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6 / *b0590/3.6* SECTION 3175r. 938.532 (1) of the statutes is amended to read:

7 938.532 (1) PROGRAM. The From the appropriations under s. 20.410 (3) (bb) and
8 (hm), the department shall provide a juvenile boot camp program for juveniles who
9 have been placed under the supervision of the department under s. 938.183, 938.34
10 (4h) or (4m) or 938.357 (4).

11 / *-1070/1.1* SECTION 3176. 938.533 (2) of the statutes is amended to read:

12 938.533 (2) CORRECTIVE SANCTIONS PROGRAM. From the appropriation under s.
13 20.410 (3) (hr), the department shall provide a corrective sanctions program to serve
14 an average daily population of ~~106 juveniles in fiscal year 1997-98 and 136 juveniles~~
15 ~~in fiscal year 1998-99~~, or an average daily population of more than ~~106 juveniles in~~
16 ~~fiscal year 1997-98 and 136 juveniles in fiscal year 1998-99~~ if the appropriation
17 under s. 20.410 (3) (hr) is supplemented under s. 13.101 or 16.515 and the positions
18 for the program are increased under s. 13.101 or 16.505 (2) or if funding and positions
19 to serve more than ~~these that~~ average daily populations population are otherwise
20 available, in not less than 3 counties, including Milwaukee County. The office of
21 juvenile offender review in the department shall evaluate and select for participation
22 in the program juveniles who have been placed under the supervision of the
23 department under s. 938.183, 938.34 (4h) or (4m) or 938.357 (4). The department
24 shall place a program participant in the community, provide intensive surveillance
25 of that participant and provide an average of \$5,000 \$3,000 per year per slot to

1 purchase community-based treatment services for each participant. The
2 department shall make the intensive surveillance required under this subsection
3 available 24 hours a day, 7 days a week, and may purchase or provide electronic
4 monitoring for the intensive surveillance of program participants. The department
5 shall provide a report center in Milwaukee County to provide on-site programming
6 after school and in the evening for juveniles from Milwaukee County who are placed
7 in the corrective sanctions program. A contact worker providing services under the
8 program shall have a case load of approximately 10 juveniles and, during the initial
9 phase of placement in the community under the program of a juvenile who is
10 assigned to that contact worker, shall have not less than one face-to-face contact per
11 day with that juvenile. Case management services under the program shall be
12 provided by a corrective sanctions agent who shall have a case load of approximately
13 15 juveniles. The department shall promulgate rules to implement the program.

14 ✓ ***b0429/2.2* SECTION 3190t.** 943.13 (4m) (c) of the statutes is created to read:

15 943.13 (4m) (c) A person entering or remaining on any exposed shore area of
16 a stream as authorized under s. 30.134.

17 ✓ ***-1516/4.18* SECTION 3191.** 944.21 (8) (b) 3. a. of the statutes is amended to
18 read:

19 944.21 (8) (b) 3. a. Is a technical college, is a school approved by the educational
20 approval board under s. ~~39.51~~ 45.54 or is a school described in s. ~~39.51~~ (9) (f), (g) or
21 (h) 45.54 (1) (e) 6., 7. or 8.; and

22 ✓ ***b0523/3.8* SECTION 3191d.** 946.15 (1) of the statutes is amended to read:

23 946.15 (1) Any employer, or any agent or employe of an employer, who induces
24 any person who seeks to be or is employed pursuant to a public contract as defined
25 in s. 66.29 (1) (c) or who seeks to be or is employed on a project on which a prevailing

1 wage rate determination has been issued by the department of workforce
2 development under s. 20.924 (1) (i) 3. or (j) 3. c., 66.293 (3), 103.49 (3) or 103.50 (3)
3 or by a local governmental unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6) to
4 give up, waive or return any part of the compensation to which that person is entitled
5 under his or her contract of employment or under the prevailing wage rate
6 determination issued by the department or local governmental unit, or who reduces
7 the hourly basic rate of pay normally paid to an employe for work on a project on
8 which a prevailing wage rate determination has not been issued under s. 20.924 (1)
9 (i) 3. or (j) 3. c., 66.293 (3) or (6), 103.49 (3) or 103.50 (3) during a week in which the
10 employe works both on a project on which a prevailing wage rate determination has
11 been issued and on a project on which a prevailing wage rate determination has not
12 been issued, is guilty of a Class E felony.

13 ✓*b0523/3.8* SECTION 3191e. 946.15 (2) of the statutes is amended to read:

14 946.15 (2) Any person employed pursuant to a public contract as defined in s.
15 66.29 (1) (c) or employed on a project on which a prevailing wage rate determination
16 has been issued by the department of workforce development under s. 20.924 (1) (i)
17 3. or (j) 3. c., 66.293 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as
18 defined in s. 66.293 (1) (d), under s. 66.293 (6) who gives up, waives or returns to the
19 employer or agent of the employer any part of the compensation to which the employe
20 is entitled under his or her contract of employment or under the prevailing wage
21 determination issued by the department or local governmental unit, or who gives up
22 any part of the compensation to which he or she is normally entitled for work on a
23 project on which a prevailing wage rate determination has not been issued under s.
24 20.924 (1) (i) 3. or (j) 3. c., 66.293 (3) or (6), 103.49 (3) or 103.50 (3) during a week in
25 which the person works part-time on a project on which a prevailing wage rate

1 determination has been issued and part-time on a project on which a prevailing
2 wage rate determination has not been issued, is guilty of a Class C misdemeanor.

3 ***b0523/3.8* SECTION 3191f.** 946.15 (3) of the statutes is amended to read:

4 946.15 (3) Any employer or labor organization, or any agent or employe of an
5 employer or labor organization, who induces any person who seeks to be or is
6 employed on a project on which a prevailing wage rate determination has been issued
7 by the department of workforce development under s. 20.924 (1) (i) 3. or (j) 3. c.,
8 66.293 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as defined in s.
9 66.293 (1) (d), under s. 66.293 (6) to permit any part of the wages to which that person
10 is entitled under the prevailing wage rate determination issued by the department
11 or local governmental unit to be deducted from the person's pay is guilty of a Class E
12 felony, unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a
13 person who is working on a project that is subject to 40 USC 276c.

14 ***b0523/3.8* SECTION 3191g.** 946.15 (4) of the statutes is amended to read:

15 946.15 (4) Any person employed on a project on which a prevailing wage rate
16 determination has been issued by the department of workforce development under
17 s. 20.924 (1) (i) 3. or (j) 3. c., 66.293 (3), 103.49 (3) or 103.50 (3) or by a local
18 governmental unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6) who permits any
19 part of the wages to which that person is entitled under the prevailing wage rate
20 determination issued by the department or local governmental unit to be deducted
21 from his or her pay is guilty of a Class C misdemeanor, unless the deduction would
22 be permitted under 29 CFR 3.5 or 3.6 from a person who is working on a project that
23 is subject to 40 USC 276c.

24 ***b0569/1.16* SECTION 3191p.** 946.13 (10) of the statutes is amended to read:

1 946.13 (10) Subsection (1) (a) does not apply to a member of a ~~private industry~~
2 ~~council or appointed under the job training partnership act, 29 USC 1512, local~~
3 ~~workforce development board established under 29 USC 2832~~ or to a member of the
4 ~~governor's council on workforce excellence appointed under s. 15.227 (24) council on~~
5 ~~workforce investment established under 29 USC 2821.~~

6 ✓ ***-1516/4.19* SECTION 3197.** 948.11 (4) (b) 3. a. of the statutes is amended to
7 read:

8 948.11 (4) (b) 3. a. Is a technical college, is a school approved by the educational
9 approval board under s. ~~39.51~~ 45.54 or is a school described in s. ~~39.51 (9) (f), (g) or~~
10 ~~(h)~~ 45.54 (1) (e) 6., 7. or 8.; and

11 ✓ ***b0359/1.7* SECTION 3197j.** 948.24 (1) (b) of the statutes is amended to read:

12 948.24 (1) (b) For anything of value, solicits, negotiates or arranges the
13 placement of a child for adoption except under s. 48.833 (1).

14 ✓ ***-0589/2.29* SECTION 3198.** 949.08 (2) (g) of the statutes is repealed and
15 recreated to read:

16 949.08 (2) (g) Is included on the statewide support lien docket under s. 49.854
17 (2) (b), unless the victim provides to the department a payment agreement that has
18 been approved by the county child support agency under s. 59.53 (5) and that is
19 consistent with rules promulgated under s. 49.858 (2) (a).

20 ✓ ***b0587/2.7* SECTION 3198m.** 950.04 (1v) (xm) of the statutes is amended to
21 read:

22 950.04 (1v) (xm) To have the department of health and family services make
23 a reasonable attempt to notify the victim under s. 980.11 regarding supervised
24 release under s. ~~980.06~~ 980.08 and discharge under s. 980.09 or 980.10.

25 ***-1410/2.4* SECTION 3199.** 950.06 (2) of the statutes is amended to read:

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

9 ~~/*-1410/2.5*~~ SECTION 3200. 950.06 (5) of the statutes is amended to read:

10 950.06 (5) The department shall review and approve the implementation and
11 operation of programs and the annual reports under this section. The department
12 may suspend or terminate reimbursement under ~~s. 20.455 (5) (c) and (g)~~ sub. (2) if
13 the county fails to comply with its duties under this section. The department shall
14 promulgate rules under ch. 227 for implementing and administering county
15 programs approved under this section.

16 ~~/*b0368/2.3*~~ SECTION 3202e. 973.046 (1) (intro.) of the statutes is renumbered
17 973.046 (1r) and amended to read:

18 973.046 (1r) If a court imposes a sentence or places a person on probation ~~under~~
19 ~~any of the following circumstances for a violation of s. 940.225, 948.02 (1) or (2) or~~
20 948.025, the court shall impose a deoxyribonucleic acid analysis surcharge of \$250.

21 ~~/*b0368/2.3*~~ SECTION 3202f. 973.046 (1) (a) of the statutes is repealed.

22 ~~/*b0368/2.3*~~ SECTION 3202g. 973.046 (1) (b) of the statutes is repealed.

23 ~~/*b0368/2.3*~~ SECTION 3202h. 973.046 (1g) of the statutes is created to read:

1 973.046 (1g) Except as provided in sub. (1r), if a court imposes a sentence or
2 places a person on probation for a felony conviction, the court may impose a
3 deoxyribonucleic acid analysis surcharge of \$250.

4 ✓*b0368/2.3* SECTION 3202k. 973.047 (1) (a) of the statutes is renumbered
5 973.047 (1f) and amended to read:

6 973.047 (1f) If a court imposes a sentence or places a person on probation for
7 a violation of s. 940.225, 948.02 (1) or (2) or 948.025 felony conviction, the court shall
8 require the person to provide a biological specimen to the state crime laboratories for
9 deoxyribonucleic acid analysis.

10 ✓*b0368/2.3* SECTION 3202L. 973.047 (1) (b) of the statutes is repealed.

11 ✓*b0368/2.3* SECTION 3202m. 973.047 (1) (c) of the statutes is renumbered
12 973.047 (1m) and amended to read:

13 973.047 (1m) The results from deoxyribonucleic acid analysis of a specimen
14 provided under par. (a) or (b) this section may be used only as authorized under s.
15 165.77 (3). The state crime laboratories shall destroy any such specimen in
16 accordance with s. 165.77 (3).

17 ✓*b0368/2.3* SECTION 3202p. 973.047 (2) of the statutes is amended to read:

18 973.047 (2) The department of justice shall promulgate rules providing for
19 procedures for defendants to provide specimens when required to do so under sub.
20 (1) this section and for the transportation of those specimens to the state crime
21 laboratories for analysis under s. 165.77.

22 ✓*b0468/1.2* SECTION 3202m. 973.032 (2) (b) of the statutes is amended to read:

23 973.032 (2) (b) Notwithstanding par. (a), a court may not sentence a person
24 under sub. (1) if he or she is convicted of a felony punishable by life imprisonment
25 or has at any time been convicted, adjudicated delinquent or found not guilty or not

1 responsible by reason of insanity or mental disease, defect or illness for committing
2 a violent offense, as defined in s. 301.048 (2) (bm).

3 / ***-0063/2.32* SECTION 3203.** 973.05 (1) of the statutes is amended to read:

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

1 applicable enforcement assessment, any applicable weapons assessment, any
2 applicable uninsured employer assessment, any applicable environmental
3 assessment, any applicable wild animal protection assessment, any applicable
4 natural resources assessment and any applicable natural resources restitution
5 payment shall be payable immediately.

6 ~~/*-0063/2.33*~~ **SECTION 3204.** 973.05 (2) of the statutes is amended to read:

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

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

15 ~~/*-0063/2.34*~~ **SECTION 3205.** 973.07 of the statutes is amended to read:

16 **973.07 Failure to pay fine or costs or to comply with certain**
17 **community service work.** If the fine, costs, penalty assessment, jail assessment,
18 crime victim and witness assistance surcharge, crime laboratories and drug law
19 enforcement assessment, applicable deoxyribonucleic acid analysis surcharge,
20 applicable drug abuse program improvement surcharge, applicable consumer
21 information assessment, applicable domestic abuse assessment, applicable driver
22 improvement surcharge, applicable enforcement assessment under s. 253.06 (4) (c),
23 applicable weapons assessment, applicable uninsured employer assessment,
24 applicable environmental assessment, applicable wild animal protection
25 assessment, applicable natural resources assessment and applicable natural

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

15 ✓ ***b0462/2.1* SECTION 3205d.** 973.09 (1) (d) of the statutes is renumbered
16 973.09 (1) (d) (intro.) and amended to read:

17 973.09 (1) (d) (intro.) If a person is convicted of an offense that provides a
18 mandatory or presumptive minimum period of one year or less of imprisonment, a
19 court may place the person on probation under par. (a) if the court requires, as a
20 condition of probation, that the person be confined under sub. (4) for at least that
21 mandatory or presumptive minimum period. The person is eligible to earn good time
22 credit calculated under s. 302.43 regarding the period of confinement. This
23 paragraph does not apply if the conviction is for any of the following:

24 1. A violation under s. 346.63 (1) that subjects the person to a mandatory
25 minimum period of imprisonment under s. 346.65 (2) (b) or (c).

1 ✓ ***b0462/2.1* SECTION 3205e.** 973.09 (1) (d) 2. of the statutes is created to read:
2 973.09 (1) (d) 2. A violation under s. 346.63 (2) or (6) that subjects the person
3 to a mandatory minimum period of imprisonment under s. 346.65 (3m), if the person
4 has a total of 3 or fewer convictions, suspensions or revocations counted under s.
5 343.307 (2).

6 ✓ ***b0462/2.1* SECTION 3205f.** 973.09 (1) (d) 3. of the statutes is created to read:
7 973.09 (1) (d) 3. A violation under s. 346.63 (5) that subjects the person to a
8 mandatory minimum period of imprisonment under s. 346.65 (2j) (c), if the person
9 has a total of 3 or fewer convictions, suspensions or revocations counted under s.
10 343.307 (2).

11 ✓ ***b0458/1.1* SECTION 3206g.** 977.08 (5) (b) of the statutes is repealed.

12 ✓ ***b0458/1.1* SECTION 3206h.** 977.08 (5) (bn) (intro.) of the statutes is amended
13 to read:

14 977.08 (5) (bn) (intro.) ~~Beginning on October 14, 1997, and ending on June 30,~~
15 ~~1999~~ Except as provided in par. (br), any of the following constitutes an annual
16 caseload standard for an assistant state public defender in the subunit responsible
17 for trials:

18 ✓ ***b0587/2.8* SECTION 3206k.** 977.08 (5) (bn) 1r. of the statutes is amended to
19 read:

20 977.08 (5) (bn) 1r. Cases representing persons under ~~ss. s.~~ 980.05 and 980.06:
21 15.

22 ✓ ***-0440/1.2* SECTION 3207.** 977.08 (5) (br) of the statutes is created to read:

23 977.08 (5) (br) Beginning on July 1, 2000, the state public defender may exempt
24 up to 10 full-time assistant state public defenders in the subunit responsible for

1 trials from the annual caseload standards under par. (b) based on their need to
2 perform other assigned duties.

3 ✓ ***b0256/1.1* SECTION 3207r.** 978.01 (2) (b) of the statutes is amended to read:

4 978.01 (2) (b) A district attorney serves on a part-time basis if his or her
5 prosecutorial unit consists of Buffalo, Florence, Forest, Pepin, ~~Richland, Rusk,~~
6 Trempealeau or Vernon county.

7 ✓ ***-1268/2.1* SECTION 3208.** 978.03 (3) of the statutes is amended to read:

8 978.03 (3) Any assistant district attorney under sub. (1), (1m) or (2) must be
9 an attorney admitted to practice law in this state and, except as provided in s.
10 978.043, may perform any duty required by law to be performed by the district
11 attorney. The district attorney of the prosecutorial unit under sub. (1), (1m) or (2)
12 may appoint such temporary counsel as may be authorized by the department of
13 administration.

14 ✓ ***-1268/2.2* SECTION 3209.** 978.04 of the statutes is amended to read:

15 **978.04 Assistants in certain prosecutorial units.** The district attorney of
16 any prosecutorial unit having a population of less than 100,000 may appoint one or
17 more assistant district attorneys as necessary to carry out the duties of his or her
18 office and as may be requested by the department of administration authorized in
19 accordance with s. 16.505. Any such assistant district attorney must be an attorney
20 admitted to practice law in this state and, except as provided in s. 978.043, may
21 perform any duty required by law to be performed by the district attorney.

22 ✓ ***b0255/3.1* SECTION 3209m.** 978.042 of the statutes is created to read:

23 **978.042 Prosecutor caseload measurement; redistribution of assistant**
24 **district attorney positions.** (1) The department of administration shall develop
25 a weighted prosecutor caseload measurement formula to assist in determining the

1 comparative need for assistant district attorneys in this state. The formula shall be
2 based on the number of cases filed in a given year and the time needed to prosecute
3 the cases, as applied to the average number of cases filed by a prosecutorial unit
4 during the most recent 3-year period for which data is available. The department
5 may consult with the Wisconsin District Attorneys Association in developing the
6 formula.

7 (2) Notwithstanding s. 978.03 and 978.04, the department of administration
8 shall transfer an authorized assistant district attorney position from the
9 prosecutorial unit to which it is allocated to another prosecutorial unit if all of the
10 following apply:

11 (a) A vacancy occurs in the position.

12 (b) The prosecutorial unit from which the position is transferred has a
13 prosecutor workload of less than 100% of the standard full-time workload, according
14 to the weighted prosecutor caseload measurement formula developed under sub. (1),
15 and transferring the position from the prosecutorial unit would not result in the
16 prosecutorial unit having a prosecutor workload of more than 100% of the standard
17 full-time workload, according to the weighted prosecutor caseload measurement
18 formula developed under sub. (1).

19 (c) The prosecutorial unit to which the position is transferred requested
20 additional assistant district attorney position authorization for the fiscal biennium
21 in which the transfer is made and has a prosecutor workload of more than 100% of
22 the standard full-time workload, according to the weighted prosecutor caseload
23 measurement formula developed under sub. (1).

24 ✓ ***-1268/2.3* SECTION 3210.** 978.043 of the statutes is created to read:

1 **978.043 Assistants for prosecution of sexually violent person**
2 **commitment cases.** The district attorney of the prosecutorial unit that consists of
3 Brown County and the district attorney of the prosecutorial unit that consists of
4 Milwaukee County shall each assign one assistant district attorney in his or her
5 prosecutorial unit to be a sexually violent person commitment prosecutor. An
6 assistant district attorney assigned under this section to be a sexually violent person
7 commitment prosecutor may engage only in the prosecution of sexually violent
8 person commitment proceedings under ch. 980 and, at the request of the district
9 attorney of the prosecutorial unit, may file and prosecute sexually violent person
10 commitment proceedings under ch. 980 in any prosecutorial unit in this state.

11 ✓**-1268/2.4* SECTION 3211.** 978.05 (8) (b) of the statutes is amended to read:

12 978.05 (8) (b) Hire, employ and supervise his or her staff and, subject to s.
13 978.043, make appropriate assignments of the staff throughout the prosecutorial
14 unit. The district attorney may request the assistance of district attorneys, deputy
15 district attorneys or assistant district attorneys from other prosecutorial units or
16 assistant attorneys general who then may appear and assist in the investigation and
17 prosecution of any matter for which a district attorney is responsible under this
18 chapter in like manner as assistants in the prosecutorial unit and with the same
19 authority as the district attorney in the unit in which the action is brought. Nothing
20 in this paragraph limits the authority of counties to regulate the hiring, employment
21 and supervision of county employees.

22 ✓***b0478/2.5* SECTION 3211p.** 978.12 (5) (b) of the statutes is amended to read:

23 978.12 (5) (b) *Employes generally.* District attorneys and state employes of the
24 office of district attorney shall be included within the provisions of the Wisconsin
25 retirement system under ch. 40 as a participating employe of that office, except that

1 the district attorney and state employes of the office of district attorney in a county
2 having a population of 500,000 or more have the option provided under ~~par. (e) s.~~
3 978.12 (5) (c), 1997 stats.

4 *b0478/2.5* SECTION 3211r. 978.12 (5) (c) 5. of the statutes is repealed.

5 *b0478/2.5* SECTION 3211t. 978.12 (6) of the statutes is renumbered 978.12
6 (6) (a) and amended to read:

7 978.12 (6) (a) District attorneys and state employes of the office of district
8 attorney shall be included within all insurance benefit plans under ch. 40, except as
9 authorized in this subsection paragraph. Alternatively, the state shall provide
10 insurance benefit plans for district attorneys and state employes in the office of
11 district attorney in the manner provided in this subsection paragraph. A district
12 attorney or other employe of the office of district attorney who was employed in that
13 office as a county employe on December 31, 1989, and who received any form of fringe
14 benefits other than a retirement, deferred compensation or employe-funded
15 reimbursement account plan as a county employe, as defined by that county
16 pursuant to the county's personnel policies, or pursuant to a collective bargaining
17 agreement in effect on January 1, 1990, or the most recent collective bargaining
18 agreement covering represented employes who are not covered by such an
19 agreement, may elect to continue to be covered under all such fringe benefit plans
20 provided by the county after becoming a state employe. In a county having a
21 population of 500,000 or more, the fringe benefit plans shall include health insurance
22 benefits fully paid by the county for each retired employe who, on or after December
23 31, 1989, attains at least 15 years of service in the office of district attorney of that
24 county, whether or not the service is as a county employe, for the duration of the
25 employe's life. An employe may make an election under this subsection paragraph

1 no later than January 31, 1990, except that an employe who serves as an assistant
2 district attorney in a county having a population of 500,000 or more may make an
3 election under this ~~subsection~~ paragraph no later than March 1, 1990. An election
4 under this ~~subsection~~ paragraph shall be for the duration of the employe's
5 employment in the office of district attorney for the same county by which the
6 employe was employed or until the employe terminates the election under this
7 ~~subsection~~ paragraph, at the same cost to the county as the county incurs for a
8 similarly situated county employe. If Subject to par. (b), if the employer's cost for
9 such fringe benefits for any such employe is less than or equal to the cost for
10 comparable coverage under ch. 40, if any, the state shall reimburse the county for
11 that cost. If Subject to par. (b), if the employer's cost for such fringe benefits for any
12 such employe is greater than the cost for comparable coverage under ch. 40, the state
13 shall reimburse the county for the cost of comparable coverage under ch. 40 and the
14 county shall pay the remainder of the cost. The cost of comparable coverage under
15 ch. 40 shall equal the average cost of comparable coverage under ch. 40 for employes
16 in the office of the state public defender, as contained in budget determinations
17 approved by the joint committee on finance or the legislature under the biennial
18 budget act for the period during which the costs are incurred. An employe who makes
19 the election under this ~~subsection~~ paragraph may terminate that election, and shall
20 then be included within all insurance benefit plans under ch. 40, except that the
21 department of employe trust funds may require prior written notice, not exceeding
22 one year's duration, of an employe's intent to be included under any insurance benefit
23 plan under ch. 40.

24 ***b0478/2.5* SECTION 3211v.** 978.12 (6) (b) of the statutes is created to read:

1 978.12 (6) (b) Beginning in the 1999–2000 fiscal year and ending in the
2 2003–04 fiscal year, the state shall in each fiscal year reduce its reimbursement of
3 the employer’s cost for fringe benefits under par. (a) by \$80,000.

4 ✓*-1412/1.1* SECTION 3212. 978.13 (1) (b) of the statutes is amended to read:

5 978.13 (1) (b) In counties having a population of 500,000 or more, the salary
6 and fringe benefit costs of 2 clerk positions providing clerical services to the
7 prosecutors in the district attorney’s office handling cases involving felony violations
8 under ch. 961. The state treasurer shall pay the amount authorized under this
9 paragraph to the county treasurer pursuant to a voucher submitted by the district
10 attorney to the department of administration from the appropriation under s. 20.475
11 (1) (i). The amount paid under this paragraph may not exceed ~~\$70,500~~ \$75,200 in
12 the ~~1997–98~~ 1999–2000 fiscal year and ~~\$73,000~~ \$77,500 in the ~~1998–99~~ 2000–01
13 fiscal year.

14 ✓*-1412/1.2* SECTION 3213. 978.13 (1) (c) of the statutes is amended to read:

15 978.13 (1) (c) In counties having a population of 500,000 or more, the salary and
16 fringe benefit costs of clerk positions in the district attorney’s office necessary for the
17 prosecution of violent crime cases primarily involving felony violations under s.
18 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,
19 940.06, 940.225, 943.23 (1g), (1m) and (1r) and 943.32 (2). The state treasurer shall
20 pay the amount authorized under this paragraph to the county treasurer pursuant
21 to a voucher submitted by the district attorney to the secretary of administration
22 from the appropriation under s. 20.475 (1) (i). The amount paid under this paragraph
23 may not exceed ~~\$88,500~~ \$94,400 in the ~~1997–98~~ 1999–2000 fiscal year and ~~\$91,600~~
24 \$97,200 in the ~~1998–99~~ 2000–01 fiscal year.

25 ✓ *b0257/1.3* SECTION 3213c. 978.13 (1) (d) of the statutes is created to read:

1 978.13 (1) (d) In counties having a population of 500,000 or more, the salary
2 and fringe benefit costs of 2 clerk positions providing clerical services to the
3 prosecutors in the district attorney's office handling cases involving the unlawful
4 possession or use of firearms. The state treasurer shall pay the amount authorized
5 under this paragraph to the county treasurer from the appropriation under s. 20.475
6 (1) (f) pursuant to a voucher submitted by the district attorney to the department of
7 administration. The amount paid under this paragraph may not exceed \$51,300 in
8 the 1999–2000 fiscal year and \$64,400 in the 2000–01 fiscal year.

9 ✓ *~~0284/3.9~~* SECTION 3221. 980.03 (4) of the statutes is amended to read:

10 980.03 (4) Whenever ~~the~~ a person who is the subject of ~~the~~ a petition filed under
11 s. 980.02 or who has been committed under s. 980.06 is required to submit to an
12 examination under this chapter, he or she may retain experts or professional persons
13 to perform an examination. If the person retains a qualified expert or professional
14 person of his or her own choice to conduct an examination, the examiner shall have
15 reasonable access to the person for the purpose of the examination, as well as to the
16 person's past and present treatment records, as defined in s. 51.30 (1) (b), and patient
17 health care records as provided under s. 146.82 (2) (c). If the person is indigent, the
18 court shall, upon the person's request, appoint a qualified and available expert or
19 professional person to perform an examination and participate in the trial or other
20 proceeding on the person's behalf. Upon the order of the circuit court, the county
21 shall pay, as part of the costs of the action, the costs of ~~a court-appointed~~ an expert
22 or professional person appointed by a court under this subsection to perform an
23 examination and participate in the trial or other proceeding on behalf of an indigent
24 person. An expert or professional person appointed to assist an indigent person who

1 is subject to a petition may not be subject to any order by the court for the
2 sequestration of witnesses at any proceeding under this chapter.

3 ~~/*b0587/2.10* SECTION 3223c.~~ 980.05 (6) of the statutes is repealed.

4 ~~/*b0587/2.10* SECTION 3223h.~~ 980.06 (1) of the statutes is renumbered 980.06
5 and amended to read:

6 **980.06 Commitment.** If a court or jury determines that the person who is the
7 subject of a petition under s. 980.02 is a sexually violent person, the court shall order
8 the person to be committed to the custody of the department for control, care and
9 treatment until such time as the person is no longer a sexually violent person. A
10 commitment order under this section shall specify that the person be placed in
11 institutional care.

12 ~~/*b0587/2.10* SECTION 3223i.~~ 980.06 (2) (a) of the statutes is repealed.

13 ~~/*b0587/2.10* SECTION 3223j.~~ 980.06 (2) (b) of the statutes is repealed.

14 ~~/*b0587/2.10* SECTION 3223k.~~ 980.06 (2) (c) of the statutes is repealed.

15 ~~/*b0587/2.10* SECTION 3223L.~~ 980.06 (2) (d) of the statutes is renumbered
16 980.08 (6m) and amended to read:

17 980.08 (6m) An order for supervised release places the person in the custody
18 and control of the department. The department shall arrange for control, care and
19 treatment of the person in the least restrictive manner consistent with the
20 requirements of the person and in accordance with the plan for supervised release
21 approved by the court under sub. (5). A person on supervised release is subject to the
22 conditions set by the court and to the rules of the department. Before a person is
23 placed on supervised release by the court under this section, the court shall so notify
24 the municipal police department and county sheriff for the municipality and county
25 in which the person will be residing. The notification requirement under this

1 paragraph subsection does not apply if a municipal police department or county
2 sheriff submits to the court a written statement waiving the right to be notified. If
3 the department alleges that a released person has violated any condition or rule, or
4 that the safety of others requires that supervised release be revoked, he or she may
5 be taken into custody under the rules of the department. The department shall
6 submit a statement showing probable cause of the detention and a petition to revoke
7 the order for supervised release to the committing court and the regional office of the
8 state public defender responsible for handling cases in the county where the
9 committing court is located within 48 72 hours after the detention, excluding
10 Saturdays, Sundays and legal holidays. The court shall hear the petition within 30
11 days, unless the hearing or time deadline is waived by the detained person. Pending
12 the revocation hearing, the department may detain the person in a jail or in a
13 hospital, center or facility specified by s. 51.15 (2). The state has the burden of
14 proving by clear and convincing evidence that any rule or condition of release has
15 been violated, or that the safety of others requires that supervised release be
16 revoked. If the court determines after hearing that any rule or condition of release
17 has been violated, or that the safety of others requires that supervised release be
18 revoked, it may revoke the order for supervised release and order that the released
19 person be placed in an appropriate institution until the person is discharged from the
20 commitment under s. 980.09 or until again placed on supervised release under s.
21 980.08 this section.

22 ✓*b0587/2.10* SECTION 3230m. 980.065 (1m) of the statutes is amended to read:

23 980.065 (1m) The department ~~may~~ shall place a person committed to
24 ~~institutional care~~ under s. 980.06 (2) (b) at a ~~mental health unit or facility, including~~
25 a the secure mental health unit or facility at established under s. 46.055, the

1 Wisconsin resource center established under s. 46.056 or a secure mental health unit
2 or facility provided by the department of corrections under sub. (2).

3 ✓ ***b0587/2.10* SECTION 3231m.** 980.065 (2) of the statutes is amended to read:

4 980.065 (2) The department may contract with the department of corrections
5 for the provision of a secure mental health unit or facility for persons committed to
6 institutional care under s. 980.06 (2) (b). The department shall operate a secure
7 mental health unit or facility provided by the department of corrections under this
8 subsection and shall promulgate rules governing the custody and discipline of
9 persons placed by the department in the secure mental health unit or facility
10 provided by the department of corrections under this subsection.

11 ✓ ***-0284/3.19* SECTION 3232.** 980.07 (1) of the statutes is amended to read:

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

23 ✓ ***b0587/2.11* SECTION 3232p.** 980.08 (1) of the statutes is amended to read:

24 980.08 (1) Any person who is committed ~~to institutional care~~ under s. 980.06
25 may petition the committing court to modify its order by authorizing supervised

1 release if at least ~~6~~ 18 months have elapsed since the initial commitment order was
2 entered, or at least 6 months have elapsed since the most recent release petition was
3 denied or the most recent order for supervised release was revoked. The director of
4 the facility at which the person is placed may file a petition under this subsection on
5 the person's behalf at any time.

6 ~~*-0284/3.20*~~ SECTION 3233. 980.08 (3) of the statutes is amended to read:

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

19 ✓*b0587/2.13* SECTION 3234m. 980.08 (4) of the statutes is amended to read:

20 980.08 (4) The court, without a jury, shall hear the petition within 30 days after
21 the report of the court-appointed examiner is filed with the court, unless the
22 petitioner waives this time limit. Expenses of proceedings under this subsection
23 shall be paid as provided under s. 51.20 (18) (b), (c) and (d). The court shall grant the
24 petition unless the state proves by clear and convincing evidence that the person is
25 still a sexually violent person and that it is still substantially probable that the

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

16 ✓ ***b0587/2.13* SECTION 3238d.** 980.08 (6) of the statutes is repealed.

17 ✓ ***b0587/2.13* SECTION 3238h.** 980.09 (1) (c) of the statutes is amended to read:

18 980.09 (1) (c) If the court is satisfied that the state has not met its burden of
19 proof under par. (b), the petitioner shall be discharged from the custody or
20 supervision of the department. If the court is satisfied that the state has met its
21 burden of proof under par. (b), the court may proceed ~~under s. 980.06~~ to determine,
22 using the criterion specified in s. 980.08 (4), whether to modify the petitioner's
23 existing commitment order by authorizing supervised release.

24 ✓ ***b0587/2.13* SECTION 3238j.** 980.09 (2) (c) of the statutes is amended to read:

1 980.09 (2) (c) If the court is satisfied that the state has not met its burden of
2 proof under par. (b), the person shall be discharged from the custody or supervision
3 of the department. If the court is satisfied that the state has met its burden of proof
4 under par. (b), the court may proceed ~~under s. 980.06~~ to determine, using the
5 criterion specified in s. 980.08 (4), whether to modify the person's existing
6 commitment order by authorizing supervised release.

7 ✓ ***b0587/2.13* SECTION 3238t.** 980.11 (2) (intro.) of the statutes is amended to
8 read:

9 980.11 (2) (intro.) If the court places a person on supervised release under s.
10 ~~980.06~~ 980.08 or discharges a person under s. 980.09 or 980.10, the department shall
11 do all of the following:

12 ✓ ***-0284/3.26* SECTION 3239.** 980.12 (1) of the statutes is amended to read:

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

17 ✓ ***b0587/2.14* SECTION 3239d.** 980.12 (2) of the statutes is amended to read:

18 980.12 (2) By February 1, 2002, the department shall submit a report to the
19 legislature under s. 13.172 (2) concerning the extent to which pharmacological
20 treatment using an antiandrogen or the chemical equivalent of an antiandrogen has
21 been required as a condition of supervised release under s. 980.06, 1997 stats., or s.
22 980.08 and the effectiveness of the treatment in the cases in which its use has been
23 required.

24 ✓ ***-0030/2.132* SECTION 3240.** 985.01 (1) of the statutes is renumbered 985.01
25 (1m).

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

2 985.01 (1g) “Governing body” has the meaning given in s. 345.05 (1) (b) and
3 includes a family care district board under s. 46.2895.

4 ✓*-0030/2.134* **SECTION 3242.** 985.01 (3) of the statutes is amended to read:

5 985.01 (3) “Municipality” has the meaning in s. 345.05 (1) (c) and “governing
6 body” ~~the meaning in s. 345.05 (1) (b) with reference to such municipality includes~~
7 a family care district under s. 46.2895.

8 ✓*-1817/4.4* **SECTION 3244.** Laws of 1929, chapter 151, section 1 is amended
9 to read:

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

23 ✓*-1817/4.5* **SECTION 3245.** Laws of 1929, chapter 151, section 3 is amended
24 to read:

1 [Laws of 1929, chapter 151] Section 3. The said grantee, the city of Milwaukee,
2 shall not convey any portion or the whole of the lands so granted, ceded and
3 confirmed, and described in section 2 of this act, to any other party, either by
4 warranty deed, quit claim, or in any other manner, except that it may convey to the
5 government of the United States such portion thereof as may be desirable for the
6 promotion of navigation; and it may also convey said lands to any harbor district or
7 other public corporation that may hereafter be organized, under any law of this state,
8 for public park purposes or for the purpose of maintaining and operating a public
9 port; and it may further lease for limited terms not exceeding thirty years, such
10 particular parcels or portions thereof as the board of harbor commissioners may
11 deem expedient, to parties desiring to employ such leased portions and parcels for
12 public park purposes or in the maintaining, operating or using of any harbor facilities
13 thereon.

14 *~~-1817/4.6~~* SECTION 3246. Laws of 1929, chapter 151, section 4 is amended
15 to read:

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

23 *~~-1817/4.7~~* SECTION 3247. Laws of 1973, chapter 76, section 1 is amended to
24 read:

1 [Laws of 1973, chapter 76] Section 1. All the right, title and interest of the state
2 of Wisconsin in the lands hereinafter described, whether any part or parcel thereof
3 may be, at the time of the passage and publication of this act, dry or submerged under
4 the waters of Lake Michigan are hereby ceded, granted and confirmed to the city of
5 Milwaukee, a municipal corporation, for the purpose of improving, filling, and
6 utilizing the same for public park purposes or in aid of navigation and the fisheries
7 and in addition for such further and other use which the board of harbor
8 commissioners of the city of Milwaukee may deem appropriate and expedient and
9 which the common council approves by resolution. Such land ~~shall~~ may also be used
10 for the purpose of establishing and maintaining thereon breakwaters, bulkheads,
11 piers, wharves, warehouses, transfer sheds, railway tracks, airports, and other
12 harbor facilities, together with such other uses not inconsistent with the
13 improvement of navigation and fisheries in Lake Michigan, and the navigable
14 waters tributary thereto, as the city may deem expedient.

15 ✓*-1817/4.8* **SECTION 3248.** Laws of 1973, chapter 76, section 3 is amended to
16 read:

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

1 the board of harbor commissioners considers advisable, to parties desiring to employ
2 such leased portions and parcels for public park purposes or in a manner determined
3 by the board of harbor commissioners to be for the best interests of port and harbor
4 development.

5 ~~/*-1834/2.2*~~ **SECTION 3261.** 1997 Wisconsin Act 4, section 4 (1) (a), as last
6 affected by 1997 Wisconsin Act 27, section 5510s, is amended to read:

7 [1997 Wisconsin Act 4] Section 4 (1) (a) Notwithstanding 1995 Wisconsin Act
8 27, section 9126 (23) and (26v), the department of corrections may, from July 1, 1997,
9 until July 1, ~~1999~~ 2001, operate the juvenile secured correctional facility, as defined
10 in section 938.02 (15m) of the statutes, authorized under 1995 Wisconsin Act 27,
11 section 9126 (26v), as a state prison named in section 302.01 of the statutes, as
12 affected by this act, for the placement of prisoners, as defined in section 301.01 (2)
13 of the statutes, who are not more than 21 years of age and who are not violent
14 offenders, as determined by the department of corrections.

15 ~~/*b0163/1.6*~~ **SECTION 3261m.** 1997 Wisconsin Act 27, section 9101 (11h) is
16 repealed.

17 ~~/*-1618/3.6*~~ **SECTION 3262.** 1997 Wisconsin Act 27, section 9410 (5g) is
18 amended to read:

19 [1997 Wisconsin Act 27] Section 9410 (5g) **ELIMINATION OF RECYCLING MARKET**
20 **DEVELOPMENT BOARD.** The treatment of sections 15.07 (1) (b) 19., 15.155 (2), ~~16.72 (7)~~
21 ~~(by SECTION 119d)~~, 20.143 (1) (L) (by SECTION 200d), (st) (by SECTION 204d) and (tm)
22 (by SECTION 205d), 20.923 (4) (a) 4q., 36.25 (30g), 560.031 (by SECTION 4338c), (2), (3)
23 and (4), 560.09 (5) and 560.65 (4) (a) and subchapter III of chapter 287 (by SECTION
24 3620m) of the statutes takes effect on June 30, 2001.

1 ✓ ***b0504/3.8* SECTION 3262m.** 1997 Wisconsin Act 27, section 9456 (3m) is
2 amended to read:

3 [1997 Wisconsin Act 27] Section 9456 (3m) ELIMINATION OF LAND INFORMATION
4 BOARD AND ~~WISCONSIN LAND COUNCIL~~. The treatment of sections 15.07 (1) (b) 16.,
5 15.105 (16), 16.968 (by SECTION 142am), 20.505 (1) (title) (by SECTION 666h), ~~20.505~~
6 ~~(1) (ka) (by SECTION 669am)~~, 23.27 (3) (a) (by SECTION 769ad), 23.325 (1) (a), 36.09 (1)
7 (e), 36.25 (12m) (intro.), 59.43 (2) (ag) 1. and (e), 59.72 (1) (a) and (b), (3) (intro.), (a)
8 and (b) and (5) and 92.10 (4) (a) of the statutes, the repeal of sections 16.966 (1), (2)
9 and (4), 16.967 (title) and (1) to (9), 20.505 (1) (ie), (ig), and (ij) and ~~(ks)~~, 23.32 (2) (d),
10 59.43 (1) (u) and 59.72 (1) (am), (3) (c) and (4) of the statutes and Section 9101 (1) of
11 this act take effect on September 1, ~~2003~~ 2005.

12 ✓ ***b0504/3.8* SECTION 3262n.** 1997 Wisconsin Act 27, section 9456 (3n) is
13 created to read:

14 [1997 Wisconsin Act 27] Section 9456 (3n) ELIMINATION OF WISCONSIN LAND
15 COUNCIL. The treatment of section 20.505 (1) (ka) (by SECTION 669am) of the statutes
16 and the repeal of sections 16.967 (10) and 20.505 (1) (ks) of the statutes take effect
17 on September 1, 2003.

18 ✓ ***-0120/1.7* SECTION 3263.** 1997 Wisconsin Act 84, section 168 (intro.) is
19 amended to read:

20 [1997 Wisconsin Act 84] Section 168. **Effective dates.** (intro.) This act takes
21 effect on the date stated in the notice published by the secretary of transportation
22 in the Wisconsin Administrative Register under section 85.515 of the statutes, as
23 created by this act, or on ~~the first day of the 25th month beginning after publication~~
24 May 1, 2001, whichever is earlier, except as follows:

1 ✓ ~~*-0269/3.5*~~ **SECTION 3264.** 1997 Wisconsin Act 154, section 3 (1) is amended
2 to read:

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

22 ✓ ~~*-0400/7.20*~~ **SECTION 3265.** 1997 Wisconsin Act 237, section 4x is repealed.

23 ✓ ~~*-0400/7.21*~~ **SECTION 3266.** 1997 Wisconsin Act 237, section 48h is repealed.

24 ✓ ~~*-0400/7.22*~~ **SECTION 3267.** 1997 Wisconsin Act 237, section 9101 (1z) (b), (c)
25 (intro.), (d) 1., (g) (intro.) and (h) are amended to read:

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

8 (c) *Amount of grants.* (intro.) The ~~national and community service board~~
9 department of administration shall determine the amount of a grant awarded under
10 paragraph (b) based on the number of underserved youth who are to receive the 5
11 fundamental resources as a result of the countywide consortium's efforts under
12 paragraph (f). The ~~national and community service board~~ department of
13 administration shall award the following amounts based on the following numbers
14 of underserved youth targeted by a countywide consortium:

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

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

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

8 ✓~~*-0400/7.23*~~ SECTION 3268. 1997 Wisconsin Act 237, section 9401 (1z) is
9 repealed.

10 ✓~~*b0571/2.1*~~ SECTION 3268r. 1999 Wisconsin Act 2, section 1 is repealed.

11 ✓SECTION 9101. **Nonstatutory provisions; administration.**

12 ✓~~*-0400/7.9101*~~ (1) TRANSFER OF NATIONAL AND COMMUNITY SERVICES BOARD.

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

18 (b) *Positions and employes*.

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

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

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

10 (c) *Tangible personal property.* On the effective date of this paragraph, all
11 tangible personal property, including records, of the department of administration
12 that is primarily related to the functions of the national and community service
13 board, except the Wisconsin challenge grant program, as determined by the
14 secretary of administration, is transferred to the department of health and family
15 services.

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

24 /**-1267/1.9101** (2) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From federal
25 and program revenue moneys appropriated to the department of administration for

1 the office of justice assistance under section 20.505 (6) (kp) of the statutes, as affected
2 by this act, and section 20.505 (6) (pb) of the statutes, the department shall expend
3 \$83,600 in fiscal year 1999–2000 and \$87,800 in fiscal year 2000–01 to provide the
4 multijurisdictional enforcement group serving Dane County with funding for one
5 assistant district attorney to prosecute criminal violations of chapter 961 of the
6 statutes.

7 ~~/*-1267/1.9101*~~ (3) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From
8 federal and program revenue moneys appropriated to the department of
9 administration for the office of justice assistance under section 20.505 (6) (kp) of the
10 statutes, as affected by this act, and section 20.505 (6) (pb) of the statutes, the
11 department shall expend \$263,000 in fiscal year 1999–2000 and \$271,300 in fiscal
12 year 2000–01 to provide the multijurisdictional enforcement group serving
13 Milwaukee County with funding for 3 assistant district attorneys to prosecute
14 criminal violations of chapter 961 of the statutes.

15 ~~✓b0238/4.18*~~ (3x) REGULATION OF MOBILE HOME PARKS, MOBILE HOME DEALERS AND
16 MOBILE HOME SALESPERSONS.

17 (a) *Employe transfers.* There are transferred from the department of
18 administration to the department of commerce 3.0 FTE incumbent employes holding
19 positions in the division of housing in the department of administration performing
20 duties that are primarily related to regulating mobile home parks, mobile home
21 dealers and mobile home salespersons.

22 (b) *Employe status.* Employes transferred under paragraph (a) have all of the
23 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
24 statutes in the department of commerce that they enjoyed in the department of
25 administration immediately before the transfer. Notwithstanding section 230.28 (4)

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

3 (c) *Rules and orders.* All rules promulgated by the department of
4 administration primarily related to mobile home parks, mobile home dealers and
5 mobile home salespersons that are in effect on the effective date of this paragraph
6 shall become rules of the department of commerce and shall remain in effect until
7 their specified expiration dates or until amended or repealed by the department of
8 commerce. All orders issued by the department of administration primarily related
9 to mobile home parks, mobile home dealers and mobile home salespersons that are
10 in effect on the effective date of this paragraph shall become orders of the department
11 of commerce and shall remain in effect until their specified expiration dates or until
12 modified or rescinded by the department of commerce.

13 (d) *Assets and liabilities.* On the effective date of this paragraph, the assets and
14 liabilities of the department administration primarily related to the regulation of
15 mobile home parks, mobile home dealers and mobile home salespersons, as
16 determined by the secretary of administration, shall become the assets and liabilities
17 of the department of commerce.

18 (e) *Tangible personal property.* On the effective date of this paragraph, all
19 tangible personal property, including records, of the department of administration
20 that is primarily related to the regulation of mobile home parks, mobile home dealers
21 and mobile home salespersons, as determined by the secretary of administration, is
22 transferred to the department of commerce.

23 (f) *Contracts.* All contracts entered into by the department of administration
24 in effect on the effective date of this paragraph that are primarily related to the
25 regulation of mobile home parks, mobile home dealers and mobile home

1 salespersons, as determined by the secretary of administration, remain in effect and
2 are transferred to the department of commerce. The department of commerce shall
3 carry out any obligations under such a contract until the contract is modified or
4 rescinded by the department of commerce to the extent allowed under the contract.

5 (g) *Pending matters.* Any matter pending with the department of
6 administration on the effective date of this paragraph that is primarily related to the
7 regulation of mobile home parks, mobile home dealers and mobile home
8 salespersons, as determined by the secretary of administration, is transferred to the
9 department of commerce and all materials submitted to or actions taken by the
10 department of administration with respect to the pending matter are considered as
11 having been submitted to or taken by the department of commerce.

12 ✓ ***b0257/1.4*** (3c) REIMBURSEMENT TO MILWAUKEE COUNTY FOR COMPUTER
13 PURCHASE. From the appropriation under section 20.475 (1) (f) of the statutes, as
14 created by this act, the department of administration shall reimburse Milwaukee
15 County \$12,000 in fiscal year 1999–2000 for the cost of purchasing computers to be
16 used by prosecutors in the district attorney’s office handling cases involving the
17 unlawful possession or use of firearms and by the clerks providing clerical services
18 to those prosecutors.

19 ✓ ***-1268/2.9101*** (4) INFORMATION CONCERNING SEXUALLY VIOLENT PERSON
20 COMMITMENT CASES.

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

1 1. Prosecuting the petition through trial under section 980.05 of the statutes
2 and, if applicable, commitment of the person subject to the petition under section
3 980.06 of the statutes, as affected by this act.

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

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

13 ~~*/-1411/5.9101*~~ (5) PURCHASE, REPLACEMENT AND MAINTENANCE OF STATE CRIME
14 LABORATORY EQUIPMENT. The secretary of administration shall allocate \$254,700 in
15 fiscal year 1999–2000 and \$254,700 in fiscal year 2000–01 from the appropriations
16 under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505
17 (6) (pc) of the statutes to provide the department of justice with funding for the
18 purchase, replacement and maintenance of state crime laboratory equipment.

19 ~~/*b0369/2.1*~~ (5g) WAUSAU CRIME LABORATORY EXPANSION. The department of
20 administration shall study the feasibility of expanding the state crime laboratory in
21 the city of Wausau and shall develop a plan for providing space for the
22 deoxyribonucleic acid and serology unit that is proposed to be located at the
23 laboratory. No later than December 31, 1999, the department shall submit a report
24 to the legislature presenting the results of the study and the plan it has developed.

1 The report shall be submitted to the legislature in the manner provided in section
2 13.172 (2) of the statutes.

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 / ***b0282/1.1*** (7f) REPORT ON GRANTS SPECIALIST POSITION. The office of justice
17 assistance in the department of administration shall prepare a report detailing the
18 accomplishments of the project position in the office of justice assistance that is
19 responsible for developing directories of federal and private funding resources,
20 disseminating information to state and local government agencies on funding
21 opportunities, assisting in the preparation of applications for funding or other
22 proposals that may secure federal or private funds, and training state and local
23 government agencies and nonprofit agencies in the process of seeking grants. The
24 report shall include a list of federal and private grants received by state and local
25 government agencies that are attributable to the position's efforts. The office of

1 justice assistance shall, no later than January 1, 2001, submit the report to the
2 legislature in the manner provided under section 13.172 (2) of the statutes.

3 ✓ ***-1806/3.9101*** (9) TRANSFER OF COLLEGE TUITION PREPAYMENT PROGRAM.

4 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
5 liabilities of the department of administration primarily related to the
6 administration of the college tuition prepayment program, as determined by the
7 secretary of administration, shall become the assets and liabilities of the state
8 treasurer.

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

14 (c) *Employee status.* Employees transferred under paragraph (b) have all the
15 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
16 statutes in the state treasurer's office that they enjoyed in the department of
17 administration immediately before the transfer. Notwithstanding section 230.28 (4)
18 of the statutes, no employee so transferred who has attained permanent status in
19 class is required to serve a probationary period.

20 (d) *Tangible personal property.* On the effective date of this paragraph, all
21 tangible personal property, including records, of the department of administration
22 that is primarily related to the administration of the college tuition prepayment
23 program, as determined by the secretary of administration, is transferred to the
24 state treasurer.

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

7 (f) *Rules and orders.* All rules promulgated by the department of
8 administration that are in effect on the effective date of this paragraph and that are
9 primarily related to the administration of the college tuition prepayment program,
10 as determined by the secretary of administration, remain in effect until their
11 specified expiration date or until amended or repealed by the state treasurer. All
12 orders issued by the department of administration that are in effect on the effective
13 date of this paragraph and that are primarily related to the administration of the
14 college tuition prepayment program, as determined by the secretary of
15 administration, remain in effect until their specified expiration date or until
16 modified or rescinded by the state treasurer.

17 (g) *Pending matters.* Any matters pending with the department of
18 administration on the effective date of this paragraph that are primarily related to
19 the administration of the college tuition prepayment program, as determined by the
20 secretary of administration, are transferred to the state treasurer and all materials
21 submitted to or actions taken by the department of administration with respect to
22 the pending matters are considered as having been submitted or taken by the state
23 treasurer.

24 ✓*b0461/4.24* (10g) OPERATIONS OF AND EQUIPMENT FOR AUTOMATED JUSTICE
25 INFORMATION SYSTEMS. The secretary of administration shall allocate \$729,800 in

1 fiscal year 1999–2000 and \$2,024,100 in fiscal year 2000–01 from the appropriations
2 under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505
3 (6) (pc) of the statutes to fund the general operations of the department of
4 administration relating to automated justice information systems and equipment for
5 automated justice information systems.

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

12 ✓ ***-1840/2.9101*** (13) DEPARTMENT OF CORRECTIONS INFORMATION TECHNOLOGY.
13 The secretary of administration shall allocate \$533,300 in fiscal year 1999–2000 and
14 \$1,200,000 in fiscal year 2000–01 from the appropriations under section 20.505 (6)
15 (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes
16 to provide the department of corrections with funding for information technology.

17 ✓ ***-1840/2.9101*** (14) REIMBURSEMENT TO COUNTIES FOR CRIME VICTIM AND WITNESS
18 SERVICES. The secretary of administration shall allocate \$850,800 in fiscal year
19 1999–2000 and \$850,800 in fiscal year 2000–01 from the appropriations under
20 section 20.505 (6) (kp) of the statutes, as affected by this act, and section 20.505 (6)
21 (pb) of the statutes to provide reimbursement to counties for providing services to
22 victims and witnesses of crime.

23 ✓ ***b0344/3.16*** (14yt) REPORT CONCERNING FEDERAL FUNDING FOR LEAKING
24 UNDERGROUND STORAGE TANKS. The secretary of administration shall report to the
25 joint committee on finance on how federal funds related to leaking underground

1 storage tanks should be allocated between the department of commerce and the
2 department of natural resources. The secretary shall submit the report for review
3 and approval or disapproval by the committee at its 4th quarterly meeting under
4 section 13.10 of the statutes in 1999.

5 ✓*b0474/3.1* (17x) TRIBAL GAMING COMPUTER SYSTEM. The department of
6 administration may not encumber or expend moneys appropriated to it under section
7 20.505 (8) (hm) of the statutes, as created in this act, for the purposes of a tribal
8 gaming computer system to receive and process slot machine accounting data unless
9 the department submits to the joint committee on finance a report on the costs
10 associated with the computer system. If the cochairpersons of the committee do not
11 notify the secretary within 14 working days after the date of the department's
12 submittal of the report that the committee has scheduled a meeting for the purpose
13 of reviewing the report, the secretary of administration shall direct that the moneys
14 may be encumbered or expended. If, within 14 working days after the date of the
15 department's submittal, the cochairpersons of the committee notify the department
16 that the committee has scheduled a meeting for the purpose of reviewing the report,
17 the moneys may be encumbered or expended only upon approval of the report by the
18 committee.

19 ✓*-2052/2.9101* (18) DETERMINATION OF COSTS FOR PAY RATE OR RANGE
20 ADJUSTMENTS FOR CERTAIN EMPLOYEES OF THE DEPARTMENTS OF CORRECTIONS AND HEALTH
21 AND FAMILY SERVICES. During the 1999–2001 biennium, the secretary of
22 administration shall determine which costs of the departments of corrections and
23 health and family services may be supplemented from the appropriation accounts
24 under section 20.865 (1) (cb) and (ib) of the statutes, as created by this act.

1 ✓ ***b0165/3.2*** (18ag) INFORMATION TECHNOLOGY SUPPORT. The department of
2 administration shall cooperate with the ethics board with respect to information
3 technology support and shall provide information technology support to the ethics
4 board to effect implementation of the requirements imposed under sections 13.67
5 and 13.68 (1) (bn) of the statutes, as affected by this act.

6 ✓ ***b0500/2.3*** (18d) FEDERAL RESOURCE ACQUISITION FINANCIAL PLAN. The
7 department of administration shall transmit to the joint committee on finance a
8 long-term financial plan for the operation by the department of the federal resource
9 acquisition program under section 16.98 of the statutes.

10 ✓ ***b0501/1.1*** (18w) REPORT ON USE OF MULTISTATE ELECTRONIC PROCUREMENT
11 SYSTEMS. Prior to December 31, 1999, the department of administration shall submit
12 a report to the joint committee on finance concerning the operation of multistate
13 electronic procurement systems. The report shall include information concerning
14 the current status of multistate electronic procurement systems available for
15 potential use by this state, the estimated costs and benefits of use of such a system
16 by this state and the changes in current law and funding that would be required for
17 participation by this state in such a system.

18 ✓ ***b0502/1.1*** (18h) STATE AGENCY VEHICLE FLEET MANAGEMENT CONSOLIDATIONS.
19 The department of administration shall study the possible consolidation of the
20 vehicle fleet management functions of the departments of natural resources and
21 transportation and the University of Wisconsin-Madison with the corresponding
22 function of the department of administration or other changes in state agency vehicle
23 fleet management that may be desirable. The study shall include an estimate of the
24 potential savings to the state that may be effected from the consolidation. The
25 department of administration shall submit a report containing the results of the

1 study, together with its recommendations and any proposed legislation required to
2 implement the recommendations, to the joint committee on finance.

3 ✓ ***b0519/4.18*** (18z0) SMART GROWTH DIVIDEND AID PROGRAM.

4 (a) The secretary of administration shall propose under section 16.42 of the
5 statutes, jointly with the secretary of revenue, a smart growth dividend aid program
6 in his or her budget request for fiscal biennium 2001–03, with the first grants to be
7 distributed in fiscal year 2005–06. The proposal shall prescribe a method of
8 distributing aid to cities, villages, towns and counties that meet all of the following
9 requirements:

10 1. To be eligible to receive aid, a city, village, town or county must have in effect
11 a comprehensive plan, as defined in section 66.0295 (1) (a) of the statutes, that the
12 department of administration and the land council determine meets the provisions
13 specified in section 16.965 (4) of the statutes, and the city, village, town or county
14 must have taken steps to implement the plan.

15 2. The population density within the city, village, town or county boundaries
16 must have increased.

17 (b) The proposal shall include a provision requiring the land council to approve
18 or disapprove grant applications within 60 days of submission.

19 ✓ ***b0528/2.3*** (19f) CALCULATION OF FEDERAL INTEREST REIMBURSEMENTS. No later
20 than the first day of the 2nd month beginning after the effective date of this
21 subsection, the secretary of administration shall calculate the amount of moneys
22 received by the state as interest reimbursements from the federal government less
23 the amounts paid by the state to the federal government as interest reimbursements
24 before the effective date of this subsection.

1 ✓***b0533/4.8*** (18v) DEPARTMENT OF REVENUE BUILDING CONSTRUCTION
2 REQUIREMENTS. The department of administration shall, to the extent practicable,
3 ensure that the department of revenue building enumerated under SECTION 9107 (1)
4 (a) of this act is constructed in a manner that is consistent with the requirements
5 imposed under section 20.924 (1) (j) 2. and 3. of the statutes, as created by this act.

6 ✓***b0583/4.5*** (18m) ADMINISTRATION OF MEDICAL ASSISTANCE. By the date
7 specified by the cochairpersons of the joint committee on finance for submission of
8 requests for consideration at the last quarterly meeting of the committee in calendar
9 year 1999, the secretary of administration shall submit a report to the joint
10 committee on finance that specifies the position and funding modifications needed
11 to transfer all administrative functions related to medical assistance, including
12 administration of the client assistance for reemployment and economic support
13 system, either in whole, or, if possible, only with respect to medical assistance, from
14 the department of workforce development to the department of health and family
15 services. The secretary shall also identify in the report any administrative issues
16 that the committee should consider with respect to the transfer.

17 ✓***b0586/1.1*** (18i) STUDY OF NEW PRODUCTION BAKERY. The department of
18 administration shall conduct a study of the desirability of constructing a new
19 production bakery for the department of corrections to produce breads and other
20 baked products for institutions in southeastern Wisconsin. The study shall address
21 the specific size of the proposed facility; the potential customers of the proposed
22 facility, including governmental entities other than the state; and the operational
23 details of the proposed facility, including the method of funding and staffing of the
24 proposed facility, the projected revenues and expenditures of the proposed facility
25 and any offsetting reductions in costs of the departments of corrections, health and

1 family services, public instruction and veterans affairs that may be realized as a
2 result of construction and operation of the proposed facility.

3 ✓*-0480/2.9102* SECTION 9102. Nonstatutory provisions; adolescent
4 pregnancy prevention and pregnancy services board.

5 ✓ SECTION 9103. Nonstatutory provisions; aging and long-term care
6 board.

7 ✓ SECTION 9104. Nonstatutory provisions; agriculture, trade and
8 consumer protection.

9 ✓*b0275/2.3* (1w) PESTICIDE SALES AND USE REPORTING SYSTEM.

10 (a) *Report on confidentiality provisions.* No later than January 1, 2001, the
11 department of agriculture, trade and consumer protection shall submit a report to
12 the appropriate standing committees of the legislature, in the manner provided
13 under section 13.172 (3) of the statutes, on the necessity of continuing, revising or
14 eliminating the provisions concerning confidentiality of agricultural pesticide use
15 under section 94.695 (8) of the statutes, as created by this act. The department shall
16 consult with the entities under section 94.695 (3) of the statutes, as created by this
17 act, in preparing the report under this paragraph.

18 (b) *Budget request.* In submitting the request under section 16.42 of the
19 statutes for the 2001–03 biennial budget bill, the department of agriculture, trade
20 and consumer protection shall include funding for the full, ongoing operation of the
21 pesticide sales and use reporting system under section 94.695 of the statutes, as
22 created by this act.

23 (c) *Integration with statewide geographic systems.* The department of
24 agriculture, trade and consumer protection shall consult with the Wisconsin land
25 council and the land information board to ensure that, no later than January 1, 2003,

1 the pesticide sales and use reporting system under section 94.695 of the statutes, as
2 created by this act, is integrated with statewide geographic information systems.

3 ✓ ***-0480/2.9105* SECTION 9105. Nonstatutory provisions; arts board.**

4 ***b0610/1.2*** (1c) GRANT TO PERFORMING ARTS FOUNDATION. From the
5 appropriation under section 20.215 (1) (b) of the statutes, the arts board shall award
6 a grant of \$50,000 in the 1999–2000 fiscal year to a nonprofit performing arts
7 foundation located in a county with a population of less than 130,000 for use in
8 improving handicapped accessibility in the foundation’s facility if the foundation
9 provides at least \$150,000 in matching funds.

10 ✓ ***-0480/2.9106* SECTION 9106. Nonstatutory provisions; boundary area**
11 **commission, Minnesota–Wisconsin.**

12 ✓ **SECTION 9107. Nonstatutory provisions; building commission.**

13 ***-1542/2.9107*** (1) 1999–2001 AUTHORIZED STATE BUILDING PROGRAM. For the
14 fiscal years beginning on July 1, 1999, and ending on June 30, 2001, the authorized
15 state building program is as follows:

16 (a) UNIVERSITY OF WISCONSIN SYSTEM

17 1. *Projects financed by program revenue supported*

18 *borrowing:*

19 Ashland — Full-scale aquaculture demonstration

20 facility \$ 3,000,000

21 2. *Agency totals:*

22 Program revenue supported borrowing \$ 3,000,000

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

1 (b) SUMMARY

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

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

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4 ✓ ***b0382/1.7*** (7x) AQUACULTURE DEMONSTRATION FACILITY. Notwithstanding
5 section 18.04 (1) and (2) of the statutes, the building commission shall not authorize
6 public debt to be contracted for the purpose of financing construction of the
7 aquaculture demonstration facility enumerated under subsection (1) (i) 3. unless the
8 joint committee on finance has first approved the report required to be submitted to
9 the committee by the board of regents of the University of Wisconsin System under
10 SECTION 9154 (3x) of this act.

11 ✓ ***b0600/1.1*** (7tu) STATE FAIR PARK RACETRACK SEATING PROJECT.
12 Notwithstanding section 18.04 (2) of the statutes, the building commission shall not
13 authorize public debt to be contracted for the racetrack seating project identified in
14 subsection (1) (g) 2. unless the state fair park board first notifies the commission, in
15 writing, that it has approved the design of the project.

16 ✓ ***b0600/1.1*** (7tv) STATE FAIR PARK RACETRACK IMPROVEMENTS. Notwithstanding
17 section 18.04 (2) of the statutes, the building commission shall not authorize public
18 debt to be contracted for the racetrack improvements project identified in subsection
19 (1) (g) 2. unless the commission is notified by the cochairpersons of the joint
20 committee on finance that the committee has approved the plan for noise abatement
21 at the racetrack submitted under SECTION 9145 (1tv) of this act.

*21
Insert
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22 ✓ ***-0480/2.9108*** SECTION 9108. Nonstatutory provisions; child abuse and
23 neglect prevention board.

24 ✓ ***-0480/2.9109*** SECTION 9109. Nonstatutory provisions; circuit courts.

1 ✓ **SECTION 9110. Nonstatutory provisions; commerce.**

2 ✓ ***-0824/9.9110*** (1) GRANTS TO BROWN COUNTY. From the appropriation under
3 section 20.143 (1) (kj) of the statutes, as created by this act, the department of
4 commerce shall make grants to Brown County of \$500,000 in fiscal year 1999–2000
5 and \$1,000,000 in fiscal year 2000–01 for economic development.

6 ✓ ***b0344/3.17*** (3yt) FINANCIAL MANAGEMENT OF PETROLEUM STORAGE REMEDIAL
7 ACTION PROGRAM. No later than the first day of the 6th month beginning after the
8 effective date of this subsection, the department of commerce shall do all of the
9 following:

10 (a) Update its financial data base for the program under section 101.143 of the
11 statutes to ensure that complete cost information related to each occurrence and to
12 the annual payment to each owner or operator is readily available.

13 (b) Investigate any variances between the amount of total payments indicated
14 by the department's financial data base for the program under section 101.143 of the
15 statutes and the amount of total payments indicated by the accounts maintained by
16 the department of administration under section 16.52 of the statutes to identify
17 when the variances occurred and the reasons for the variances.

18 (c) Make any changes in the department's financial data base needed to ensure
19 that the data base is consistent with the accounts maintained by the department of
20 administration under section 16.52 of the statutes.

21 ✓ ***b0344/3.17*** (3yu) RULE MAKING FOR PETROLEUM STORAGE REMEDIAL ACTION
22 PROGRAM.

23 (a) The department of commerce and the department of natural resources shall
24 submit in proposed form the rules required under section 101.143 (2) (h), (i) and (j)

1 and (2e) of the statutes, as created by this act, to the legislature under section 227.19
2 of the statutes no later than June 1, 2000.

3 (b) Using the procedure under section 227.24 of the statutes, the department
4 of commerce and the department of natural resources shall promulgate the rules
5 required under section 101.143 (2) (h), (i) and (j) and (2e) of the statutes, as created
6 by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the
7 emergency rules may remain in effect until September 1, 2000, or the date on which
8 rules under paragraph (a) take effect, whichever is sooner. Notwithstanding section
9 227.24 (1) (a), (2) (b) and (3) of the statutes, the departments are not required to
10 provide evidence that promulgating rules under this paragraph 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 paragraph. The
13 departments shall promulgate rules under this paragraph no later than the 30th day
14 after the effective date of this paragraph.

15 (c) Using the procedure under section 227.24 of the statutes, the department
16 of commerce shall promulgate rules to implement section 101.143 (4) (cm) 1. of the
17 statutes, as affected by this act, for the period before the effective date of permanent
18 rules, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of
19 the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes,
20 the department is not required to provide evidence that promulgating rules under
21 this paragraph is necessary for the preservation of the public peace, health, safety
22 or welfare and is not required to provide a finding of emergency for rules promulgated
23 under this paragraph. The department shall promulgate rules under this paragraph
24 no later than November 1, 1999.

1 (d) The department of commerce shall submit in proposed form any rules under
2 section 101.143 (2) (h) of the statutes, as created by this act, to the legislature under
3 section 227.19 of the statutes no later than June 1, 2000.

4 (e) If the conditions under section 101.144 (3g) (a) of the statutes, as created
5 by this act, apply on December 1, 1999, using the procedure under section 227.24 of
6 the statutes, the department of commerce shall promulgate the rules required under
7 section 101.144 (3g) (a) of the statutes, as created by this act, for the period before
8 the effective date of permanent rules, but not to exceed the period authorized under
9 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),
10 (2) (b) and (3) of the statutes, the department is not required to provide a finding of
11 emergency for rules promulgated under this paragraph. The department shall
12 promulgate rules under this paragraph no later than December 31, 1999.

13 ✓ ***b0344/3.17*** (3yv) TRANSFER OF SITES. The department of natural resources
14 and the department of commerce shall identify sites the classification of which is
15 changed because of the changes made by this act in section 101.144 of the statutes
16 and shall transfer authority over those sites no later than December 1, 1999.

17 ✓ ***b0344/3.17*** (3yw) REPORT CONCERNING INTEREST COSTS. No later than March
18 1, 2000, the department of commerce shall submit a report to the joint committee on
19 finance and the joint committee for review of administrative rules containing
20 recommendations for actions that the department could take to reduce interest costs
21 incurred by claimants under the program under section 101.143 of the statutes,
22 including a review of schedules for making progress payments to claimants.

23 ✓ ***b0344/3.17*** (3yx) EVALUATION OF USUAL AND CUSTOMARY COST SCHEDULE. The
24 department of commerce shall evaluate the operation of section 101.143 (4) (cm) 1.
25 of the statutes, as affected by this act, and shall report the results of the evaluation

1 to the joint legislative audit committee, to the joint committee on finance and to the
2 appropriate standing committees of the legislature, in the manner provided in s.
3 13.172(3) of the statutes, no later than the first day of the 14th month beginning after
4 the effective date of this subsection.

5 ~~✓~~***b0222/3.2*** (3g) BUILDING PERMITS FOR CONSTRUCTION OF CERTAIN ONE- AND
6 2-FAMILY DWELLINGS. Notwithstanding section 101.651 (2m) of the statutes, as
7 created by this act, a person is not required to obtain a building permit for
8 construction that begins before the effective date of this subsection if, at the time that
9 the construction begins, the municipality where the construction is located is exempt
10 under section 101.651 (2), 1997 stats., the municipality has not enacted an ordinance
11 requiring a building permit for the construction, the municipality does not jointly
12 exercise jurisdiction with a political subdivision that requires a building permit for
13 the construction and the municipality has not requested a county or the department
14 of commerce to provide building permit services under section 101.651 (3) of the
15 statutes.

16 ~~✓~~***-2072/2.9110*** (4) LOAN FOR PEDESTRIAN BRIDGE PROJECT.

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

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

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

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.

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 ✓*b0413/1.5* (6c) GRANT RELATED TO WELL REPLACEMENT. From the appropriation
11 under section 20.143 (1) (kj) of the statutes, as affected by this act, the department
12 of commerce shall make a grant of \$299,800 in fiscal year 1999–2000 to a city that
13 was required to replace its city well because of federal highway construction.

14 ✓ *b0684/1.2* (6e) GRANT FOR PEDESTRIAN ENHANCEMENTS. In fiscal year
15 1999–2000, the department of commerce may make a grant, not exceeding \$100,000,
16 from the appropriation under section 20.143 (1) (c) of the statutes, as affected by this
17 act, to the city of Menasha for pedestrian enhancements to its city square if the city
18 of Menasha contributes funds for the project that at least equal the amount of the
19 grant.

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

21 ✓*b0469/4.5* (5d) PROFITABILITY REQUIREMENT.

22 (a) In this subsection:

23 1. “Prison contract” has the meaning given in section 303.01 (11) (a) 2. of the
24 statutes.

1 2. “Profitable” means earning a profit, as determined by the report described
2 in paragraph (b), during at least three quarters of calendar year 2000.

3 (b) The department of corrections and the department of administration shall
4 submit a report to the joint committee on finance for each quarter of calendar year
5 2000 providing the department of corrections’ cash balance summary under each
6 prison contract. Each report shall be prepared within 30 days after the end of the
7 quarter. The report for the 4th quarter shall state whether the department’s
8 operations under at least two-thirds of its prison contracts were profitable during
9 calendar year 2000. If less than two-thirds of its prison contracts were profitable,
10 the department of corrections shall terminate its program for contracting with
11 private employers under section 303.01 (2) (em) of the statutes.

12 (c) If the report under paragraph (b) states that less than two-thirds of prison
13 contracts were profitable during calendar year 2000, the cochairpersons of the joint
14 committee on finance shall certify that fact to the revisor of statutes no later than
15 March 1, 2001. Upon the certification, the revisor of statutes shall publish notice in
16 the Wisconsin Administrative Register of the report and that, as of March 1, 2001,
17 the treatment of sections 20.410 (1) (gi), (hm) and (km), 108.07 (8) (b), 303.01 (8) (b),
18 (c), (d) and (e), 303.06 (3) and 303.21 (1) (b) of the statutes and the repeal of section
19 303.01 (2) (em) and (11) of the statutes have taken effect.

20 ✓***b0470/2.1*** (3z) REPORT ON OUT-OF-STATE INMATE TRANSFERS. The department
21 of corrections shall submit a report to the joint committee on finance by July 1, 2000,
22 regarding Wisconsin inmates transferred to and confined in other states under
23 section 301.21 (1m) and (2m) of the statutes. The report shall address all of the
24 following:

1 (a) The overall impact that transfers have on prison populations in Wisconsin
2 and projections regarding future out-of-state transfers.

3 (b) The total cost of out-of-state transfers to the department, including the cost
4 of incarceration and transportation.

5 (c) The types of inmates being transferred based on the crimes for which the
6 inmates have been sentenced.

7 (d) Department policies regarding how inmates are selected for out-of-state
8 transfers.

9 (e) The average length of an inmate's stay in an out-of-state prison.

10 (f) The specific services, programs and treatment provided to inmates in
11 out-of-state prisons compared to inmates confined in Wisconsin prisons.

12 (g) Complaint procedures for inmates in out-of-state prisons, the number of
13 complaints that have been received, the types of complaints that have been
14 submitted and the ways in which the out-of-state prisons have addressed the
15 complaints.

16 (h) The rate of recidivism for inmates who have been confined in out-of-state
17 prisons compared to those remaining in Wisconsin for the entire sentence, classified
18 by the crimes for which the inmates have been sentenced.

19 (i) The impact of transfers on inmates' families in Wisconsin, the information
20 that inmates' families receive on the treatment of inmates and the ways in which the
21 department has attempted to respond to concerns of the families.

22 (j) The steps taken by the department to implement alternatives to prison
23 transfers, the number of persons involved in enhanced community supervision
24 programs, the success of those programs and the feasibility of reducing prison

1 transfers through increasing the use of some combination of community supervision
2 programs.

3 (k) The effects that the elimination of parole and probation would have on the
4 number of prisoners who will be sentenced to a term of imprisonment by Wisconsin
5 courts and on recidivism rates for all prisoners.

6 (L) An evaluation of the health of inmates in out-of-state prisons and the
7 health care provided to them.

8 */*b0523/3.9** (4xt) PRIVATE CORRECTIONAL FACILITIES.

9 (a) *Definition.* In this subsection, “private correctional facility” means, along
10 with the land on which it is situated, a building, structure or facility meeting all of
11 the following requirements:

12 1. The building, structure or facility has been or is being constructed on the
13 effective date of this subdivision.

14 2. The building, structure or facility has been or is being constructed for the
15 confinement of one or more individuals who, as a result of a court order from any
16 jurisdiction, are in custody for the commission or alleged commission of a crime and
17 who would be classified as medium or maximum security under the department of
18 corrections’ security classification system.

19 3. The building, structure or facility has not been and is not being constructed
20 under a contract with the department of administration, a county, a group of counties
21 acting under section 302.44 of the statutes, the department of corrections and any
22 county or group of counties acting under section 302.45 of the statutes, the United
23 States or a federally recognized American Indian tribe or band in this state.

24 (b) *Acquisition or lease of private correctional facilities.* The department of
25 administration shall, no later than the 30th day after the effective date of this

1 paragraph, commence efforts to negotiate with the owner of each private correctional
2 facility located in this state to purchase the facility or to lease the facility. If the
3 department reaches an agreement to purchase or lease the facility, the purchase or
4 lease is subject to approval of the building commission and the joint committee on
5 finance. If the department is unable to reach an agreement with the owner, the
6 building commission may, notwithstanding section 13.48 (16) of the statutes, acquire
7 the private correctional facility by condemnation under section 32.06 of the statutes,
8 except that this paragraph constitutes the determination of the necessity of taking
9 for the purposes of section 32.06 (1) of the statutes. Section 13.48 (19) (b) of the
10 statutes, as created by this act, does not apply to the lease or acquisition of a private
11 correctional facility under this paragraph.

12 (c) *Returning prisoners from out-of-state facilities.* The department of
13 corrections shall use the increase in beds resulting from any lease or acquisition of
14 private correctional facilities under paragraph (b) to reduce its reliance on contracts
15 for the transfer and confinement of Wisconsin prisoners in other states under section
16 301.21 of the statutes and to return to correctional facilities in Wisconsin prisoners
17 who are confined in other states under those contracts.

18 (d) *Inapplicability to juvenile facilities.* This subsection does not apply to a
19 building, structure or facility that has been or is being constructed solely to confine
20 juveniles alleged or found to be delinquent.

21 ~~/*-0480/2.9112*~~ SECTION 9112. Nonstatutory provisions; court of
22 appeals.

23 ~~/*-0480/2.9113*~~ SECTION 9113. Nonstatutory provisions; educational
24 communications board.

25 ~~/*-0480/2.9114*~~ SECTION 9114. Nonstatutory provisions; elections board.

1 ✓ ***-0480/2.9115* SECTION 9115. Nonstatutory provisions; employe trust**
2 **funds.**

3 ✓ ***-0480/2.9116* SECTION 9116. Nonstatutory provisions; employment**
4 **relations commission.**

5 ✓ ***-0480/2.9117* SECTION 9117. Nonstatutory provisions; employment**
6 **relations department.**

7 ✓ ***-0480/2.9118* SECTION 9118. Nonstatutory provisions; ethics board.**

8 ✓ **SECTION 9119. Nonstatutory provisions; financial institutions.**

9 ✓ ***-0480/2.9121* SECTION 9121. Nonstatutory provisions; governor.**

10 ✓ ***-0480/2.9122* SECTION 9122. Nonstatutory provisions; Health and**
11 **Educational Facilities Authority.**

12 ✓ **SECTION 9123. Nonstatutory provisions; health and family services.**

13 ***-0030/2.9123* (1) RULES FOR FAMILY CARE BENEFIT.** Using the procedure under
14 section 227.24 of the statutes, the department of health and family services shall
15 promulgate the rules required under sections 46.286 (4) to (7), 46.288 (1) to (3) and
16 50.02 (2) (d) of the statutes, as created by this act, for the period before the effective
17 date of the permanent rules promulgated under sections 46.286 (4) to (7), 46.288 (1)
18 to (3) and 50.02 (2) (d) of the statutes, as created by this act, but not to exceed the
19 period authorized under section 227.24 (1) (c) and (2) of the statutes.
20 Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department
21 is not required to provide evidence that promulgating a rule under this subsection
22 as an emergency rule is necessary for the preservation of the public peace, health,
23 safety or welfare and is not required to provide a finding of emergency for a rule
24 promulgated under this subsection.

1 ✓*b0591/3.73* (1m) REPORT ON FAMILY CARE. By November 1, 2000, the
2 department of health and family services shall submit to the governor, as part of the
3 department's 2001–03 biennial budget request, a report that describes the
4 implementation and outcomes of the pilot projects under section 46.281 (1)(d) of the
5 statutes and that makes recommendations on the family care program under
6 sections 46.2805 to 46.2895 of the statutes, as created by this act.

7 ✓*b0591/3.73* (1n) ALTERNATIVE TO FAMILY CARE.

8 (a) The department of health and family services shall, as soon as possible
9 before July 1, 2002, seek waivers of federal medical assistance statutes and
10 regulations from the federal department of health and human services that are
11 necessary to implement in up to 3 pilot sites a model for the provision of long-term
12 care that is an alternative to the family care program under sections 46.2805 to
13 46.2895 of the statutes, as created by this act, that would have all of the following
14 characteristics:

15 1. Medical assistance coverage of services under waiver programs under
16 sections 46.27 (11), 46.275, 46.277 and 46.278 of the statutes would be expanded to
17 include selected services specified under section 49.46 (2) (b) of the statutes,
18 including personal care and home health care.

19 2. Counties in which the pilot sites are located would provide or contract for the
20 provision of, organize or arrange for long-term care services to eligible persons, but
21 would not be required to compete with private or nonprofit organizations for
22 contracts to provide the long-term care.

23 3. Counties in which the pilot sites are located would provide services of a
24 resource center, as specified under section 46.283 (4) of the statutes, as created by
25 this act. However, the entity providing the services need not be separate from an

1 entity that provides, contracts for the provision of, organizes or arranges for
2 long-term care services under subdivision 2., except that a county may contract for
3 the provision of functions if necessary to obtain federal waiver approval.

4 4. The cost of the program would not exceed the cost of relevant aspects of the
5 family care program.

6 5. Pilot sites would be required to reduce average costs per person served in the
7 areas of the sites under sections 46.27 (11), 46.275, 46.277 and 46.278 of the statutes
8 for the calendar year preceding implementation of the alternative model, in order to
9 serve additional persons on waiting lists for the services.

10 6. The department of health and family services would distribute funding to
11 the pilot sites on a per person per month payment basis using the same methodology
12 as that used under section 46.284 (5) (a) of the statutes, as created by this act, as
13 adjusted for the specific services provided.

14 7. The risk-sharing provisions specified under section 46.284 (5) of the
15 statutes, as created by this act, would apply to pilot sites.

16 8. Resource centers operated by pilot sites would be required to provide or
17 contract for the provision of services specified under section 46.283 (3) (a), (b), (e), (f),
18 (g), (i) and (k) of the statutes, as created by this act.

19 (b) If the federal waivers specified under paragraph (a) are approved, the
20 department of health and family services shall as soon as possible before July 1,
21 2002, seek enactment of statutory language, including appropriation of necessary
22 funding, to implement the model described under paragraph (a), as approved under
23 the federal waivers.

24 ✓*-0266/3.9123* (2) HEALTH INSURANCE RISK-SHARING PLAN AND MEDICAL
25 ASSISTANCE PURCHASE PLAN. The department of health and family services shall

1 evaluate how to coordinate the health insurance risk-sharing plan under chapter
2 149 of the statutes, as affected by this act, and the medical assistance purchase plan
3 under section 49.472 of the statutes, as created by this act. If necessary, the
4 department shall develop proposed legislation that coordinates the programs and
5 that addresses the provision of health care coverage for individuals who are eligible
6 for both programs.

7 ✓ ***-0326/3.9123*** (3) MENTAL HEALTH AND ALCOHOL OR OTHER DRUG ABUSE MANAGED
8 CARE DEMONSTRATION PROJECTS.

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

17 (b) The department of health and family services shall submit for approval by
18 the secretary of the federal department of health and human services any requests
19 for waiver of federal medical assistance laws that are necessary to secure federal
20 financial participation for the managed care demonstration projects under this
21 subsection. Regardless of whether a waiver is approved, the department of health
22 and family services may contract for the provision of the managed care
23 demonstration projects under this subsection.

24 ✓ ***-0483/4.9123*** (5) PRELIMINARY BREATH SCREENING INSTRUMENTS. From the
25 appropriation account under section 20.435 (6) (hx) of the statutes, as affected by this

1 act, the secretary of administration shall transfer \$290,900 to the appropriation
2 account under section 20.395 (5) (ci) of the statutes not later than 30 days after the
3 effective date of this subsection.

4 ✓*b0522/3.4* (6tt) BADGER CARE PREMIUMS FOR NATIVE AMERICANS. If the
5 department of health and family services receives notification from the federal
6 department of health and human services that Native Americans may not be
7 required to contribute to the cost of health care coverage under the badger care
8 program under section 49.665 of the statutes, as affected by this act, the department
9 shall request the joint committee on finance to supplement the appropriation
10 account under section 20.435 (4) (bc) of the statutes, as affected by this act, from the
11 appropriation account under section 20.865 (4) (a) of the statutes for the 1999–2001
12 fiscal biennium. If, within 14 days after receiving the request, the cochairpersons
13 of the committee do not notify the secretary that the committee has scheduled a
14 meeting for the purpose of approving the request for supplementation, the request
15 shall be considered approved and the appropriation account under section 20.435 (4)
16 (bc) of the statutes, as affected by this act, shall be supplemented from the
17 appropriation account under section 20.865 (4) (a) of the statutes in the amount
18 requested.

19 ✓*b0522/3.4* (6tu) GRANTS TO TRIBAL HEALTH CENTERS. No later than September
20 1, 1999, the department of health and family services shall submit a plan to the joint
21 committee on finance that specifies the distribution formula for grants under section
22 146.19 (2m) of the statutes, as created by this act. If, within 14 days after receiving
23 the plan, the cochairpersons of the committee do not notify the secretary that the
24 committee has scheduled a meeting for the purpose of reviewing the plan, the
25 department shall distribute the grants under section 146.19 (2m) of the statutes, as

1 created by this act, in accordance with the plan. If, within 14 days after receiving
2 the plan, the cochairpersons notify the secretary that the committee has scheduled
3 a meeting for the purpose of reviewing the plan, the department may not distribute
4 the grants except as approved by the committee.

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 ✓***b0486/1.2*** (7w) CLIENT ASSISTANCE FOR REEMPLOYMENT AND ECONOMIC SUPPORT.
12 The departments of health and family services and workforce development shall
13 jointly develop a plan to modify the client assistance for reemployment and economic
14 support system such that an individual may have his or her eligibility for any public
15 assistance program determined independently of his or her eligibility for any other
16 public assistance program. The departments shall submit their plan to the joint
17 committee on finance not later than November 1, 1999.

18 ✓***b0488/1.1*** (7t) NOCTURNAL ENURESIS STUDY. The department of health and
19 family services shall conduct a study of the efficacy of urine alarms used in
20 conjunction with behavior modification therapy and case management, including
21 bimonthly visits with a specialist, as a treatment for nocturnal enuresis. Not later
22 than January 1, 2000, the department shall report its findings to the appropriate
23 standing committees of the legislature in the manner provided under section 13.172
24 (3) of the statutes. The department shall include in its report the estimated costs of
25 covering under the medical assistance program the treatment studied.

1 ✓ ***b0206/1.1*** (8t) REPORT ON HUNTINGTON'S DISEASE.

2 (a) In this subsection, "Huntington's disease" means an inherited, degenerative
3 disease that usually begins during mid-life, is characterized by intellectual decline
4 and irregular and involuntary movement of the limbs or facial muscles and may
5 include personality change, memory disturbance, slurred speech, impaired
6 judgment and psychiatric disorders.

7 (b) By January 1, 2000, the department of health and family services shall
8 submit to the joint committee on finance a report on service provided to individuals
9 with Huntington's disease that includes information on all of the following:

10 1. In each county of the state, the number of individuals with any type of
11 disability who receive services under any of the following:

12 a. The long-term support community options program under section 46.27 (7)
13 of the statutes.

14 b. The long-term support community options program under section 46.27 (11)
15 of the statutes.

16 c. The community integration program under section 46.277 of the statutes.

17 d. County revenues.

18 2. In each county of the state, the number and percentage of individuals with
19 Huntington's disease who receive services under the programs or source specified in
20 subdivision 1. a. to d.

21 3. The type of services that individuals with any type of disability, including
22 Huntington's disease, receive under the programs or source specified in subdivision
23 1. a. to d.

24 ✓ ***b0229/1.3*** (8d) STUDY ON ELECTRONIC BENEFITS TRANSFER SYSTEMS UNDER THE
25 SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN.

1 (a) The department of health and family services shall study all of the
2 following:

3 1. The program and operational requirements of establishing an electronic
4 benefit transfer system under the supplemental food program for women, infants
5 and children.

6 2. Information system requirements for administering an electronic benefit
7 transfer system under the supplemental food program for women, infants and
8 children.

9 3. Compatibility of an electronic benefit transfer system under the
10 supplemental food program for women, infants and children with existing electronic
11 benefit transfer systems.

12 4. The costs and benefits of implementing an electronic benefit transfer system
13 to the department of health and family services, participants and vendors under the
14 supplemental food program for women, infants and children.

15 5. Possible funding sources for the implementation of an electronic benefit
16 transfer system under the supplemental food program for women, infants and
17 children.

18 (b) Not later than January 1, 2001, the department of health and family
19 services shall report the findings of the study under paragraph (a) to the
20 cochairpersons of the joint committee on finance. The report shall also include
21 recommendations for fraud reduction under the supplemental food program for
22 women, infants and children.

23 ✓*b0232/1.1* (8x) HEALTH CARE INFORMATION PROPOSAL. By June 30, 2001, the
24 department of health and family services may develop and submit a proposal to the
25 department of administration for supplemental expenditure and position authority

1 for the conduct of health care data collection activities by the subunit of the
2 department of health and family services that deals with health care information.
3 If submitted, the proposal shall identify potential sources of revenue to support
4 proposed health care data collection activities. The department of administration
5 may modify any proposal received and may submit the proposal to the
6 cochairpersons of the joint committee on finance. If the cochairpersons of the
7 committee do not notify the secretary of administration within 14 working days after
8 receiving the proposal that the cochairpersons have scheduled a meeting for the
9 purpose of reviewing the proposal, the department of administration may approve
10 the proposed expenditure and position authority, including any proposed
11 modifications of the department of administration. If, within 14 working days after
12 receiving the proposal, the cochairpersons notify the secretary of administration that
13 the cochairpersons have scheduled a meeting for the purpose of reviewing the
14 proposal, the department of administration may not approve the proposed
15 expenditure and position authority, including any proposed modifications of the
16 department of administration, except as approved by the committee.

17 ✓*b0411/5.15* (9i) TOBACCO CONTROL COUNCIL. Notwithstanding section 15.197
18 (28) (b) of the statutes, as created by this act, 4 of the initial members of the tobacco
19 control council appointed under section 15.197 (28) (a) 5. to 12. of the statutes, as
20 created by this act, shall serve for terms expiring on July 1, 2003; 5 of the initial
21 members of the tobacco control council appointed under section 15.197 (28) (a) 5. to
22 12. of the statutes, as created by this act, shall serve for terms expiring on July 1,
23 2002; and 4 of the initial members of the tobacco control council appointed under
24 section 15.197 (28) (a) 5. to 12. of the statutes, as created by this act, shall serve for
25 a term expiring on July 1, 2001.

1 ✓ ***b0411/5.15*** (9k) GRANT TO COMMUNITY HEALTH CENTER.

2 (a) Subject to paragraph (b), the department of health and family services shall
3 award \$1,000,000 in fiscal year 1999–2000 as a grant to a community health center
4 that is located in a 1st class city and that emphasizes the health care needs of
5 minority group members, as defined in section 146.185 (1) (f) of the statutes, as
6 created by this act, high–risk pregnant women, infants, children and the elderly.

7 (b) The department of health and family services may not award the grant
8 under paragraph (a) unless the department submits to the cochairpersons of the joint
9 committee on finance a report that details the amount of the proposed grant and the
10 services to be provided under the grant by the community health center. If the
11 cochairpersons of the committee do not notify the secretary of health and family
12 services within 14 working days after receiving the report that the committee has
13 scheduled a meeting for the purpose of reviewing the report, the department of
14 health and family services shall award the grant under paragraph (a). If, within 14
15 working days after receiving the report, the cochairpersons notify the secretary of
16 health and family services that the committee has scheduled a meeting for the
17 purpose of reviewing the report, the department of health and family services may
18 award the grant under paragraph (a) only if, and to the extent that, it is approved
19 by the committee.

20 ✓ ***b0483/3.10*** (8n) LIMITATION ON REDUCTION OF REIMBURSEMENT FOR
21 PHARMACEUTICAL DRUGS. During the 1999–01 fiscal biennium, the department of
22 health and family services may not discount the average wholesale price of
23 pharmaceutical drugs provided under section 49.45 of the statutes to medical
24 assistance recipients by more than 10% if the department reimburses for those

1 pharmaceuticals under a formula that takes into account the average wholesale
2 price, and the department may not reduce pharmacy dispensing fees.

3 ✓**b0483/3.10*** (8p) HOSPITAL SUPPLEMENT FOR UNCOMPENSATED CARE. In fiscal
4 year 1999–2000, the department of health and family services shall provide
5 \$1,000,000 from the appropriation account under section 20.435 (4) (b) of the statutes
6 and \$1,422,900 from the appropriation account under section 20.435 (4) (o) of the
7 statutes as a supplementary payment to hospitals in Wisconsin that experienced an
8 increase of at least 25% in uncompensated care during the period from January 1,
9 1997, to December 31, 1998. The department shall calculate a qualifying hospital's
10 supplementary payment amount by multiplying the total amount by the percentage
11 obtained by dividing the hospital's total uncompensated care from January 1, 1997,
12 to December 31, 1998, by the total uncompensated care for all qualifying hospitals
13 for that period.

14 ✓**b0483/3.10*** (8q) DENTAL OUTREACH AND EDUCATION. The department of health
15 and family services shall develop a dental outreach and education plan for dentists
16 and medical assistance recipients to educate recipients on the importance of oral
17 health for children and the parent's role in achieving it, how to access dental services,
18 expectations and appropriate behavior in a dental office and the importance of
19 keeping scheduled appointments. The department of health and family services
20 shall develop the plan in consultation with the department of public instruction, the
21 department of workforce development, the Wisconsin dental association, state
22 dental and dental hygiene schools, community health care providers, medical
23 assistance recipients and health care advocates. Not later than January 1, 2000, the
24 department of health and family services shall submit the plan to the governor and
25 to the appropriate standing committees of the legislature in the manner provided

1 under section 13.172 (3) of the statutes. The department of health and family
2 services shall include with the plan a fiscal estimate for implementing the plan on
3 a statewide basis, identifying those components of the plan that would be eligible for
4 funding under federal temporary assistance for needy families block grant funding
5 or federal medical assistance administrative matching funds.

6 ***b0511/3.3*** (8m) FACILITY PAYMENT; WAGE OR SALARY AND FRINGE BENEFITS
7 SUPPLEMENT.

8 (a) In addition to any facility payment rate increases for state fiscal years
9 1999–2000 and 2000–01, in order to permit a facility, as defined in section 49.45 (6m)
10 (a) 3. of the statutes, to increase wages or salaries and fringe benefits for or increase
11 staff hours of nurse’s assistants, as determined by the department of health and
12 family services, from the appropriations under section 20.435 (4) (b) and (o) of the
13 statutes the department shall, beginning October 1, 1999, supplement facility
14 payment rates under section 49.45 (6m) (av) of the statutes by an amount not to
15 exceed \$8,309,000 in state fiscal year 1999–2000 and \$11,078,600 in state fiscal year
16 2000–01, or by 5% of the total amount of wages reported in the 1998 cost reports of
17 facilities, whichever is less. The department shall calculate each facility’s maximum
18 payment per patient day under this subsection by multiplying by 5% the amount
19 obtained by dividing the total of nurse’s assistants’ wages or salaries of the facility
20 by the total number of patient days of the facility, as indicated by the facility’s 1998
21 cost reports. Each facility may apply to the department for up to the total maximum
22 amount per patient day calculated for the facility and receive that supplemental
23 amount for each medical assistance day of service provided.

24 (b) In order to ensure that a supplement provided to a facility under paragraph
25 (a) was expended in accordance with the purpose specified in paragraph (a), the

1 department of health and family services shall examine facility cost reports covering
2 the period during state fiscal year 1999–2000, as compared with reports covering the
3 period during state fiscal year 1998–99, and facility cost reports covering the period
4 during state fiscal year 2000–01, as compared with reports covering the period
5 during state fiscal year 1998–99, to determine whether the facility’s nurse’s
6 assistants’ wage or salary and fringe benefits costs per patient day have increased
7 over the base year by a percentage that is at least equal to the percentage of increase
8 under the supplement under paragraph (a). The department shall adjust the
9 required percentage increase to account for all of the following:

10 1. Any payment rate increase or decrease applicable to the facility that is in
11 effect beginning July 1, 1999, and is other than the supplement under paragraph (a).

12 2. The fact that the wage supplement percentage increase is based only on
13 wages and salaries, while the cost comparison also includes fringe benefits.

14 3. Any decrease or increase in the facility’s expenditures for contracted labor
15 services.

16 4. Any change in the facility’s patient acuity levels.

17 5. Whether or not the facility’s reporting period corresponds to the supplement
18 payment period.

19 6. Any other factor that the department determines is relevant and that is
20 readily available in the data base of the department.

21 (c) If the department of health and family services determines that a
22 supplement under paragraph (a) provided to a facility was not expended as required
23 under paragraph (b), the department may recoup that part of the supplement that
24 was not expended as required.

1 ✓ *b0527/1.5* (8e) KINSHIP CARE SUPPLEMENT. From the appropriation under
2 section 20.435 (3) (kc) of the statutes, the department of health and family services
3 shall allocate \$500,000 in fiscal year 1999–2000 to supplement the allocations to
4 counties and, in a county having a population of 500,000 or more, that department
5 under section 48.57 (3m) (am) (intro.) and (3n) (am) (intro.) of the statutes in order
6 to prevent the need to place a kinship care relative, as defined in section 48.57
7 (a) of the statutes, or a long-term kinship care relative, as defined in section 48.57
8 (3n) (a) of the statutes, who is eligible for the receipt of payments under section 48.57
9 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes on a waiting list for those
10 payments if payments under section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of
11 the statutes by a county or, in a county having a population of 500,000 or more, by
12 that department exceed the amount allocated to that county or that department. If
13 payments under section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes
14 by a county or, in a county having a population of 500,000 or more, by the department
15 of health and family services exceed the amount allocated to that county or that
16 department, the county or department may request supplemental funding under
17 this subsection. If the department of health and family services determines that
18 supplemental funding is necessary to eliminate a waiting list for payments under
19 section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes in a county, the
20 department shall supplement the amount allocated to the requesting county or
21 department. Notwithstanding sections 20.001 (3) (c) and 20.435 (3) (kc) of the
22 statutes, the department of health and family services may carry forward to fiscal
23 year 2000–01 the unencumbered balance of the amount allocated under this
24 subsection on June 30, 2000. If the entire amount allocated under this subsection
25 is encumbered before July 1, 2001, the department of health and family services shall

1 request a supplemental appropriation under section 16.515 of the statutes. This
2 subsection does not preclude the department of health and family services from
3 reallocating moneys allocated to a county or, in a county having a population of
4 500,000 or more, that department under section 48.57 (3m) (am) (intro.) or (3n) (am)
5 (intro.) of the statutes in order to address a waiting list in another county.

6 ✓*b0685/1.1* (11g) KINSHIP CARE ADMINISTRATION. The department of health and
7 family services shall reallocate a previously authorized 1.0 GPR FTE position on
8 October 1, 1999, to provide increased oversight of the kinship care program under
9 section 48.57 (3m) to (3t) of the statutes. The 1.0 GPR FTE position shall provide
10 program oversight and monitoring, serve as a liaison to the department of workforce
11 development and the bureau of Milwaukee child welfare services in the department
12 of health and family services and develop policies and procedures relating to the
13 kinship care program. If the position reallocation required under this subsection
14 requires a transfer of moneys between appropriations, the department of health and
15 family services shall request the joint committee on finance to approve that transfer.

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 from the housing rehabilitation loan program administration fund to
23 the Wisconsin development reserve fund[△] the lesser of \$5,845,215 or the amount
24 needed to cover the guaranteed default amount of the loan to the Taliesin
25 Preservation Commission[△].

1 ✓ **SECTION 9126. Nonstatutory provisions; insurance.**

2 ✓ **SECTION 9127. Nonstatutory provisions; investment board.**

3 ✓ ***b0572/2.3*** (1g) BONUS COMPENSATION PAID TO CERTAIN EMPLOYES OF THE
4 INVESTMENT BOARD. Any employe of the investment board who was awarded a bonus
5 before the effective date of this subsection under section 25.156 (6), 1997 stats.,
6 pursuant to a plan of bonus compensation adopted by the investment board, shall be
7 entitled to receive any unpaid part of the bonus as provided under the terms of the
8 plan of bonus compensation, provided that the employe satisfies all conditions
9 specified in section 25.156 (6) and (7), 1997 stats.

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

12 ✓ ***-0480/2.9129*** **SECTION 9129. Nonstatutory provisions; judicial**
13 **commission.**

14 ✓ ***-0480/2.9130*** **SECTION 9130. Nonstatutory provisions; justice.**

15 ***b0461/4.25*** (1t) LAW ENFORCEMENT TRAINING FOR TOMORROW PROGRAM. Of the
16 moneys appropriated to the department of justice under section 20.455 (2) (ja) of the
17 statutes, \$388,100 for fiscal year 1999–2000 and \$345,100 in fiscal year 2000–01 is
18 allocated to implement the Training for Tomorrow program for revising and
19 expanding law enforcement training and may not be encumbered or expended unless
20 the department of justice first submits to the cochairpersons of the joint committee
21 on finance a written plan for the use of the allocated funds. If the cochairpersons of
22 the committee do not notify the department within 14 working days after the date
23 of submittal of the plan that the committee has scheduled a meeting for the purpose
24 of reviewing the plan, the plan may be implemented as proposed by the department.
25 If, within 14 working days after the date of submittal, the cochairpersons of the

1 committee notify the department that the committee has scheduled a meeting for the
2 purpose of reviewing the plan, the plan may be implemented only upon approval of
3 the committee.

4 ✓~~*0480/2.9131*~~ SECTION 9131. **Nonstatutory provisions; legislature.**

5 *b0252/2.1* (1g) AUDIT OF EMERGENCY RESPONSE PROGRAMS. The joint legislative
6 audit committee is requested to direct the legislative audit bureau to perform a
7 financial and performance audit of the programs in the department of military
8 affairs, division of emergency management, funded under section 20.465 (3) (dd),
9 (dh), (dp), (dr), (dt), (jt) and (t) of the statutes. If the committee directs the legislative
10 audit bureau to perform the requested audit, the bureau shall file its report as
11 described under section 13.94 (1) (b) of the statutes by January 31, 2000.

12 ✓~~*b0342/2.1*~~ (1x) ECONOMIC DEVELOPMENT AUDIT.

13 (a) The joint legislative audit committee is requested to consider directing the
14 legislative audit bureau to perform a performance evaluation audit of the state's
15 economic development programs to determine whether the state:

16 1. Has a comprehensive economic development strategy that enables the state
17 to compete effectively with other states.

18 2. Has a comprehensive state economic development budget that accounts for
19 development-related expenditures by all relevant agencies and that plans
20 adequately for future economic development investments.

21 3. Is using both tax policies and performance-based incentives to foster and
22 improve future competition and economic growth.

23 4. Has existing incentive programs that complement and further the state's
24 overall economic development goals.

1 5. Clearly defines strategic economic development goals for the state's
2 economic development finance programs and manages and monitors the programs
3 on that basis.

4 6. Could effectively implement a performance-based economic development
5 strategy.

6 (b) If the joint legislative audit committee directs the legislative audit bureau
7 to perform an audit, the bureau shall file its report as provided in section 13.94 (1)
8 (b) of the statutes.

9 ✓***b0362/2.1*** (1t) AUDIT OF MILWAUKEE CHILD WELFARE ADMINISTRATION. The joint
10 legislative audit committee is requested to direct the legislative audit bureau to
11 perform a performance evaluation audit of the administration of child welfare
12 services in Milwaukee County by the department of health and family services. If
13 the committee directs the legislative audit bureau to perform the audit, the audit
14 shall include an evaluation of the use of private agencies in providing those child
15 welfare services; the provision of services to children who are placed in out-of-home
16 care, including case management services and services provided to the families of
17 those children; safety services provided to children who are placed in their own
18 homes; and the use of termination of parental rights and adoption as a permanency
19 planning goal for children who are placed in out-of-home care. If the committee
20 directs the legislative audit bureau to perform the audit, the bureau shall file its
21 report as described under section 13.94 (1) (b) of the statutes by January 1, 2003.

22 ✓***b0411/5.17*** (2g) FINANCIAL AUDITS OF THE MEDICAL COLLEGE OF WISCONSIN AND
23 THE UNIVERSITY OF WISCONSIN CENTER FOR TOBACCO RESEARCH AND INTERVENTION.

24 (a) Beginning on July 1, 2001, the legislative audit bureau shall conduct a
25 financial audit of the Medical College of Wisconsin that examines the use of funds

1 appropriated under section 20.250 (1) (k) of the statutes, as created by this act, and
2 shall file its report as described under section 13.94 (1) (b) of the statutes by June 30,
3 2002.

4 (b) Beginning on July 1, 2000, the legislative audit bureau shall conduct a
5 financial audit of the tobacco research and intervention center at the University of
6 Wisconsin–Madison that examines the use of funds appropriated under section
7 20.285 (1) (kr) of the statutes, as created by this act, and shall file its report as
8 described under section 13.94 (1) (b) of the statutes by June 30, 2001.

9 ✓*b0441/2.7* (2t) AUDIT OF AIR MANAGEMENT PROGRAM. The joint legislative audit
10 committee is requested to direct the legislative audit bureau to perform a
11 performance evaluation audit of the department of natural resource's air
12 management program, including a comparison of federally required aspects of the
13 program and aspects required only by state law.

14 ✓*b0513/3.1* (1e) RADIO BODY ALARM SYSTEM FOR MENDOTA MENTAL HEALTH
15 INSTITUTE.

16 (a) In this subsection:

- 17 1. "Hertz" means a unit of frequency equal to one cycle per second.
- 18 2. "Megahertz" means a unit of frequency equal to 1,000,000 hertz.

19 (b) During state fiscal biennium 1999–2001, from the appropriation under
20 section 20.865 (4) (a) of the statutes, the joint committee on finance may supplement
21 the appropriation to the Mendota Mental Health Institute under section 20.435 (2)
22 (a) of the statutes by \$233,000 for the purchase or lease, as recommended by the
23 committee, of an 800 megahertz radio body alarm system for use by staff members
24 of the institute who have direct contact with patients.

1 ✓ ***b0591/3.74*** (1m) EVALUATION OF FAMILY CARE PILOT PROJECTS. As soon as
2 possible, the legislative audit bureau shall contract with an organization other than
3 an agency of the state to evaluate the pilot projects under section 46.281 (1) (d) of the
4 statutes, as created by this act, and pilot projects under SECTION 9123 (1n) of this act
5 as to cost-effectiveness, client access to services and quality of care.

6 ✓ ***b0607/3.17*** (3z) STUDY OF SPECIAL TRANSFER PROGRAM. The joint legislative
7 council is requested to conduct a study of the special transfer program under
8 subchapter VI of chapter 121 of the statutes. If the joint legislative council conducts
9 the study, it shall report its findings, conclusions and recommendations to the
10 legislature in the manner provided under section 13.172 (2) of the statutes by
11 January 1, 2000.

12 ✓ ***-0480/2.9132*** SECTION 9132. Nonstatutory provisions; lieutenant
13 governor.

14 ✓ ***-0480/2.9133*** SECTION 9133. Nonstatutory provisions; lower
15 Wisconsin state riverway board.

16 ✓ ***-0480/2.9134*** SECTION 9134. Nonstatutory provisions; Medical
17 College of Wisconsin.

18 ✓ ***-0480/2.9135*** SECTION 9135. Nonstatutory provisions; military affairs.

19 ✓ ***b0253/2.1*** (1z) REQUEST FOR ADDITIONAL FUNDING FOR TUITION GRANT PROGRAM.
20 If the department of military affairs determines that the amount appropriated under
21 section 20.465 (2) (a) of the statutes for the payment of national guard tuition grants
22 is anticipated to be insufficient to fully fund the eligible tuition costs under section
23 21.49 of the statutes in fiscal year 1999–2000 or in fiscal year 2000–01, the
24 department shall, during that fiscal year, request the additional funding necessary

1 to fully fund the eligible tuition costs from the joint committee on finance under
2 section 13.10 of the statutes.

3 ✓ **SECTION 9136. Nonstatutory provisions; natural resources.**

4 ***-0197/5.9136*** (1) RULES FOR SAFETY PROGRAMS OF INSTRUCTION. The
5 department of natural resources may use the procedure under section 227.24 of the
6 statutes to promulgate rules under sections 23.33 (5) (d), 29.591 (3), 30.74 (1) (b) and
7 350.055 of the statutes, as affected by this act. Notwithstanding section 227.24 (1)
8 (c) and (2) of the statutes, the emergency rules may remain in effect until April 1,
9 2000, or the date on which permanent rules take effect, whichever is sooner.
10 Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not
11 required to provide evidence that promulgating a rule under this subsection as an
12 emergency rule is necessary for the preservation of public peace, health, safety or
13 welfare and is not required to provide a finding of emergency for a rule promulgated
14 under this subsection.

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

1 ✓~~*-1423/3.9136*~~ (3) RULES CONCERNING NATURAL ATTENUATION OF GROUNDWATER
2 CONTAMINATION. Using the procedure under section 227.24 of the statutes, the
3 department of natural resources shall promulgate the rules required under section
4 292.15 (2) (ae) of the statutes, as created by this act, for the period before the effective
5 date of the permanent rules under that provision, but not to exceed the period
6 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
7 section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required
8 to provide evidence that promulgating rules under this subsection is necessary for
9 the preservation of the public peace, health, safety or welfare and is not required to
10 provide a finding of emergency for rules promulgated under this subsection.

11 ✓~~b0301/1.4*~~ (3x) WASTEWATER DISCHARGE FEES.

12 (a) *Report.* The department of natural resources shall prepare a report on
13 wastewater discharge fees under section 299.15 (3) (am) of the statutes. The
14 department shall include any recommendation for statutory changes needed to
15 implement section 299.15 (3) (e) of the statutes, as created by this act. The
16 department shall submit its report to the appropriate standing committees of the
17 legislature in the manner provided under section 13.172 (3) of the statutes and to the
18 joint committee on finance no later than February 1, 2000.

19 (b) *Rules.* The department of natural resources shall submit in proposed form
20 the rules required under section 299.15 (3) (e) of the statutes, as created by this act,
21 to the legislative council staff under section 227.15 (1) of the statutes no later than
22 February 1, 2000, and shall promulgate the rules no later than January 1, 2001,
23 unless action by the legislature under chapter 227 of the statutes prevents the
24 department from meeting this deadline.

1 ✓ ***b0344/3.18*** (3yt) RULES RELATED TO PETROLEUM STORAGE REMEDIAL ACTION
2 PROGRAM. The department of natural resources shall submit in proposed form any
3 changes in its rules necessary to conform to the rules under section 101.143 (2) (h),
4 (i) and (j) of the statutes, as created by this act, to the legislature under section 227.19
5 of the statutes no later than June 1, 2000.

6 ✓ ***b0440/1.1*** (3d) FUNDING AND POSITIONS FOR AIR POLLUTION CONTROL
7 CONSTRUCTION PERMIT PROGRAM. If a rule modifying the fees under section 285.69 (1)
8 (a) of the statutes for reviewing and acting upon air pollution control construction
9 permits takes effect during the 1999–2001 fiscal biennium, the department of
10 natural resources shall do all of the following:

11 (a) Request the governor under section 16.505 of the statutes to increase the
12 authorized level of full-time equivalent positions funded from the appropriation
13 account under section 20.370 (2) (ci) of the statutes for reviewing and acting upon air
14 pollution control construction permits.

15 (b) Request the secretary of administration under section 16.515 of the statutes
16 to supplement the appropriation under section 20.370 (2) (ci) of the statutes for the
17 purpose of increasing funding for reviewing and acting upon air pollution control
18 construction permits.

19 ✓ ***-1553/1.9136*** (4) DRINKING WATER STUDY. During the 1999–2001 fiscal
20 biennium, the department of natural resources shall provide a grant from the
21 appropriation under section 20.370 (6) (ck) of the statutes, as created by this act, to
22 the town of Swiss, Burnett County, and the St. Croix band of Chippewa for a study
23 to determine the best technological approaches to addressing water quality problems
24 threatening drinking water and overall water quality problems of the St. Croix,
25 Namekagon and Yellow rivers and for engineering design and feasibility activities

1 related to construction of wastewater and drinking water treatment facilities. The
2 town and the band shall submit a report describing the findings of the study to the
3 department of natural resources and the department of administration no later than
4 January 1, 2001.

5 ~~/*b0442/2.1*~~ (4x) LAND RECYCLING LOAN FOR THE CITY OF KENOSHA.

6 (a) Except as provided in paragraph (b), the department of natural resources
7 and the department of administration shall provide a loan bearing no interest under
8 section 281.60 of the statutes to the city of Kenosha in the amount of \$3,000,000.
9 Section 281.60 (2r) to (11) of the statutes does not apply to the loan under this
10 paragraph. The department of natural resources, the department of administration
11 and the city of Kenosha shall enter into a financial assistance agreement that
12 specifies the use of the loan, the terms of repayment of the loan and a schedule for
13 the dispersal of funds and for completion of the activities to be funded by the loan.

14 (b) Paragraph (a) does not apply if the department of natural resources, the
15 department of administration and the city of Kenosha do not enter into the financial
16 assistance agreement before July 1, 2000.

17 ~~/*-1639/2.9136*~~ (5) RADIO SERVICES.

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

22 (b) *Employe transfers.* There are transferred from the department of natural
23 resources to the department of transportation 7.0 FTE incumbent employes holding
24 positions in the department of natural resources performing duties primarily related
25 to radio services.

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

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

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

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

3 ✓*b0437/2.19* (6g) LOCAL GOVERNMENTAL UNIT NEGOTIATION AND COST RECOVERY
4 PROCESS. No later than January 1, 2001, the department of natural resources shall
5 submit to the legislature, in the manner provided under section 13.172 (2) of the
6 statutes, proposed legislation to make the process for local governmental unit
7 negotiation and cost recovery under section 292.35 of the statutes more efficient and
8 clear. The department shall propose legislation that includes provisions that do all
9 of the following:

10 (a) Provide a more efficient method of providing notice to all parties.

11 (b) Clarify the liability provisions.

12 (c) Clarify the provisions related to the identification of responsible parties.

13 (d) Provide local governmental units with a clear method of dealing with
14 information discovered late in the negotiation and cost recovery process.

15 (e) Require responsible parties to state the basis for their objection to a local
16 governmental unit's offer to settle before seeking designation of an umpire.

17 (f) Require potential umpires to be environmental experts.

18 (g) Require an umpire to submit a proposed recommendation under section
19 292.35 (6) (a) of the statutes and give the parties a period for making comments
20 before the umpire finalizes the recommendation.

21 ✓*b0437/2.19* (6h) BIBLIOGRAPHY OF GROUNDWATER INFORMATION. During the
22 1999–2001 fiscal biennium, the department of natural resources shall create a
23 bibliography of information, on a geographic basis, that identifies all sources of
24 general and site-specific information about groundwater.

1 ✓ ***-1833/2.9136*** (7) STUDY OF LAND APPLICATION OF SEPTAGE. The department of
2 natural resources shall study this state's program for regulating the application of
3 septage to land. No later than September 1, 2000, the department shall submit a
4 report presenting the results of the study, including relevant data, identification of
5 problems and recommendations to improve the program, to the legislature in the
6 manner provided in section 13.172 (2) of the statutes, to the governor and to the
7 department of administration.

8 ✓ ***b0310/1.24*** (7g) RULES FOR URBAN STORM WATER LOAN PROGRAM. The
9 department of natural resources shall submit in proposed form the rules required
10 under section 281.595 (12) of the statutes, as created by this act, to the legislative
11 council staff under section 227.15 (1) of the statutes no later than February 1, 2000,
12 and shall promulgate the rules no later than December 31, 2000, unless action by the
13 legislature under chapter 227 of the statutes prevents the department from meeting
14 this deadline.

15 ✓ ***b0441/2.8*** (8tt) AIR EMISSION FEE RULES. The department of natural resources
16 shall submit in proposed form the rules required under section 285.69 (2) (a) 7. to 11.
17 of the statutes, as created by this act, to the legislative council staff under section
18 227.15 (1) of the statutes no later than July 1, 2001, and shall promulgate the rules
19 no later than March 1, 2002, unless action by the legislature under chapter 227 of
20 the statutes prevents the department from meeting this deadline.

21 ✓ ***b0441/2.8*** (8tu) AIR EMISSION FEE STATUTORY CHANGES. In submitting
22 information under section 16.42 (1) of the statutes for purposes of the 2001-03
23 biennial budget act, the department of natural resources shall include any proposed
24 statutory changes that the department determines are necessary to implement the

1 proposed rules under section 285.69 (2) (a) 7. to 11. of the statutes, as created by this
2 act.

3 ✓*b0441/2.8* (8tv) ADVISORY COMMITTEE FOR AIR MANAGEMENT PERFORMANCE
4 STANDARDS. The natural resources board shall establish a committee under section
5 15.04 (1) (c) of the statutes to advise the department of natural resources in the
6 development of the performance measurements under section 285.11 (18) of the
7 statutes, as created by this act. The board shall include on the committee industry
8 representatives who are knowledgeable about performance and productivity
9 assessment in the area of environmental management, as well as other interested
10 persons.

11 ✓*-1984/1.9136* (9) GRANTS FOR WHEELCHAIR RECYCLING PROJECT. From the
12 appropriation account under section 20.370 (6) (br) of the statutes, as affected by this
13 act, the department of natural resources shall award the following grants to the
14 Wheelchair Recycling Project, a part of the Madison chapter of the National Spinal
15 Cord Injury Association, for the purpose of refurbishing used wheelchairs and other
16 mobility devices and returning them to use by persons who otherwise would not have
17 access to needed or appropriate equipment:

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

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

20 ✓*b0214/2.3* (10x) BOAT REGISTRATION SURCHARGES. Notwithstanding section
21 13.101 (3) of the statutes, the department of natural resources shall request that the
22 joint committee on finance supplement the appropriation under section 20.370 (3)
23 (ar) of the statutes, as affected by this act, for boating safety education during the
24 1999–2001 fiscal biennium, and shall make the request no later than the 2nd
25 quarterly meeting of the joint committee on finance, under section 13.10 of the

1 statutes, to be held in 2000. Notwithstanding section 13.101 (3) (a) of the statutes,
2 the committee is not required to find that an emergency exists before acting upon any
3 such request.

4 ✓*b0263/1.1* (10d) URBAN FORESTRY GRANT FOR MILWAUKEE. From the
5 appropriation under section 20.370 (5) (bw) of the statutes, the department of
6 natural resources shall provide \$50,000 in fiscal year 1999–2000 and \$50,000 in
7 fiscal year 2000–01 to the city of Milwaukee for a tree planting demonstration
8 project.

9 ✓*b0315/2.1* (9c) OCONTO COUNTY BOAT LANDING PROJECT. From the
10 appropriation under section 20.370 (5) (cq) of the statutes, the department of natural
11 resources shall provide to Oconto County funding for a boat landing and breakwall
12 in Park 2 in Oconto County. Oconto County and the department shall contribute
13 funding for the project. The department's contribution shall equal 80% of the
14 project's costs or \$727,200, whichever is less. Oconto County's contribution may be
15 in matching funds or may be in-kind contributions or both. The amount expended
16 under this subsection shall be considered an expenditure for a Great Lakes project
17 as provided in section 30.92 (4) (b) 6. of the statutes. This project need not be placed
18 on the priority list under section 30.92 (3) (a) of the statutes. This subsection does
19 not apply after June 30, 2001.

20 ✓*b0317/1.1* (9d) McDILL LAKE DREDGING PROJECT. From the appropriation
21 under section 20.370 (5) (cq) of the statutes, and before applying the percentages
22 under section 30.92 (4) (b) 6. of the statutes, the department of natural resources
23 shall provide to the McDill Inland Lake Protection and Rehabilitation District the
24 amount that is necessary for the dredging of McDill Lake in Portage County but the
25 amount may not exceed \$250,000. The McDill Inland Lake Protection and

1 Rehabilitation District shall contribute funding for the project equal to 50% of the
2 project's cost. The McDill Inland Lake Protection and Rehabilitation District's
3 contribution may be in matching funds or may be in-kind contributions or both.
4 Notwithstanding section 30.92 (4) (b) 7. or 8. a. of the statutes, the dredging project
5 specified under this subsection qualifies as a recreational boating project for the
6 purpose of expending moneys under this subsection. This project need not be placed
7 on the priority list under section 30.92 (3) (a) of the statutes. This subsection does
8 not apply after June 30, 2001.

9 ✓*b0406/2.3* (10m) STUDY ON WILD CRANES. From the appropriation under
10 section 20.370 (1) (Lk) of the statutes, as created by this act, the department of
11 natural resources shall provide in fiscal year 1999–2000 a total of \$55,000 and in
12 fiscal year 2000–01 a total of \$60,000 to the University of Wisconsin and the
13 International Crane Foundation jointly for a study of crop damage caused in this
14 state by cranes. The study shall be completed before July 1, 2001.

15 ✓*b0671/2.19* (10g) STEWARDSHIP PROGRAMS. The department of natural
16 resources may promulgate emergency rules under section 227.24 of the statutes
17 implementing sections 23.09 (20m) and 30.24 of the statutes, as created by this act.
18 The department may also promulgate emergency rules under section 227.24 of the
19 statutes implementing any provisions of section 23.0915 or 23.0917 of the statutes,
20 as affected by this act, if the rules are necessary for the department to act as
21 authorized or required under section 23.0915 or 23.0917 of the statutes, as affected
22 by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the
23 emergency rules promulgated under this subsection may remain in effect until June
24 30, 2001, or until the date on which the permanent rules take effect, whichever is
25 sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the

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