutes, as created by this act, for the period before the effective date of the rule  
16 promulgated under section 292.57 (2) of the statutes, as created by this act, but not  
17 to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.  
18 Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department  
19 is not required to provide evidence that promulgating a rule under this subsection  
20 as an emergency rule is necessary for the preservation of the public peace, health,  
21 safety or welfare and is not required to provide a finding of emergency for a rule  
22 promulgated under this subsection.

23 **\*-1833/2.9136\*** (7) STUDY OF LAND APPLICATION OF SEPTAGE. The department of  
24 natural resources shall study this state's program for regulating the application of  
25 septage to land. No later than September 1, 2000, the department shall submit a

**BILL**

1 report presenting the results of the study, including relevant data, identification of  
2 problems and recommendations to improve the program, to the legislature in the  
3 manner provided in section 13.172 (2) of the statutes, to the governor and to the  
4 department of administration.

5 **\*-1957/1.9136\*** (8) MEMORANDUM OF UNDERSTANDING FOR CONTAMINATED  
6 TRANSPORTATION CONSTRUCTION ZONES. Not later than January 1, 2000, the secretary  
7 of natural resources and the secretary of transportation jointly shall submit to the  
8 secretary of administration a memorandum of understanding between the  
9 department of natural resources and the department of transportation. The  
10 memorandum of understanding shall establish the respective responsibilities of the  
11 department of natural resources and the department of transportation for hazardous  
12 substances discovered on any property under the jurisdiction of the department of  
13 transportation. Any actions to restore the environment or to minimize the harmful  
14 effects of the hazardous substances on the property shall be based upon the risk to  
15 public health and the environment and shall, to the greatest extent practicable, rely  
16 on natural processes of attenuation without human intervention. The memorandum  
17 of understanding shall establish a means of resolving disputes between the agencies  
18 arising under the memorandum of understanding. The memorandum of  
19 understanding does not take effect unless the secretary of administration approves  
20 of it in writing to the secretary of natural resources and the secretary of  
21 transportation.

22 **\*-1984/1.9136\*** (9) GRANTS FOR WHEELCHAIR RECYCLING PROJECT. From the  
23 appropriation account under section 20.370 (6) (br) of the statutes, as affected by this  
24 act, the department of natural resources shall award the following grants to the  
25 Wheelchair Recycling Project, a part of the Madison chapter of the National Spinal

**BILL****SECTION 9136**

1 Cord Injury Association, for the purpose of refurbishing used wheelchairs and other  
2 mobility devices and returning them to use by persons who otherwise would not have  
3 access to needed or appropriate equipment:

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

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

6 **\*-0480/2.9137\* SECTION 9137. Nonstatutory provisions; personnel**  
7 **commission.**

8 **\*-0480/2.9138\* SECTION 9138. Nonstatutory provisions; public**  
9 **defender board.**

10 **\*-0480/2.9139\* SECTION 9139. Nonstatutory provisions; public**  
11 **instruction.**

12 **\*-0480/2.9140\* SECTION 9140. Nonstatutory provisions; public lands,**  
13 **board of commissioners of.**

14 **SECTION 9141. Nonstatutory provisions; public service commission.**

15 **\*-0250/4.9141\* (1) TRANSFER OF EDUCATIONAL TELECOMMUNICATIONS ACCESS**  
16 **PROGRAM.**

17 (a) In this subsection:

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

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

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

22 (b) During the period beginning on the effective date of this paragraph and  
23 ending on the first day of the 3rd month beginning after the effective date of this  
24 paragraph, the commission shall cooperate with the board in providing orderly and

**BILL**

1 efficient transfers under this subsection. On the first day of the 3rd month beginning  
2 after the effective date of this paragraph, all of the following apply:

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

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

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

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

**BILL****SECTION 9141**

1           5. The assets and liabilities of the commission pertaining to the administration  
2 of the educational telecommunications access program under section 196.218 (4r),  
3 1997 stats., as determined by the secretary, shall become the assets and liabilities  
4 of the board.

5           \***-0632/1.9141\*** (2) SUBMITTAL OF INFORMATION.

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

10           (b) Using the procedure under section 227.24 of the statutes, the public service  
11 commission may promulgate rules under section 196.02 (7m) (b) of the statutes, as  
12 created by this act, for the period before the effective date of the permanent rules  
13 promulgated under section 196.02 (7m) (b) of the statutes, as created by this act, but  
14 not to exceed the period authorized under section 227.24 (1)(c) and (2) of the statutes.  
15 Notwithstanding section 227.24 (1)(a), (2)(b) and (3) of the statutes, the commission  
16 is not required to provide evidence that promulgating a rule under this paragraph  
17 as an emergency rule is necessary for the preservation of the public peace, health,  
18 safety or welfare and is not required to provide a finding of emergency for a rule  
19 promulgated under this paragraph.

20           \***-1692/1.9141\*** (3) RETAIL CHOICE STUDY.

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

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

**BILL**

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

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

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

8           5. The calculation and recovery of the transitional costs incurred in  
9 implementing retail choice.

10          6. The calculation and recovery of stranded costs, including securitization as  
11 a means of recovery.

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

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

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

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

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

**BILL****SECTION 9141**

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

5 **\*-1950/4.9141\*** (4) TRANSFER OF INSTITUTIONAL ASSISTANCE PROGRAM.

6 (a) In this subsection:

7 1. "Board" means the technology for educational achievement in Wisconsin  
8 board.

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

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

13 (b) On the effective date of this paragraph, the assets and liabilities of the  
14 commission primarily related to the administration of the institutional assistance  
15 program, as determined by the secretary of administration, shall become the assets  
16 and liabilities of the board.

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

21 (d) All contracts entered into by the commission in effect on the effective date  
22 of this paragraph that are primarily related to the administration of the institutional  
23 assistance program, as determined by the secretary of administration, remain in  
24 effect and are transferred to the board. The board shall carry out any obligations

**BILL**

1 under such a contract until the contract is modified or rescinded by the board to the  
2 extent allowed under the contract.

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

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

17 **SECTION 9142. Nonstatutory provisions; regulation and licensing.**

18 **\*-0646/2.9142\*** (1) HEARING INSTRUMENT SPECIALIST LICENSES.

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

**BILL****SECTION 9142**

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

6 **\*-1893/2.9142\*** (2) PROPOSED LEGISLATION; CREDENTIALING BOARDS AND  
7 CREDENTIAL RENEWAL FEES. The department of regulation and licensing shall prepare  
8 proposed legislation that establishes a regular and orderly process for the  
9 department to evaluate the continued necessity of at least 25% of the credentialing  
10 boards, as defined in section 440.01 (2) (bm) of the statutes, on an annual basis and  
11 for eliminating the credentialing boards that are determined to be unnecessary. The  
12 proposed legislation shall also include provisions for establishing credential renewal  
13 fees that must be paid by credential holders every 4 years rather than every 2 years  
14 as required under current law. No later than August 1, 2000, the department of  
15 regulation and licensing shall submit the proposed legislation in proper form to the  
16 legislature in the manner provided under section 13.172 (2) of the statutes and to the  
17 governor.

18 **\*-0480/2.9143\*** SECTION 9143. Nonstatutory provisions; revenue.

19 **\*-0480/2.9144\*** SECTION 9144. Nonstatutory provisions; secretary of  
20 state.

21 **\*-0480/2.9145\*** SECTION 9145. Nonstatutory provisions; state fair park  
22 board.

23 **\*-0480/2.9146\*** SECTION 9146. Nonstatutory provisions; supreme court.

24 SECTION 9147. Nonstatutory provisions; technical college system.

**BILL**

1           \***-1888/2.9147\*** (1) PRINTING PROGRAM GRANT. In the 1999–2000 and 2000–01  
2 fiscal years the state technical college system board shall pay the amount  
3 appropriated to the board under section 20.292 (1) (er) of the statutes, as created by  
4 this act, to the district board governing Waukesha County Technical College for the  
5 development of its printing program.

6           \***-0480/2.9148\*** **SECTION 9148. Nonstatutory provisions; technology for**  
7 **educational achievement in Wisconsin board.**

8           \***-0480/2.9149\*** **SECTION 9149. Nonstatutory provisions; tourism.**

9           **SECTION 9150. Nonstatutory provisions; transportation.**

10          \***-1157/1.9150\*** (1) MOTOR VEHICLE PURCHASE CONTRACT SERVICE FEES. Not later  
11 than January 1, 2000, the secretary of transportation shall review section Trans.  
12 139.05 (8) of the Wisconsin Administrative Code and consider the effects of that rule  
13 on motor vehicle dealers and consumers.

14          \***-1162/3.9150\*** (2) RICHARD I. BONG AIR MUSEUM. Of the amounts appropriated  
15 to the department of transportation under section 20.395 (2) (nx) of the statutes, the  
16 department shall award a grant of \$1,000,000 in fiscal year 1999–2000 to the city of  
17 Superior for the purpose of constructing the Richard I. Bong air museum in Superior,  
18 except that the amount of the grant awarded under this subsection may not exceed  
19 90% of the costs of constructing the air museum.

20          \***-1817/4.9150\*** (3) MILWAUKEE LAKESHORE BICYCLE AND PEDESTRIAN FACILITIES  
21 GRANTS. The department of transportation shall award grants from the  
22 appropriation under section 20.395 (2) (ny) of the statutes, as created by this act, to  
23 the department of natural resources for the purpose of constructing pedestrian and  
24 bicycle facilities along Lake Michigan in the city of Milwaukee.

**BILL****SECTION 9150**

1           \***-1914/3.9150\*** (4) STATEWIDE TRAUMA CARE SYSTEM TRANSFER. On July 1, 2001,  
2 there is transferred from the appropriation account under section 20.395 (5) (dq) of  
3 the statutes, as affected by this act, to the appropriation account under section  
4 20.435 (1) (a) of the statutes, as affected by this act, the sum of \$64,900 for the  
5 purposes of the statewide trauma care system under section 146.56 of the statutes,  
6 as affected by this act.

7           \***-2028/2.9150\*** (5) RAILROAD GRADE CROSSINGS COMMITTEE. There is created a  
8 railroad grade crossings committee consisting of 2 members appointed by the  
9 secretary of transportation and 2 members appointed by the office of commissioner  
10 of railroads. Members shall be appointed within 45 days after the effective date of  
11 this subsection. The committee shall review each railroad grade crossing in this  
12 state and, if the committee determines that existing warning or safety devices or  
13 other conditions at the railroad grade crossing do not adequately protect and promote  
14 public safety, may recommend that the office of commissioner of railroads consider  
15 improvements to the railroad grade crossing. Committee recommendations shall be  
16 made by a majority of the committee members. If no majority of committee members  
17 agree on whether to recommend a railroad grade crossing for improvements, the  
18 secretary of transportation shall make that recommendation. A majority of  
19 committee members may reverse a recommendation made under this subsection by  
20 providing notice of the reversal to the office of commissioner of railroads and the  
21 secretary of transportation. The committee shall maintain a railroad grade  
22 crossings database, shall establish threshold requirements for recommendations  
23 under this subsection and shall recommend to the secretary of transportation  
24 desirable funding levels for the railroad crossing improvement program. The  
25 committee shall cease to exist when the committee has reviewed every railroad grade

**BILL**

1 crossing in this state and made its final recommendations, or on July 1, 2002,  
2 whichever occurs sooner.

3 (6) RADIO SERVICES POSITIONS. The authorized FTE positions for the department  
4 of transportation are increased by 7.0 SEG positions, to be funded from the  
5 appropriation under section 20.395 (5) (dq) of the statutes, as affected by this act, for  
6 the performance of duties primarily related to radio services.

7 **SECTION 9151. Nonstatutory provisions; treasurer.**

8 **\*-1808/1.9151\*** (1) UNCLAIMED PROPERTY TRANSITIONAL PROVISION. The  
9 renumbering of section 177.01 (10) of the statutes and the creation of section 177.01  
10 (10) (b) of the statutes do not apply to abandoned property delivered to the state  
11 treasurer before the effective date of this subsection.

12 **\*-0480/2.9152\*** **SECTION 9152. Nonstatutory provisions; University of**  
13 **Wisconsin Hospitals and Clinics Authority.**

14 **\*-0480/2.9153\*** **SECTION 9153. Nonstatutory provisions; University of**  
15 **Wisconsin Hospitals and Clinics Board.**

16 **SECTION 9154. Nonstatutory provisions; University of Wisconsin**  
17 **System.**

18 **\*-1974/4.9154\*** (1) POSITION AUTHORIZATION.

19 (a) Notwithstanding section 16.505 (1) of the statutes, as affected by this act,  
20 during the 1999–2001 biennium, the board of regents of the University of Wisconsin  
21 System may propose to increase its authorized FTE positions that are funded, in  
22 whole or in part, with general purpose revenues by not more than 1% above the level  
23 authorized for the board under section 16.505 (1) of the statutes, as affected by this  
24 act. The board shall submit any proposal under this subsection to the secretaries of  
25 administration and employment relations for approval, together with its

**BILL****SECTION 9154**

1 methodology for accounting for the cost of funding these positions. The secretaries  
2 of administration and employment relations may only approve a proposal if the  
3 incremental costs for these positions, as determined by the secretaries of  
4 administration and employment relations, are not to be included in any subsequent  
5 request submitted by the board under section 16.42 (1) of the statutes, as affected by  
6 this act. If the secretaries of administration and employment relations jointly  
7 approve the proposal, the positions are authorized.

8 (b) During the 1999–2001 biennium, the board may not include in any  
9 certification to the department of administration under section 20.928 (1) of the  
10 statutes any sum to pay any costs of a position authorized under this subsection.

11 (c) No later than the last day of the month following completion of each calendar  
12 quarter, the board shall report to the secretaries of administration and employment  
13 relations concerning the number of authorized positions under this subsection that  
14 have been filled by the board during the preceding calendar quarter and the source  
15 of funding for each such position.

16 ~~\*-1993/1.9154\*~~ (2) UNIVERSITY OF WISCONSIN CENTER FOR TOBACCO RESEARCH  
17 AND INTERVENTION. The board of regents of the University of Wisconsin System shall  
18 allocate \$1,000,000 in fiscal year 1999–2000 and \$1,000,000 in fiscal year 2000–01  
19 from the appropriation under section 20.285 (1) (a) of the statutes, as affected by this  
20 act, to advance the work of the University of Wisconsin center for tobacco research  
21 and intervention in developing new educational programs to discourage tobacco use,  
22 determining the most effective strategies for preventing tobacco use and expanding  
23 smoking cessation programs throughout the state.

24 ~~\*-0480/2.9155\*~~ **SECTION 9155. Nonstatutory provisions; veterans**  
25 **affairs.**