

**2001 DRAFTING REQUEST**

**Bill**

Received: 02/14/2001

Received By: rryan

Wanted: Soon

Identical to LRB:

For: Senate Chief Clerk 6-2517

By/Representing: Donna Doyle

This file may be shown to any legislator: NO

Drafter: rryan

May Contact:

Alt. Drafters:

Subject: Criminal Law - sentencing

Extra Copies: MGD

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Truth in sentencing

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rryan 02/15/2001			_____			
/1		jdyer 02/26/2001	haugeca 02/26/2001	_____	lrb_docadmin 02/26/2001	lrb_docadmin 02/26/2001	
			jfrantze 02/26/2001	_____			

FE Sent For:

<END>

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1?	rryan	<i>Joy 2-22</i>	<i>Engrossed in 2-21-01 finished 2-22-01</i>	_____	_____		
FE Sent For:			<i>6/2/24</i>	<i>&lt;END&gt;</i>	<i>JKM</i>		<i>2/26</i>

By 2/21/01  
In 2/15/01

(To Be Printed for Legislature)

ENGROSSED 2001 Assembly BILL 3

(Date) February 15, 2001 - Printed by direction of Senate CHIEF CLERK

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Orig       SubAmdt

142812

Amendments to above (if none, write "NONE"): \_\_\_\_\_

AA 2, AA 3, AA 4, AA 5, AA 6

Corrections - show date (if none, write "NONE"): None

<u>2/15/01</u>	<u>Robert Ryan</u>	<u>JPS</u>	
Date	Drafter	Editor	

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	AA5-AB3	000066	000014
2	AA5-AB3	000067	000004
	AA5-AB3	000067	000004
3	AA4-AB3	000201	000024
	AA4-AB3	000201	000024

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✓ 10	AA4-AB3	23	16	
✓ 10	AA4-AB3	24	5	
✓ 153M	AA2-AB3	61	6	
167	AA5-AB3	66	14	
167	AA5-AB3	66	17	
167	AA5-AB3	66	24	
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167	AA5-AB3	69	18	
167	AA5-AB3	69	21	
167	AA5-AB3	70	5	
✓ 167M	AA2-AB3	70	7	
✓ 181M	AA2-AB3	74	15	
✓ 806M	AA2-AB3	189	15	
809	AA6-AB3	190	16	
809	AA6-AB3	195	16	
811M	AA2-AB3	195	21	
✓ 813M	AA2-AB3	196	4	
✓ 9101	AA4-AB3	201	23	
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OK 9432	AA3-AB3	208	7	Invalid Instruction
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✓ 9459	AA2-AB3	213	22	

## ASSEMBLY BILLS / AB3

AB3

### ASSEMBLY BILL 3

An Act to repeal 351.07 (2) (b), 939.32 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.625, 939.63 (2), 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195 (3), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.23 (1m), 943.23 (1r), 946.42 (4), 946.425 (2), 948(3m), 948.025 (2m), 948.03 (5), 948.35, 948.36, 948.605 (4), 961(1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41 (1) (em), 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41 (1m) (d) 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (1m) (em), 961.41 (2) (c), 961.41 (3g) (a) 2., 961.41 (3g) (a) 3., 961.41 (3g) (dm), 961.438, 961.46 (2), 961.46 (3), 961.465, 961(2), 961.48 (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3.; to renumber 351.07 (2) (a); to renumber and amend 49.95 (1), 125.075 (2), 302.11 (7) (a), 302.113 (9) (a), 302(9) (a), 939.63 (1), 943.20 (3) (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a) 1., 961(1), 961.48 (1), 961.49 (1), 971.17 (1), 973.01 (2) (b) 6., 973.01 (2) (c) and 973.01 (2) (d); to amend 6.18, 11.61 (1) (a), 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 15.01 (2), 23.33 (13) (cg), 26.14 (8), 29.971 (1) (c), 29.971 (1m) (c), 29.971 (11m) (a), 29(11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d), 48.355 (2d) (b) 3., 48.415 (9m) (b) 2., 48.417 (1) (d), 48.57 (3p) (g) 2., 48.685 (1) (c), 48.685 (5) (bm) 2., 48.685 (5) (bm) 3., 48.685 (5) (bm) 4., 49.127 (8) (a) 2., 49.127 (8) (b) 2., 49.127 (8) (c), 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141 (9) (b), 49.141 (10) (b), 49.195 (3n) (k), 49.195 (3n) (r), 49.49 (1) (b) 1., 49.49 (2) (a), 49.49 (2) (b), 49.49 (3), 49(3m) (b), 49.49 (4) (b), 50.065 (1) (e) 1., 51.15 (12), 55.06 (11) (am), 66.1207 (1) (b), 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5), 100.26 (7), 101.143 (10) (b), 101.9204 (2), 101.94 (8) (b), 102.835 (11), 102.835 (18), 102(3), 108.225 (11), 108.225 (18), 110.07 (5) (a), 114.20 (18) (c), 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2), 139.44 (8) (c), 139(1), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.0129 (2), 185.825, 201.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2., 301.035 (2), 301.035 (4), 301(2) (bm) 1. a., 301.26 (4) (cm) 1., 301.45 (6) (a) 2., 302.045 (3), 302.095 (2), 302.11 (1g) (a) 2., 302.11 (1p), 302.11 (1z), 302.11 (3), 302.11 (7) (b), 302.11 (7) (d), 302.113 (2), 302.113 (4), 302.113 (7), 302.113 (9) (b), 302.113 (9) (c), 302.114 (4), 302.114 (5) (f), 302.114 (6) (b), 302.114 (6) (c), 302.114 (9) (b), 302.114 (9) (bm), 302.114 (9) (c), 302.33 (1), 303.065 (1) (b) 1., 303.08 (1) (intro.), 303.08 (2), 303.08 (5) (intro.), 303.08 (6), 303.08 (12), 304.06 (1) (b), 304.071 (2), 304.11 (3), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b), 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 343.31 (1) (i), 343.31 (3) (d) (intro.), 344.48 (2), 346.17 (3) (a), 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b), 346.175 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2)

(e), 346.65 (5), 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1), 552(1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b), 753.061 (2m), 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07, 801.50 (5), 908.08 (1), 911.01 (4) (c), 938.208 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3., 938.355 (4) (b), 938(3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a), 939.62 (1) (b), 939.62 (1) (c), 939.62 (2m) (a) 2m. a., 939.62 (2m) (a) 2m. b., 939.623 (2), 939.624 (2), 939.632 (1) (e) 1., 939.632 (2), 939(2), 939.72 (1), 939.75 (1), 940.02 (2) (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06 (2), 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1), 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5), 940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.195 (6), 940.20 (1), 940.20 (1m), 940(2), 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b), 940(6) (b) (intro.), 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.), 940.207 (2) (intro.), 940.21, 940(2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a), 940.23 (1) (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940(1) (intro.), 940.285 (2) (b) 1g., 940.285 (2) (b) 1m., 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3) (b) 1g., 940.295 (3) (b) 1m., 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3., 940.30, 940.305 (1), 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b), 940.32 (2) (intro.), 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43 (intro.), 940.45 (intro.), 941(intro.), 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a) (intro.), 941.21, 941.235 (1), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f), 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941(3), 941.29 (2) (intro.), 941.295 (1), 941.296 (2) (intro.), 941(2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2) (b), 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2) (b) 1., 941.327 (2) (b) 2., 941.327 (2) (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38 (1) (b) 4., 941.38 (2), 943.01 (2) (intro.), 943(2g) (intro.), 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2) (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2) (intro.), 943.017 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, 943.04, 943(2), 943.07 (1), 943.07 (2), 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12, 943.20 (3) (b), 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3) (d) 4., 943.201 (2), 943.205 (3), 943.207 (3m) (b) (intro.), 943.207 (3m) (c) (intro.), 943.208 (2) (b), 943.208 (2) (c), 943.209 (2) (b), 943.209 (2) (c), 943.21 (3) (b), 943.23 (1g), 943.23 (2), 943.23 (3), 943.23 (4m), 943.23 (5), 943.24 (2), 943.25 (1), 943.25 (2) (intro.), 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1), 943.30 (2), 943.30 (3), 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2), 943.34 (1) (b), 943.34 (1) (c), 943.38 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2) (b), 943.40 (intro.), 943(8) (b), 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c), 943.455 (4) (d), 943.46 (4) (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2) (b) 2., 943.50 (4) (b), 943.50 (4) (c), 943.60 (1), 943.61 (5) (b), 943.61 (5) (c), 943.62 (4) (b), 943.62 (4) (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3., 943.70 (2) (b) 4., 943(3) (b) 2., 943.70 (3) (b) 3., 943.70 (3) (b) 4., 943.75 (2), 943(2m), 944.05 (1) (intro.), 944.06, 944.16 (intro.), 944.205 (2) (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2), 944(intro.), 945.03 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1) (intro.), 946.03 (1) (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.), 946.12 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946(1) (intro.), 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1), 946.425 (1m) (b), 946.425 (1r)

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(cm) 1g., 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4., 961.41 (1m) (h) 5., 961.48 (1) (a) and (b), 971.17 (1) (b), 971.17 (1) (d), 973.01 (2) (b) 6m., 973.01 (2) (b) 7., 973.01 (2) (b) 8., 973(2) (b) 9., 973.01 (2) (b) 10. a. and b., 973.01 (2) (c) 2., 973(2) (d) 1. to 6., 973.017, 973.15 (2m), 973.30 and 977.05 (4) (jm) of the statutes; and to affect 1997 Wisconsin Act 283, section 454 (1) (f); relating to: classification and elements of felony offenses and certain misdemeanor offenses; criminal sentences and commitments; modification of a bifurcated sentence in certain cases; revocation of extended supervision; the creation of a sentencing commission and temporary sentencing guidelines; making an appropriation; and providing penalties. (FE)

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01-16-01. A. Introduced by Representatives Walker and Huber; cosponsored by Senators Burke and Huelsman.	
01-16-01. A. Read first time and referred to committee on Criminal Justice . . . . .	<u>22</u>
01-24-01. A. Public hearing held.	
01-24-01. A. Executive action taken.	
01-24-01. A. Assembly substitute amendment <u>1</u> offered by committee on Criminal Justice	
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01-25-01. A. Report passage recommended by committee on Criminal Justice, Ayes 7, Noes 6 . . . . .	<u>31</u>
01-25-01. A. Referred to committee on Rules . . . . .	<u>32</u>
01-25-01. A. Placed on calendar 2-1-2001 by committee on Rules.	
01-25-01. A. <u>Fiscal estimate received.</u>	
01-25-01. A. <u>Fiscal estimate received.</u>	
01-25-01. A. <u>Fiscal estimate received.</u>	
01-25-01. A. <u>Fiscal estimate received.</u>	
01-30-01. A. Emergency statement attached by Governor pursuant to s. 16.47 (2) Wisconsin Statutes . . . . .	<u>74</u>
01-31-01. A. Assembly amendment <u>1</u> offered by Representatives Staskunas, Sherman, Walker and Suder . . . . .	<u>49</u>
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01-31-01. A. Assembly amendment <u>3</u> offered by Representatives Huber, Wood, Walker and Suder . . . . .	<u>49</u>
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02-01-01. A. Read a second time . . . . .	<u>58</u>
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02-01-01. A. Chair ruled not well taken the point of order that the bill was required to be referred to the joint committee on Finance before being passed by the Assembly. . . . .	<u>59</u>
02-01-01. A. Assembly amendment <u>2</u> adopted, <u>Ayes 99, Noes 0</u> . . . . .	<u>59</u>



02-01-01. A. Assembly amendment <b>3 adopted</b> , <u>Ayes 99, Noes 0</u> . . . . .	<u>59</u>	✓
02-01-01. A. Assembly amendment <b>4 adopted</b> , <u>Ayes 99, Noes 0</u> . . . . .	<u>60</u>	✓
02-01-01. A. Assembly amendment <b>5</b> offered by Representatives Walker, Staskunas, Huber and Suder . . . . .	<u>60</u>	
02-01-01. A. Assembly amendment <b>5 adopted</b> , <u>Ayes 99, Noes 0</u> . . . . .	<u>60</u>	✓
02-01-01. A. Assembly amendment <b>6</b> offered by Representatives Staskunas, Sherman and Walker . . . . .	<u>60</u>	
02-01-01. A. Assembly amendment <b>6 adopted</b> , <u>Ayes 99, Noes 0</u> . . . . .	<u>60</u>	✓
02-01-01. A. Assembly amendment <b>7</b> offered by Representative Colon . . . . .	<u>60</u>	
02-01-01. A. Assembly amendment <b>7</b> laid on table, <u>Ayes 56, Noes 43</u> . . . . .	<u>60</u>	
02-01-01. A. Ordered to a third reading . . . . .	<u>61</u>	
02-01-01. A. Refused to suspend rules to read a third time, <u>Ayes 57, Noes 42</u> . . . . .	<u>61</u>	
02-01-01. A. <b><u>Fiscal estimate received</u></b> .		
02-01-01. A. <b><u>Fiscal estimate received</u></b> .		
02-14-01. A. <b>Passed</b> , <u>Ayes 86, Noes 10, Paired 2</u> . . . . .	<u>85</u>	
02-14-01. A. Ordered immediately messaged . . . . .	<u>85</u>	

<u>Amend #</u>	<u>LRB #</u>
2	20046/1
3	20107/1
4	20053/1
5	20091/1
6	20154/1

## BILL HISTORY FOR ASSEMBLY BILL 3 (LRB -1428)

An Act to repeal 351.07 (2) (b), 939.32 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.625, 939.63 (2), 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195 (3), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.23 (1m), 943.23 (1r), 946.42 (4), 946.425 (2), 948.02 (3m), 948.025 (2m), 948.03 (5), 948.35, 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41 (1) (em), 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41 (1m) (d) 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (1m) (em), 961.41 (2) (c), 961.41 (3g) (a) 2., 961.41 (3g) (a) 3., 961.41 (3g) (dm), 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48 (2), 961.48 (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3.; to renumber 351.07 (2) (a); to renumber and amend 49.95 (1), 125.075 (2), 302.11 (7) (a), 302.113 (9) (a), 302.114 (9) (a), 939.63 (1), 943.20 (3) (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1), 961.48 (1), 961.49 (1), 971.17 (1), 973.01 (2) (b) 6., 973.01 (2) (c) and 973.01 (2) (d); to amend 6.18, 11.61 (1) (a), 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 15.01 (2), 23.33 (13) (cg), 26.14 (8), 29.971 (1) (c), 29.971 (1m) (c), 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d), 48.355 (2d) (b) 3., 48.415 (9m) (b) 2., 48.417 (1) (d), 48.57 (3p) (g) 2., 48.685 (1) (c), 48.685 (5) (bm) 2., 48.685 (5) (bm) 3., 48.685 (5) (bm) 4., 49.127 (8) (a) 2., 49.127 (8) (b) 2., 49.127 (8) (c), 49.141 (7) (a), 49.141 (7) (b), 49.141 (7) (c), 49.141 (9) (a), 49.141 (9) (b), 49.141 (10) (b), 49.195 (3n) (k), 49.195 (3n) (r), 49.49 (1) (b) 1., 49.49 (2) (a), 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 50.065 (1) (e) 1., 51.15 (12), 55.06 (11) (am), 66.1207 (1) (b), 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5), 100.26 (7), 101.143 (10) (b), 101.9204 (2), 101.94 (8) (b), 102.835 (11), 102.835 (18), 102.85 (3), 108.225 (11), 108.225 (18), 110.07 (5) (a), 114.20 (18) (c), 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4), 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2), 139.44 (8) (c), 139.85 (1), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.0129 (2), 185.825, 201.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2., 301.035 (2), 301.035 (4), 301.048 (2) (bm) 1. a., 301.26 (4) (cm) 1., 301.45 (6) (a) 2., 302.045 (3), 302.095 (2), 302.11 (1g) (a) 2., 302.11 (1p), 302.11 (1z), 302.11 (3), 302.11 (3), 302.11 (7) (d), 302.113 (2), 302.113 (4), 302.113 (7), 302.113 (9) (b), 302.113 (9) (c), 302.114 (4), 302.114 (5) (f), 302.114 (6) (b), 302.114 (6) (c), 302.114 (9) (b), 302.114 (9) (bm), 302.114 (9) (c), 302.33 (1), 303.065 (1) (b) 1., 303.08 (1) (intro.), 303.08 (2), 303.08 (5) (intro.), 303.08 (6), 303.08 (12), 304.06 (1) (b), 304.071 (2), 304.11 (3), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b), 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 343.31 (1) (i), 343.31 (3) (d) (intro.), 344.48 (2), 346.17 (3) (a), 346.17 (3) (b), 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b), 346.175 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e), 346.65 (5), 346.74 (5) (b), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b), 753.061 (2m), 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07, 801.50 (5), 908.08 (1), 911.01 (4) (c), 938.208 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3., 938.355 (4) (b), 938.78 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a), 939.62 (1) (b), 939.62 (1) (c), 939.62 (2m) (a) 2m. a., 939.62 (2m) (a) 2m. b., 939.623 (2), 939.624 (2), 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02 (2) (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (2) (intro.), 940.06 (1), 940.06 (2), 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1), 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5), 940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.195 (6), 940.20 (1), 940.20 (1m), 940.20 (2), 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b) (intro.), 940.20 (7) (h), 940.201 (7) (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.), 940.207 (2) (intro.), 940.21, 940.22 (2), 940.225 (2) (intro.), 940.225 (3) (a), 940.23 (1) (a), 940.23 (1) (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.), 940.285 (2) (b) 1g., 940.285 (2) (b) 1m., 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3) (b) 1g., 940.295 (3) (b) 1m., 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3., 940.30, 940.305 (1), 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b), 940.32 (2) (intro.), 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43, 940.45 (intro.), 941.11 (intro.), 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a) (intro.), 941.21, 941.235 (1), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f), 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295 (1), 941.296 (2) (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2) (b), 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2) (b) 1., 941.327 (2) (b) 2., 941.327 (2) (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38 (1) (b) 4., 941.38 (2), 943.01 (2) (intro.), 943.01 (2g) (intro.), 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2) (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2) (intro.), 943.017 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07 (1), 943.07 (2), 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12, 943.20 (3) (b), 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3) (d) 4., 943.201 (2), 943.205 (3), 943.207 (3m) (b) (intro.), 943.207 (3m) (c) (intro.), 943.208 (2) (b), 943.208 (2) (c), 943.209 (2) (b), 943.209 (2) (c), 943.21 (3) (b), 943.23 (1g), 943.23 (2), 943.23 (3), 943.23 (4m), 943.23 (5), 943.24 (2), 943.25 (1), 943.25 (2) (intro.), 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1), 943.30 (2), 943.30 (3), 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2), 943.34 (1) (b), 943.34 (1) (c), 943.38 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2) (b), 943.40 (intro.), 943.41 (8) (b), 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c), 943.455 (4) (d), 943.46 (4) (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2) (b) 2., 943.50 (4) (intro.), 941.20 (3) (a) (intro.), 943.60 (1), 943.61 (5) (b), 943.61 (5) (c), 943.62 (4) (b), 943.62 (4) (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3., 943.70 (2) (b) 4., 943.70 (3) (b) 2., 943.70 (3) (b) 3., 943.70 (3) (b) 4., 943.75 (2), 943.75 (2m), 944.05 (1) (intro.), 944.06, 944.16 (intro.), 944.205 (2) (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2), 944.34 (intro.), 945.03 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1) (intro.), 946.03 (1) (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.), 946.12 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32 (1) (intro.), 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1), 946.425 (1m) (b), 946.425 (1r) (b), 946.43 (1m) (intro.), 946.43 (2m) (a) (intro.), 946.44 (1) (intro.), 946.44 (1g), 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b), 946.49 (2), 946.60 (1), 946.60 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r) (a), 946.68 (1r) (b), 946.68 (1r) (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2), 946.76, 946.82 (4), 946.84 (1), 946.85 (1), 947.013 (1v), 947.013 (1x) (intro.), 947.015, 948.02 (2), 948.02 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c), 948.03 (3) (a), 948.03 (3) (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1), 948.04 (2), 948.05 (1) (intro.), 948.05 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b), 948.06 (intro.), 948.07 (intro.), 948.08, 948.095 (2) (intro.), 948.11 (2) (a), 948.11 (2) (am), 948.12 (intro.), 948.13 (2), 948.20, 948.21 (1), 948.22 (2), 948.23, 948.24 (1) (intro.), 948.30 (1) (intro.), 948.30 (2) (intro.), 948.31 (1) (b), 948.31 (2), 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3) (b), 948.60 (2) (b), 948.60 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62 (1) (a), 948.62 (1) (b), 948.62 (1) (c), 949.03 (1) (b), 950.04 (1v) (g), 951.18 (1), 951.18 (2), 951.18 (2m), 961.41 (1) (intro.), 961.41 (1)

(a), 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm) 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41 (1) (d) 1., 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e) (intro.), 961.41 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.), 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h) 1., 961.41 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (i), 961.41 (1) (j), 961.41 (1m) (intro.), 961.41 (1m) (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm) 2., 961.41 (1m) (cm) 3., 961.41 (1m) (cm) 4., 961.41 (1m) (d) (intro.), 961.41 (1m) (d) 1., 961.41 (1m) (d) 2., 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m) (e) (intro.), 961.41 (1m) (e) 1., 961.41 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m) (g) 1., 961.41 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m) (h) 1., 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (i), 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (1q), 961.41 (1r), 961.41 (2) (intro.), 961.41 (2) (a), 961.41 (2) (b), 961.41 (2) (cm), 961.41 (2) (d), 961.41 (3g) (b), 961.41 (3g) (c), 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42 (2), 961.43 (2), 961.437 (4) (a), 961.437 (4) (b), 961.455 (1), 961.455 (3), 961.472 (2), 961.48 (2m) (a), 961.48 (3), 961.55 (1) (d) 3., 961.573 (3), 961.574 (3), 961.575 (3), 967.04 (9), 968.255 (1) (a) 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10) (b), 971.365 (1) (a), 971.365 (1) (b), 971.365 (1) (c), 971.365 (2), 972.15 (2c), 973.01 (1), 973.01 (2) (intro.), 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01 (2) (b) 4., 973.01 (2) (h) 5., 973.01 (4), 973.01 (6), 973.0135 (1) (b) 2., 973.03 (3) (e) 1. and 2., 973.032 (4) (c) 2., 973.09 (2) (b) 1., 973.155 (1) (b), 977.06 (2) (b) and 978.13 (1) (c); to repeal and recreate 944.15 (title), 961.41 (1) (im) and 961.41 (1m) (im); to create 13.525, 15.105 (27), 19.42 (10) (o), 19.42 (13) (n), 20.505 (4) (mr), 20.505 (4) (b), 20.923 (4) (b) 7., 20.923 (6) (hr), 49.95 (1) (e) and (f), 125.075 (2) (b), 227.01 (13) (sm), 230.08 (2) (L) 6., 230.08 (2) (of), 302.11 (7) (ag), 302.11 (7) (e), 302.113 (7m), 302.113 (8m), 302.113 (9) (ag), 302.113 (9) (af), 302.113 (9) (d), 302.113 (9) (e), 302.113 (9) (f), 302.113 (9) (g), 302.113 (9g), 302.114 (8m), 302.114 (9) (ag), 302.114 (9) (d), 302.114 (9) (e), 302.114 (9) (f), 346.04 (2t), 346.04 (4), 346.17 (2t), 801.50 (5c), 939.32 (1) (bm), 939.32 (1g), 939.32 (1m), 939.32 (2) (title), 939.32 (3) (title), 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3) (f), 939.50 (3) (g), 939.50 (3) (h), 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bm), 943.23 (3m), 943.34 (1) (bm), 943.50 (4) (bm), 946.50 (5d), 946.50 (5h), 946.50 (5p), 946.50 (5t), 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 950.04 (1v) (nt), 961.41 (1) (cm) 1g., 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4., 961.41 (1m) (h) 5., 961.48 (1) (a) and (b), 971.17 (1) (b), 971.17 (1) (d), 973.01 (2) (b) 6m., 973.01 (2) (b) 7., 973.01 (2) (b) 8., 973.01 (2) (b) 9., 973.01 (2) (b) 10. a. and b., 973.01 (2) (c) 2., 973.01 (2) (d) 1. to 6., 973.017, 973.15 (2m), 973.30 and 977.05 (4) (jm) of the statutes; and to affect 1997 Wisconsin Act 283, section 454 (1) (f); relating to: classification and elements of felony offenses and certain misdemeanor offenses; criminal sentences and commitments; modification of a bifurcated sentence in certain cases; revocation of extended supervision; the creation of a sentencing commission and temporary sentencing guidelines; making an appropriation; and providing penalties. (FE)

2001

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01-25.	A.	Fiscal estimate received.	
01-25.	A.	Fiscal estimate received.	
01-25.	A.	Fiscal estimate received.	
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02-01.	A.	Fiscal estimate received.	
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**ASSEMBLY AMENDMENT 2,  
TO 2001 ASSEMBLY BILL 3**

January 31, 2001 – Offered by Representatives STASKUNAS, COLON, WALKER and  
SUDER.

1 At the locations indicated, amend the bill as follows:

2 ✓ **1.** Page 61, line 6: after that line insert:

3 “SECTION 153m. 302.113 (3) (a) (intro.) of the statutes is amended to read:

4 302.113 (3) (a) (intro.) The warden or superintendent shall keep a record of the  
5 conduct of each inmate subject to this section, specifying each infraction of the rules.  
6 If an inmate subject to this section violates an order under s. 973.031 requiring him  
7 or her to participate in a drug treatment program, violates any regulation of the  
8 prison or refuses or neglects to perform required or assigned duties, the department  
9 may extend the term of confinement in prison portion of the inmate’s bifurcated  
10 sentence as follows:”

11 **2.** Page 70, line 7: after that line insert:

12 “SECTION 167m. 302.114 (3) (a) (intro.) of the statutes is amended to read:

1           302.114 (3) (a) (intro.) The warden or superintendent shall keep a record of the  
2           conduct of each inmate subject to this section, specifying each infraction of the rules.  
3           If any an inmate subject to this section violates an order under s. 973.031 requiring  
4           him or her to participate in a drug treatment program, violates any regulation of the  
5           prison or refuses or neglects to perform required or assigned duties, the department  
6           may extend the extended supervision eligibility date set under s. 973.014 (1g) (a) 1.  
7           or 2., whichever is applicable, as follows.”.

8           ✓ **3.** Page 74, line 15: after that line insert:

9           “SECTION 181m. 302.43 of the statutes is amended to read:

10           **302.43 Good time.** Every inmate of a county jail is eligible to earn good time  
11           in the amount of one-fourth of his or her term for good behavior if sentenced to at  
12           least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit  
13           for time served prior to sentencing under s. 973.155, including good time under s.  
14           973.155 (4). An inmate who violates an order under s. 973.031 requiring him or her  
15           to participate in a drug treatment program, violates any law or any regulation of the  
16           jail, or neglects or refuses to perform any duty lawfully required of him or her, may  
17           be deprived by the sheriff of good time under this section, except that the sheriff shall  
18           not deprive the inmate of more than 2 days good time for any one offense without the  
19           approval of the court. An inmate who files an action or special proceeding, including  
20           a petition for a common law writ of certiorari, to which s. 807.15 applies shall be  
21           deprived of the number of days of good time specified in the court order prepared  
22           under s. 807.15 (3).”.

23           **4.** Page 189, line 15: after that line insert:

24           “SECTION 806m. 973.01 (5) of the statutes is amended to read:

1           973.01 (5) OTHER EXTENDED SUPERVISION CONDITIONS. Whenever the court  
2 imposes a bifurcated sentence under sub. (1), the court may impose conditions upon  
3 the term of extended supervision, including drug treatment under s. 973.031.”.

4       ✓ **5.** Page 195, line 21: after that line insert:

5           “SECTION 811m. 973.031 of the statutes is created to read:

6           **973.031 Court-ordered drug treatment.** When the court imposes a  
7 sentence or places a person on probation for any offense committed on or after the  
8 effective date of this section .... [revisor inserts date], the court may order the person  
9 to participate in a drug treatment program as a condition of probation or, in the case  
10 of a person sentenced under s. 973.01, while the person is in prison or as a condition  
11 of extended supervision or both. The court may order the department to pay for the  
12 cost of drug treatment under this section from the appropriation under s. 20.410 (1)  
13 (a) for persons in jail or prison or under s. 20.410 (1) (b) for persons on probation or  
14 extended supervision.”.

15       ✓ **6.** Page 196, line 4: after that line insert:

16           “SECTION 813m. 973.09 (6) of the statutes is created to read:

17           **973.09 (6)** The court may require as a condition of probation that the person  
18 participate in a drug treatment program under s. 973.031.”.

19       ✓ **7.** Page 207, line 6: after “973.01 (2) (b) 5.,” insert “973.01 (5).”.

20       ✓ **8.** Page 207, line 17: substitute “973.017, and 973.09 (6)” for “and 973.017”.

21       ✓ **9.** Page 213, line 9: after “(2) (b) 5.,” insert “973.01 (5).”.

22       ✓ **10.** Page 213, line 22: after “973.017,” insert “973.031, 973.09 (6).”.

23           (END)



**ASSEMBLY AMENDMENT 3,  
TO 2001 ASSEMBLY BILL 3**

January 31, 2001 – Offered by Representatives HUBER, WOOD, WALKER and SUDER.

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 22, line 8: after that line insert:

3 “(5m) RECOMMENDATIONS REGARDING SENTENCE MODIFICATIONS. (a) No later than  
4 the first day of the 6th month beginning after the effective date of this paragraph ....  
5 [revisor inserts date], the committee shall submit a report to the legislature, in the  
6 manner provided under s. 13.172 (2), and to the governor containing  
7 recommendations regarding standards and procedures to be used by a court to  
8 modify a bifurcated sentence. The report shall include any proposed legislation that  
9 is necessary to implement the recommendations made by the committee in its report.

10 (b) Any proposed legislation included in the report under par. (a) shall provide  
11 that a bifurcated sentence that a court previously imposed may be modified only by  
12 reducing the term of confinement in prison portion of the sentence and lengthening

1 the term of extended supervision imposed so that the total length of the bifurcated  
2 sentence originally imposed does not change.”.

3 √ **2.** Page 22, line 10: after “report” insert “under sub. (5) (b) or (5m) (a) or for  
4 developing proposed legislation under sub. (5m) (a)”.

5 √ **3.** Page 22, line 12: after that line insert:

6 “SECTION 7m. 13.525 (5m) of the statutes, as created by 2001 Wisconsin Act ....  
7 (this act), is repealed.”.

8 **4.** Page 208, line 7: delete “The treatment” and substitute “(am)”  
9 “(az) The treatment”.

*KEEP*  
*see how*  
*been written*  
*to this*

10 **5.** Page 208, line 9: after that line insert:

11 “(bz) The repeal of section 13.525 (5m) of the statutes takes effect on January  
12 1, 2003.”.

13 (END)

**ASSEMBLY AMENDMENT 4,  
TO 2001 ASSEMBLY BILL 3**

January 31, 2001 – Offered by Representatives SHERMAN, HUBER, WALKER and  
SUDER.

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 23, line 14: after “party” insert “member and one minority party”.

3 ✓ 2. Page 23, line 16: delete lines 16 to 18.

4 ✓ 3. Page 24, line 5: delete “5.” and substitute “6.”.

5 ✓ 4. Page 201, line 23: delete lines 23 to 24 and substitute “created by this act,  
6 one representative of crime victims, and one attorney”.

7 (END)

**ASSEMBLY AMENDMENT 5,  
TO 2001 ASSEMBLY BILL 3**

February 1, 2001 – Offered by Representatives WALKER, STASKUNAS, HUBER and  
SUDER.

1 At the locations indicated, amend the bill as follows:

2 ✓ **1.** Page 66, line 14: delete that line and substitute:

3 “302.113 (9g) (a) In this subsection:

4 1. “Program review committee” means the”.

5 ✓ **2.** Page 66, line 17: after that line insert:

6 “2. “Terminal condition” means an incurable condition afflicting a person,  
7 caused by injury, disease, or illness, as a result of which the person has a medical  
8 prognosis that his or her life expectancy is 6 months or less, even with available  
9 life-sustaining treatment provided in accordance with the prevailing standard of  
10 medical care.”.

11 ✓ **3.** Page 66, line 24: after that line insert:

12 “3. The inmate has a terminal condition.”.



**ASSEMBLY AMENDMENT 6,  
TO 2001 ASSEMBLY BILL 3**

February 1, 2001 – Offered by Representatives STASKUNAS, SHERMAN and WALKER.

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 190, line 16: after that line insert:

3 “(ad) The protection of the public.

4 (ag) The gravity of the offense.

5 (ak) The rehabilitative needs of the defendant.”.

6 ✓ 2. Page 195, line 16: after that line insert:

7 “(10m) STATEMENT OF REASONS FOR SENTENCING DECISION. (a) The court shall  
8 state the reasons for its sentencing decision and, except as provided in par. (b), shall  
9 do so in open court and on the record.

10 (b) If the court determines that it is not in the interest of the defendant for it  
11 to state the reasons for its sentencing decision in the defendant’s presence, the court

1 shall state the reasons for its sentencing decision in writing and include the written  
2 statement in the record.”.

3 (END)

## 2001 ASSEMBLY BILL 3

January 16, 2001 - Introduced by Representatives WALKER and HUBER, cosponsored by Senators BURKE and HUELSMAN. Referred to Committee on Criminal Justice.

1     **AN ACT** *to repeal* 351.07 (2) (b), 939.32 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc),  
2           939.615 (7) (c), 939.622, 939.625, 939.63 (2), 939.635, 939.64, 939.641, 939.646,  
3           939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195 (3), 940.25 (1b), 940.285 (2)  
4           (b) 3., 941.29 (2m), 941.296 (3), 943.23 (1m), 943.23 (1r), 946.42 (4), 946.425 (2),  
5           948.02 (3m), 948.025 (2m), 948.03 (5), 948.35, 948.36, 948.605 (4), 961.41 (1)  
6           (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1) (e) 5., 961.41 (1) (e) 6., 961.41  
7           (1) (em), 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41 (1m) (d) 6., 961.41 (1m)  
8           (e) 5., 961.41 (1m) (e) 6., 961.41 (1m) (em), 961.41 (2) (c), 961.41 (3g) (a) 2.,  
9           961.41 (3g) (a) 3., 961.41 (3g) (dm), 961.438, 961.46 (2), 961.46 (3), 961.465,  
10          961.48 (2), 961.48 (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2. and 973.03  
11          (3) (e) 3., *to renumber* 351.07 (2) (a); *to renumber and amend* 49.95 (1),  
12          125.075 (2), 302.11 (7) (a), 302.113 (9) (a), 302.114 (9) (a), 939.63 (1), 943.20 (3)  
13          (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41 (1m) (cm) 1., 961.41 (3g)  
14          (a) 1., 961.46 (1), 961.48 (1), 961.49 (1), 971.17 (1), 973.01 (2) (b) 6., 973.01 (2)



**ASSEMBLY BILL 3**

1 (c) and 973.01 (2) (d); *to amend* 6.18, 11.61 (1) (a), 11.61 (1) (b), 12.60 (1) (a),  
2 13.05, 13.06, 13.69 (6m), 15.01 (2), 23.33 (13) (cg), 26.14 (8), 29.971 (1) (c), 29.971  
3 (1m) (c), 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80  
4 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d), 48.355 (2d) (b) 3., 48.415 (9m) (b)  
5 2., 48.417 (1) (d), 48.57 (3p) (g) 2., 48.685 (1) (c), 48.685 (5) (bm) 2., 48.685 (5)  
6 (bm) 3., 48.685 (5) (bm) 4., 49.127 (8) (a) 2., 49.127 (8) (b) 2., 49.127 (8) (c), 49.141  
7 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141 (9) (b), 49.141 (10) (b), 49.195 (3n)  
8 (k), 49.195 (3n) (r), 49.49 (1) (b) 1., 49.49 (2) (a), 49.49 (2) (b), 49.49 (3), 49.49  
9 (3m) (b), 49.49 (4) (b), 50.065 (1) (e) 1., 51.15 (12), 55.06 (11) (am), 66.1207 (1)  
10 (b), 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4), 97.43  
11 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5), 100.26 (7),  
12 101.143 (10) (b), 101.9204 (2), 101.94 (8) (b), 102.835 (11), 102.835 (18), 102.85  
13 (3), 108.225 (11), 108.225 (18), 110.07 (5) (a), 114.20 (18) (c), 115.31 (2g), 118.19  
14 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12) (b), 125.68 (12)  
15 (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4), 134.16, 134.20 (1) (intro.),  
16 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2), 139.44 (8) (c), 139.85 (1),  
17 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70 (10) (a),  
18 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3), 180.0129 (2),  
19 181.0129 (2), 185.825, 201.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21),  
20 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004  
21 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2.,  
22 299.53 (4) (c) 2., 301.035 (2), 301.035 (4), 301.048 (2) (bm) 1. a., 301.26 (4) (cm)  
23 1., 301.45 (6) (a) 2., 302.045 (3), 302.095 (2), 302.11 (1g) (a) 2., 302.11 (1p), 302.11  
24 (1z), 302.11 (3), 302.11 (7) (b), 302.11 (7) (d), 302.113 (2), 302.113 (4), 302.113 (7),  
25 302.113 (9) (b), 302.113 (9) (c), 302.114 (4), 302.114 (5) (f), 302.114 (6) (b),

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1 302.114 (6) (c), 302.114 (9) (b), 302.114 (9) (bm), 302.114 (9) (c), 302.33 (1),  
2 303.065 (1) (b) 1., 303.08 (1) (intro.), 303.08 (2), 303.08 (5) (intro.), 303.08 (6),  
3 303.08 (12), 304.06 (1) (b), 304.071 (2), 304.11 (3), 341.605 (3), 342.06 (2),  
4 342.065 (4) (b), 342.155 (4) (b), 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 343.31  
5 (1) (i), 343.31 (3) (d) (intro.), 344.48 (2), 346.17 (3) (a), 346.17 (3) (b), 346.17 (3)  
6 (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b), 346.175 (4) (c),  
7 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e), 346.65 (5),  
8 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11  
9 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13  
10 (3), 562.13 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b),  
11 753.061 (2m), 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07,  
12 801.50 (5), 908.08 (1), 911.01 (4) (c), 938.208 (1) (a), 938.34 (4h) (a), 938.34 (4m)  
13 (b) 1., 938.355 (2d) (b) 3., 938.355 (4) (b), 938.78 (3), 939.22 (21) (d), 939.30 (1),  
14 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50 (2), 939.50 (3) (c), 939.50  
15 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a), 939.62 (1) (b), 939.62 (1)  
16 (c), 939.62 (2m) (a) 2m. a., 939.62 (2m) (a) 2m. b., 939.623 (2), 939.624 (2),  
17 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02 (2)  
18 (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06 (2),  
19 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11  
20 (1), 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4),  
21 940.19 (5), 940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.195 (6),  
22 940.20 (1), 940.20 (1m), 940.20 (2), 940.20 (2m) (b), 940.20 (3), 940.20 (4), 940.20  
23 (5) (b), 940.20 (6) (b) (intro.), 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2)  
24 (intro.), 940.205 (2) (intro.), 940.207 (2) (intro.), 940.21, 940.22 (2), 940.225 (2)  
25 (intro.), 940.225 (3), 940.23 (1) (a), 940.23 (1) (b), 940.23 (2) (a), 940.23 (2) (b),

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1 940.24 (1), 940.24 (2), 940.25 (1) (intro.), 940.285 (2) (b) 1g., 940.285 (2) (b) 1m.,  
2 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3) (b) 1g., 940.295 (3) (b)  
3 1m., 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3., 940.30, 940.305 (1),  
4 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b), 940.32 (2) (intro.),  
5 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43 (intro.), 940.45  
6 (intro.), 941.11 (intro.), 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a) (intro.),  
7 941.21, 941.235 (1), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f),  
8 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295  
9 (1), 941.296 (2) (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2)  
10 (b), 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2) (b) 1., 941.327 (2) (b) 2.,  
11 941.327 (2) (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3), 941.37 (4), 941.38  
12 (1) (b) 4., 941.38 (2), 943.01 (2) (intro.), 943.01 (2g) (intro.), 943.011 (2) (intro.),  
13 943.012 (intro.), 943.013 (2) (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2)  
14 (intro.), 943.017 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2),  
15 943.07 (1), 943.07 (2), 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12, 943.20 (3)  
16 (b), 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3) (d) 3., 943.20  
17 (3) (d) 4., 943.201 (2), 943.205 (3), 943.207 (3m) (b) (intro.), 943.207 (3m) (c)  
18 (intro.), 943.208 (2) (b), 943.208 (2) (c), 943.209 (2) (b), 943.209 (2) (c), 943.21 (3)  
19 (b), 943.23 (1g), 943.23 (2), 943.23 (3), 943.23 (4m), 943.23 (5), 943.24 (2), 943.25  
20 (1), 943.25 (2) (intro.), 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4),  
21 943.30 (1), 943.30 (2), 943.30 (3), 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1)  
22 (intro.), 943.32 (2), 943.34 (1) (b), 943.34 (1) (c), 943.38 (1) (intro.), 943.38 (2),  
23 943.39 (intro.), 943.395 (2) (b), 943.40 (intro.), 943.41 (8) (b), 943.41 (8) (c),  
24 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c), 943.455 (4) (d), 943.46 (4) (c), 943.46  
25 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2) (b) 2., 943.50 (4) (b), 943.50 (4)

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1 (c), 943.60 (1), 943.61 (5) (b), 943.61 (5) (c), 943.62 (4) (b), 943.62 (4) (c), 943.70  
2 (2) (b) 2., 943.70 (2) (b) 3., 943.70 (2) (b) 4., 943.70 (3) (b) 2., 943.70 (3) (b) 3.,  
3 943.70 (3) (b) 4., 943.75 (2), 943.75 (2m), 944.05 (1) (intro.), 944.06, 944.16  
4 (intro.), 944.205 (2) (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2),  
5 944.34 (intro.), 945.03 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1)  
6 (intro.), 946.03 (1) (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1)  
7 (intro.), 946.12 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31  
8 (1) (intro.), 946.32 (1) (intro.), 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42  
9 (3) (intro.), 946.425 (1), 946.425 (1m) (b), 946.425 (1r) (b), 946.43 (1m) (intro.),  
10 946.43 (2m) (a) (intro.), 946.44 (1) (intro.), 946.44 (1g), 946.44 (1m), 946.47 (1)  
11 (intro.), 946.48 (1), 946.49 (1) (b), 946.49 (2), 946.60 (1), 946.60 (2), 946.61 (1)  
12 (intro.), 946.64, 946.65 (1), 946.68 (1r) (a), 946.68 (1r) (b), 946.68 (1r) (c), 946.69  
13 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2), 946.76, 946.82 (4), 946.84 (1),  
14 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x) (intro.), 947.015, 948.02 (2),  
15 948.02 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c), 948.03 (3) (a), 948.03 (3)  
16 (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1), 948.04 (2), 948.05 (1)  
17 (intro.), 948.05 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b), 948.06 (intro.),  
18 948.07 (intro.), 948.08, 948.095 (2) (intro.), 948.11 (2) (a), 948.11 (2) (am), 948.12  
19 (intro.), 948.13 (2), 948.20, 948.21 (1), 948.22 (2), 948.23, 948.24 (1) (intro.),  
20 948.30 (1) (intro.), 948.30 (2) (intro.), 948.31 (1) (b), 948.31 (2), 948.31 (3)  
21 (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3) (b), 948.60 (2) (b), 948.60 (2) (c),  
22 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62 (1) (a), 948.62 (1) (b), 948.62  
23 (1) (c), 949.03 (1) (b), 950.04 (1v) (g), 951.18 (1), 951.18 (2), 951.18 (2m), 961.41  
24 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm)  
25 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41 (1) (d) 1.,

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1 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e) (intro.), 961.41  
2 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.),  
3 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41  
4 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h)  
5 1., 961.41 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (i), 961.41 (1) (j), 961.41 (1m)  
6 (intro.), 961.41 (1m) (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.), 961.41 (1m)  
7 (cm) 2., 961.41 (1m) (cm) 3., 961.41 (1m) (cm) 4., 961.41 (1m) (d) (intro.), 961.41  
8 (1m) (d) 1., 961.41 (1m) (d) 2., 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m)  
9 (e) (intro.), 961.41 (1m) (e) 1., 961.41 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m)  
10 (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41 (1m)  
11 (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m) (g) 1., 961.41 (1m) (g) 2., 961.41 (1m)  
12 (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m) (h) 1., 961.41 (1m) (h) 2., 961.41 (1m)  
13 (h) 3., 961.41 (1m) (i), 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (1q), 961.41 (1r),  
14 961.41 (2) (intro.), 961.41 (2) (a), 961.41 (2) (b), 961.41 (2) (cm), 961.41 (2) (d),  
15 961.41 (3g) (b), 961.41 (3g) (c), 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f),  
16 961.41 (4) (am) 3., 961.42 (2), 961.43 (2), 961.437 (4) (a), 961.437 (4) (b), 961.455  
17 (1), 961.455 (3), 961.472 (2), 961.48 (2m) (a), 961.48 (3), 961.55 (1) (d) 3., 961.573  
18 (3), 961.574 (3), 961.575 (3), 967.04 (9), 968.255 (1) (a) 2., 968.31 (1) (intro.),  
19 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10) (b), 971.365 (1) (a), 971.365  
20 (1) (b), 971.365 (1) (c), 971.365 (2), 972.15 (2c), 973.01 (1), 973.01 (2) (intro.),  
21 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01 (2) (b) 4., 973.01 (2)  
22 (b) 5., 973.01 (4), 973.01 (6), 973.0135 (1) (b) 2., 973.03 (3) (e) 1. and 2., 973.032  
23 (4) (c) 2., 973.09 (2) (b) 1., 973.155 (1) (b), 977.06 (2) (b) and 978.13 (1) (c); *to*  
24 *repeal and recreate* 944.15 (title), 961.41 (1) (im) and 961.41 (1m) (im); *to*  
25 *create* 13.525, 15.105 (27), 19.42 (10) (o), 19.42 (13) (n), 20.505 (4) (dr), 20.505

**ASSEMBLY BILL 3**

1 This blank shall be returned to the municipal clerk's office. Application must  
2 be received in sufficient time for ballots to be mailed and returned prior to any  
3 presidential election at which applicant wishes to vote. Complete all statements in  
4 full.

5 APPLICATION FOR PRESIDENTIAL  
6 ELECTOR'S ABSENT BALLOT.

7 (To be voted at the Presidential Election  
8 on November ....., .... (year)

9 I, .... hereby swear or affirm that I am a citizen of the United States, formerly  
10 residing at .... in the .... ward .... aldermanic district (city, town, village) of ....., County  
11 of .... for 10 days prior to leaving the State of Wisconsin. I, .... do solemnly swear or  
12 affirm that I do not qualify to register or vote under the laws of the State of ....(State  
13 you now reside in) where I am presently residing. A citizen must be a resident of:  
14 State ....(Insert time) County ....(Insert time) City, Town or Village ....(Insert time),  
15 in order to be eligible to register or vote therein. I further swear or affirm that my  
16 legal residence was established in the State of ....(the State where you now reside)  
17 on .... Month .... Day .... Year.

18 Signed ....

19 Address ....(Present address)

20 ....(City) ....(State)

21 Subscribed and sworn to before me this .... day of .... .... (year)

22 ....(Notary Public, or other officer authorized to administer oaths.)

23 ....(County)

24 My Commission expires

25 MAIL BALLOT TO:

## ASSEMBLY BILL 3

## SECTION 1

1 NAME ....

2 ADDRESS ....

3 CITY .... STATE .... ZIP CODE ....

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

9 .....(Municipal Clerk)

10 .....(Municipality)

11 **SECTION 2.** 11.61 (1) (a) of the statutes is amended to read:

12 11.61 (1) (a) Whoever intentionally violates s. 11.05 (1), (2), (2g) or (2r), 11.07  
13 (1) or (5), 11.10 (1), 11.12 (5), 11.23 (6) or 11.24 (1) ~~may be fined not more than \$10,000~~  
14 ~~or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a Class I  
15 felony.

16 **SECTION 3.** 11.61 (1) (b) of the statutes is amended to read:

17 11.61 (1) (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1)  
18 or 11.38 ~~where~~ is guilty of a Class I felony ~~if the intentional violation does not involve~~  
19 ~~a specific figure, or where~~ if the intentional violation concerns a figure which exceeds  
20 \$100 in amount or value ~~may be fined not more than \$10,000 or imprisoned for not~~  
21 ~~more than 4 years and 6 months or both.~~

22 **SECTION 4.** 12.60 (1) (a) of the statutes is amended to read:

23 12.60 (1) (a) Whoever violates s. 12.09, 12.11 or 12.13 (1), (2) (b) 1. to 7. or (3)  
24 (a), (e), (f), (j), (k), (L), (m), (y) or (z) ~~may be fined not more than \$10,000 or imprisoned~~  
25 ~~for not more than 4 years and 6 months or both~~ is guilty of a Class I felony.

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1           **SECTION 5.** 13.05 of the statutes is amended to read:

2           **13.05 Logrolling prohibited.** Any member of the legislature who gives,  
3 offers or promises to give his or her vote or influence in favor of or against any  
4 measure or proposition pending or proposed to be introduced, in the legislature in  
5 consideration or upon condition that any other person elected to the same legislature  
6 will give or will promise or agree to give his or her vote or influence in favor of or  
7 against any other measure or proposition pending or proposed to be introduced in  
8 such legislature, or who gives, offers or promises to give his or her vote or influence  
9 for or against any measure on condition that any other member will give his or her  
10 vote or influence in favor of any change in any other bill pending or proposed to be  
11 introduced in the legislature ~~may be fined not less than \$500 nor more than \$1,000~~  
12 ~~or imprisoned for not less than one year nor more than 4 years and 6 months or both,~~  
13 is guilty of a Class I felony.

14           **SECTION 6.** 13.06 of the statutes is amended to read:

15           **13.06 Executive favor.** Any member of the legislature who gives, offers or  
16 promises to give his or her vote or influence in favor of or against any measure or  
17 proposition pending or proposed to be introduced in the legislature, or that has  
18 already been passed by either house of the legislature, in consideration of or on  
19 condition that the governor approve, disapprove, veto or sign, or agree to approve,  
20 disapprove, veto or sign, any other measure or proposition pending or proposed to be  
21 introduced in the legislature or that has already been passed by the legislature, or  
22 either house thereof, or in consideration or upon condition that the governor  
23 nominate for appointment or appoint or remove any person to or from any office or  
24 position under the laws of this state, ~~may be fined not less than \$500 nor more than~~



**ASSEMBLY BILL 3**

1 ~~\$1,000 or imprisoned for not less than one year nor more than 3 years or both is guilty~~  
2 ~~of a Class I felony.~~

3 **SECTION 7.** 13.525 of the statutes is created to read:

4 **13.525 Joint review committee on criminal penalties. (1) CREATION.**

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

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

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

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

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

13 (e) A reserve judge who resides in the 1st, 2nd, 3rd, 4th, or 5th judicial  
14 administrative district and a reserve judge who resides in the 6th, 7th, 8th, 9th, or  
15 10th judicial administrative district, appointed by the supreme court.

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

19 **(2) OFFICERS.** The majority party senator and the majority party representative  
20 to the assembly shall be cochairpersons of the committee. The committee shall elect  
21 a secretary from among its nonlegislator members.

22 **(3) JUDICIAL AND GUBERNATORIAL APPOINTEES.** Members appointed under sub. (1)

23 (e) or (f) shall serve at the pleasure of the authority appointing them.

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

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

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

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

18           2. The consistency of penalties proposed in the bill with existing criminal  
19 penalties.

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

22           4. Whether acts prohibited under the bill are prohibited under existing  
23 criminal statutes.

24           (c) The chief clerk shall print a report prepared by the committee under par.  
25 (b) as an appendix to the bill and attach it thereto as are amendments. The

**ASSEMBLY BILL 3****SECTION 7**

1 reproduction shall be in lieu of inclusion in the daily journal of the house in which  
2 the proposal is introduced.

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

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

13 **SECTION 8.** 13.69 (6m) of the statutes is amended to read:

14 13.69 (6m) Any principal, lobbyist or other individual acting on behalf of a  
15 principal who files a statement under s. 13.63 (1), 13.64, 13.65, 13.67 or 13.68 which  
16 he or she does not believe to be true ~~may be fined not more than \$10,000 or~~  
17 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
18 felony.

19 **SECTION 9.** 15.01 (2) of the statutes is amended to read:

20 15.01 (2) "Commission" means a 3-member governing body in charge of a  
21 department or independent agency or of a division or other subunit within a  
22 department, except for the Wisconsin waterways commission which shall consist of  
23 5 members, the parole commission which shall consist of 6 members and the Fox  
24 River management commission which shall consist of 7 members. A Wisconsin group  
25 created for participation in a continuing interstate body, or the interstate body itself,

**ASSEMBLY BILL 3**

1 shall be known as a “commission”, but is not a commission for purposes of s. 15.06.  
2 The parole commission created under s. 15.145 (1) shall be known as a “commission”,  
3 but is not a commission for purposes of s. 15.06. The sentencing commission created  
4 under s. 15.105 (27) shall be known as a “commission” but is not a commission for  
5 purposes of s. 15.06 (1) to (4m), (7), and (9).

6 **SECTION 10.** 15.105 (27) of the statutes is created to read:

7 15.105 (27) SENTENCING COMMISSION. (a) *Creation; membership.* There is  
8 created a sentencing commission that is attached to the department of  
9 administration under s. 15.03 and that shall consist of the following members:

- 10 1. The attorney general or his or her designee.
- 11 2. The state public defender or his or her designee.
- 12 3. Seven members, at least 2 of whom are not employed by any unit of federal,  
13 state, or local government, appointed by the governor.
- 14 4. One majority party member from each house of the legislature, appointed  
15 as are the members of standing committees in their respective houses.
- 16 5. One member appointed by the senate majority leader or, if the senate  
17 majority leader and the governor are members of the same political party, by the  
18 senate minority leader.
- 19 6. Two circuit judges, appointed by the supreme court.
- 20 7. One representative of crime victims and one district attorney, each appointed  
21 by the attorney general.
- 22 8. One attorney in private practice engaged primarily in the practice of criminal  
23 defense, appointed by the criminal law section of the State Bar of Wisconsin.

**ASSEMBLY BILL 3****SECTION 10**

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

4           (c) *Terms.* 1. Except as provided in subd. 2., members appointed under par. (a)  
5 3. and 5. to 8. shall serve 3-year terms and are eligible for reappointment.

6           2. The term of a circuit judge appointed under par. (a) 6. shall end when such  
7 person ceases to be a circuit judge. The term of a district attorney appointed under  
8 par. (a) 7. shall end when such person ceases to be a district attorney.

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

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

19           (f) *Sunset.* This subsection does not apply after December 31, 2006.

20           **SECTION 11.** 19.42 (10) (o) of the statutes is created to read:

21           19.42 (10) (o) A member, the executive director, or the deputy director of the  
22 sentencing commission.

23           **SECTION 12.** 19.42 (13) (n) of the statutes is created to read:

24           19.42 (13) (n) The position of member, executive director, or deputy director of  
25 the sentencing commission.

**ASSEMBLY BILL 3**

**SECTION 13.** 20.005 (3) (schedule) of the statutes: at the appropriate place,  
insert the following amounts for the purposes indicated:

	<b>1999-2000</b>	<b>2000-01</b>
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**20.505 Administration, department of**

(4) ATTACHED DIVISIONS, BOARDS, COUNCILS AND  
COMMISSIONS

(dr) Sentencing commission	GPR    A	-0-	140,000
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**SECTION 14.** 20.505 (4) (dr) of the statutes is created to read:

20.505 (4) (dr) *Sentencing commission.* The amounts in the schedule for the  
general program operations of the sentencing commission. No money may be  
encumbered from the appropriation under this paragraph after December 31, 2006.

**SECTION 15.** 20.505 (4) (mr) of the statutes is created to read:

20.505 (4) (mr) *Sentencing commission; federal aid.* All moneys received as  
federal aid as authorized by the governor under s. 16.54 to carry out the purposes for  
which the aid is provided. No money may be encumbered from the appropriation  
under this paragraph after December 31, 2006.

**SECTION 16.** 20.923 (4) (b) 7. of the statutes is created to read:

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

**SECTION 17.** 20.923 (6) (hr) of the statutes is created to read:

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

**SECTION 18.** 23.33 (13) (cg) of the statutes is amended to read:

23.33 (13) (cg) *Penalties related to causing death or injury; interference with  
signs and standards.* A person who violates sub. (8) (f) 1. shall be fined not more than  
~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony

## ASSEMBLY BILL 3

## SECTION 18

1 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another  
2 person.

3 **SECTION 19.** 26.14 (8) of the statutes is amended to read:

4 26.14 (8) Any person who intentionally sets fire to the land of another or to a  
5 marsh shall be ~~fined not more than \$10,000 or imprisoned for not more than 7 years~~  
6 ~~and 6 months or both~~ is guilty of a Class H felony.

7 **SECTION 20.** 29.971 (1) (c) of the statutes is amended to read:

8 29.971 (1) (c) ~~For~~ A person having fish in his or her possession in violation of  
9 this chapter and is guilty of a Class I felony if the value of the fish under par. (d)  
10 exceeds \$1,000, ~~by a fine of not more than \$10,000 or imprisonment for not more than~~  
11 ~~3 years or both.~~

12 **SECTION 21.** 29.971 (1m) (c) of the statutes is amended to read:

13 29.971 (1m) (c) ~~For~~ A person possessing clams in violation of s. 29.537, is guilty  
14 of a Class I felony if the value of the clams under par. (d) exceeds \$1,000, ~~by a fine~~  
15 ~~of not more than \$10,000 or imprisonment for not more than 3 years or both.~~

16 **SECTION 22.** 29.971 (11m) (a) of the statutes is amended to read:

17 29.971 (11m) (a) For shooting, shooting at, killing, taking, catching or  
18 possessing a bear without a valid Class A bear license, or for possessing a bear which  
19 does not have a carcass tag attached or possessing a bear during the closed season,  
20 by a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for not  
21 more than 6 months or both for the first violation, or by a fine of not more than \$5,000  
22 \$10,000 or imprisonment for not more than ~~2 years~~ 9 months or both for any  
23 subsequent violation, and, in addition, the court shall revoke all hunting approvals  
24 issued to the person under this chapter and shall prohibit the issuance of any new  
25 hunting approval under this chapter to the person for 3 years.

## ASSEMBLY BILL 3

1           **SECTION 23.** 29.971 (11p) (a) of the statutes is amended to read:

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

5           **SECTION 24.** 30.80 (2g) (b) of the statutes is amended to read:

6           30.80 (2g) (b) Shall be fined not ~~less than \$300 nor~~ more than \$5,000 \$10,000  
7 or imprisoned for not more than ~~2 years~~ 9 months or both if the accident involved  
8 injury to a person but the person did not suffer great bodily harm.

9           **SECTION 25.** 30.80 (2g) (c) of the statutes is amended to read:

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

13           **SECTION 26.** 30.80 (2g) (d) of the statutes is amended to read:

14           30.80 (2g) (d) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~  
15 ~~than 7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved  
16 death to a person.

17           **SECTION 27.** 30.80 (3m) of the statutes is amended to read:

18           30.80 (3m) Any person violating s. 30.547 (1), (3) or (4) ~~shall be fined not more~~  
19 ~~than \$5,000 or imprisoned not more than 7 years and 6 months or both~~ is guilty of  
20 a Class H felony.

21           **SECTION 28.** 36.25 (6) (d) of the statutes is amended to read:

22           36.25 (6) (d) Any officer, agent, clerk or employee of the survey or department  
23 of revenue who makes known to any person except the officers of the survey or  
24 department of revenue, in any manner, any information given to such person in the  
25 discharge of such person's duties under par. (c), which information was given to such



**ASSEMBLY BILL 3****SECTION 28**

1 person with the request that it not be made known, ~~upon conviction thereof, shall be~~  
2 ~~fined not less than \$50 nor more than \$500 or imprisoned for not less than one month~~  
3 ~~nor more than 3 years~~ is guilty of a Class I felony. This paragraph shall not prevent  
4 the use for assessment purposes of any information obtained under this subsection.

5 **SECTION 29.** 47.03 (3) (d) of the statutes is amended to read:

6 47.03 (3) (d) Any person who violates this subsection shall be fined not more  
7 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

8 **SECTION 30.** 48.355 (2d) (b) 3. of the statutes is amended to read:

9 48.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),  
10 1999 stats., a violation of s. 940.19 (2), ~~(3),~~ (4) or (5), 940.225 (1) or (2), 948.02 (1) or  
11 (2), 948.025 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or  
12 federal law, if that violation would be a violation of s. 940.19 (2), ~~(3),~~ (4) or (5), 940.225  
13 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state,  
14 and that the violation resulted in great bodily harm, as defined in s. 939.22 (14), or  
15 in substantial bodily harm, as defined in s. 939.22 (38), to the child or another child  
16 of the parent.

17 **SECTION 31.** 48.415 (9m) (b) 2. of the statutes is amended to read:

18 48.415 (9m) (b) 2. The commission of a violation of s. 940.19 (3), 1999 stats.,  
19 a violation of s. 940.19 (2), ~~(3),~~ (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,  
20 948.03 (2) (a) or (3) (a), 948.05, 948.06 or 948.08 or a violation of the law of any other  
21 state or federal law, if that violation would be a violation of s. 940.19 (2), ~~(3),~~ (4) or  
22 (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (3) (a), 948.05, 948.06  
23 or 948.08 if committed in this state.

24 **SECTION 32.** 48.417 (1) (d) of the statutes is amended to read:

**ASSEMBLY BILL 3**

1           48.417 (1) (d) A court of competent jurisdiction has found that the parent has  
2 committed a violation of s. 940.19 (3), 1999 stats., a violation of s. 940.19 (2), ~~(3)~~, (4)  
3 or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) or a  
4 violation of the law of any other state or federal law, if that violation would be a  
5 violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or  
6 948.03 (2) (a) or (3) (a) if committed in this state, and that the violation resulted in  
7 great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as  
8 defined in s. 939.22 (38), to the child or another child of the parent.

9           **SECTION 33.** 48.57 (3p) (g) 2. of the statutes is amended to read:

10           48.57 (3p) (g) 2. The person has had imposed on him or her a penalty specified  
11 in s. 939.64, 1999 stats., or s. 939.641, 1999 stats., or s. 939.62, 939.621, 939.63,  
12 ~~939.64, 939.641~~ or 939.645 or has been convicted of a violation of the law of any other  
13 state or federal law under circumstances under which the person would be subject  
14 to a penalty specified in any of those sections if convicted in this state.

15           **SECTION 34.** 48.685 (1) (c) of the statutes is amended to read:

16           48.685 (1) (c) “Serious crime” means a violation of s. 940.19 (3), 1999 stats., a  
17 violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), ~~(3)~~, (4), (5) or (6),  
18 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2),  
19 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am),  
20 948.12, 948.13, 948.21 (1) or 948.30 or a violation of the law of any other state or  
21 United States jurisdiction that would be a violation of s. 940.19 (3), 1999 stats., or  
22 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), ~~(3)~~, (4), (5) or (6),  
23 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2),  
24 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am),  
25 948.12, 948.13, 948.21 (1) or 948.30 if committed in this state.

## ASSEMBLY BILL 3

## SECTION 35

1           **SECTION 35.** 48.685 (5) (bm) 2. of the statutes is amended to read:

2           48.685 (5) (bm) 2. A violation of s. 940.19 (3), 1999 stats., or of s. 940.19 (2), (3),  
3 (4), (5) or (6) or 940.20 (1) or (1m), if the victim is the spouse of the person.

4           **SECTION 36.** 48.685 (5) (bm) 3. of the statutes is amended to read:

5           48.685 (5) (bm) 3. A violation of s. 943.23 (1m) or (1r), 1999 stats., or of s. 940.01,  
6 940.02, 940.03, 940.05, 940.06, 940.21, 940.225 (1), (2) or (3), 940.23, 940.305, 940.31,  
7 941.20 (2) or (3), 941.21, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~ or 943.32 (2).

8           **SECTION 37.** 48.685 (5) (bm) 4. of the statutes is amended to read:

9           48.685 (5) (bm) 4. A violation of s. 940.19 (3), 1999 stats., or of s. 940.19 (2), (3),  
10 (4), (5) or (6), 940.20, 940.203, 940.205 or 940.207 or an offense under ch. 961 that  
11 is a felony, if committed not more than 5 years before the date of the investigation  
12 under sub. (2) (am).

13           **SECTION 38.** 49.127 (8) (a) 2. of the statutes is amended to read:

14           49.127 (8) (a) 2. If the value of the food coupons exceeds \$100, but is less than  
15 \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~  
16 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class I felony.

17           **SECTION 39.** 49.127 (8) (b) 2. of the statutes is amended to read:

18           49.127 (8) (b) 2. If the value of the food coupons exceeds \$100, but is less than  
19 \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~  
20 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
21 felony.

22           **SECTION 40.** 49.127 (8) (c) of the statutes is amended to read:

23           49.127 (8) (c) For any offense under this section, if the value of the food coupons  
24 is \$5,000 or more, a person who violates this section ~~may be fined not more than~~  
25 ~~\$250,000 or imprisoned for not more than 30 years or both~~ is guilty of a Class G felony.

**ASSEMBLY BILL 3**

1           **SECTION 41.** 49.141 (7) (a) of the statutes is amended to read:

2           49.141 (7) (a) A person who is convicted of violating sub. (6) in connection with  
3 the furnishing by that person of items or services for which payment is or may be  
4 made under Wisconsin works ~~may be fined not more than \$25,000 or imprisoned for~~  
5 ~~not more than 7 years and 6 months or both~~ is guilty of a Class H felony.

6           **SECTION 42.** 49.141 (7) (b) of the statutes is amended to read:

7           49.141 (7) (b) A person, other than a person under par. (a), who is convicted of  
8 violating sub. (6) may be fined not more than \$10,000 or imprisoned for not more than  
9 2 years 9 months or both.

10          **SECTION 43.** 49.141 (9) (a) of the statutes is amended to read:

11          49.141 (9) (a) Whoever solicits or receives any remuneration in cash or in-kind,  
12 in return for referring an individual to a person for the furnishing or arranging for  
13 the furnishing of any item or service for which payment may be made in whole or in  
14 part under Wisconsin works, or in return for purchasing, leasing, ordering, or  
15 arranging for or recommending purchasing, leasing, or ordering any good, facility,  
16 service, or item for which payment may be made in whole or in part under Wisconsin  
17 works, is guilty of a Class H felony, except that, notwithstanding the maximum fine  
18 specified in s. 939.50 (3) (h), the person may be fined not more than \$25,000 or  
19 ~~imprisoned for not more than 7 years and 6 months or both.~~

20          **SECTION 44.** 49.141 (9) (b) of the statutes is amended to read:

21          49.141 (9) (b) Whoever offers or pays any remuneration in cash or in-kind to  
22 any person to induce the person to refer an individual to a person for the furnishing  
23 or arranging for the furnishing of any item or service for which payment may be made  
24 in whole or in part under Wisconsin works, or to purchase, lease, order, or arrange  
25 for or recommend purchasing, leasing, or ordering any good, facility, service or item

## ASSEMBLY BILL 3

## SECTION 44

1 for which payment may be made in whole or in part under any provision of Wisconsin  
2 works, is guilty of a Class H felony, except that, notwithstanding the maximum fine  
3 specified in s. 939.50 (3) (h), the person may be fined not more than \$25,000 or  
4 ~~imprisoned for not more than 7 years and 6 months or both.~~

5 **SECTION 45.** 49.141 (10) (b) of the statutes is amended to read:

6 49.141 (10) (b) A person who violates this subsection is guilty of a Class H  
7 felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),  
8 the person may be fined not more than \$25,000 or ~~imprisoned for not more than 7~~  
9 ~~years and 6 months or both.~~

10 **SECTION 46.** 49.195 (3n) (k) of the statutes is amended to read:

11 49.195 (3n) (k) Any person who removes, deposits or conceals or aids in  
12 removing, depositing or concealing any property upon which a levy is authorized  
13 under this subsection with intent to evade or defeat the assessment or collection of  
14 any debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years~~  
15 ~~and 6 months or both, is guilty of a Class H felony and shall be liable to the state for~~  
16 assessed the costs of prosecution.

17 **SECTION 47.** 49.195 (3n) (r) of the statutes is amended to read:

18 49.195 (3n) (r) No employer may discharge or otherwise discriminate with  
19 respect to the terms and conditions of employment against any employee by reason  
20 of the fact that his or her earnings have been subject to levy for any one levy or  
21 because of compliance with any provision of this subsection. Any person who violates  
22 this paragraph ~~may be fined not more than \$1,000 or imprisoned for not more than~~  
23 ~~2 years or both~~ is guilty of a Class I felony.

24 **SECTION 48.** 49.49 (1) (b) 1. of the statutes is amended to read:

**ASSEMBLY BILL 3**

1           49.49 (1) (b) 1. In the case of such a statement, representation, concealment,  
2 failure, or conversion by any person in connection with the furnishing by that person  
3 of items or services for which medical assistance is or may be made, a person  
4 ~~convicted of violating this subsection is guilty of a Class H felony, except that,~~  
5 ~~notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be~~  
6 ~~fined not more than \$25,000 or imprisoned for not more than 7 years and 6 months~~  
7 ~~or both.~~

8           **SECTION 49.** 49.49 (2) (a) of the statutes is amended to read:

9           49.49 (2) (a) *Solicitation or receipt of remuneration.* Any person who solicits  
10 or receives any remuneration, including any kickback, bribe, or rebate, directly or  
11 indirectly, overtly or covertly, in cash or in kind, in return for referring an individual  
12 to a person for the furnishing or arranging for the furnishing of any item or service  
13 for which payment may be made in whole or in part under a medical assistance  
14 program, or in return for purchasing, leasing, ordering, or arranging for or  
15 recommending purchasing, leasing, or ordering any good, facility, service, or item for  
16 which payment may be made in whole or in part under a medical assistance program,  
17 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified  
18 in s. 939.50 (3) (h), the person may be fined not more than \$25,000 or imprisoned for  
19 ~~not more than 7 years and 6 months or both.~~

20           **SECTION 50.** 49.49 (2) (b) of the statutes is amended to read:

21           49.49 (2) (b) *Offer or payment of remuneration.* Whoever offers or pays any  
22 remuneration including any kickback, bribe, or rebate directly or indirectly, overtly  
23 or covertly, in cash or in kind to any person to induce such person to refer an  
24 individual to a person for the furnishing or arranging for the furnishing of any item  
25 or service for which payment may be made in whole or in part under a medical

## ASSEMBLY BILL 3

## SECTION 50

1 assistance program, or to purchase, lease, order, or arrange for or recommend  
2 purchasing, leasing, or ordering any good, facility, service or item for which payment  
3 may be made in whole or in part under a medical assistance program, is guilty of a  
4 Class H felony, except that, notwithstanding the maximum fine specified in s. 939.50  
5 (3) (h), the person may be fined not more than \$25,000 or imprisoned for not more  
6 than 7 years and 6 months or both.

7 **SECTION 51.** 49.49 (3) of the statutes is amended to read:

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

18 **SECTION 52.** 49.49 (3m) (b) of the statutes is amended to read:

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

23 **SECTION 53.** 49.49 (4) (b) of the statutes is amended to read:

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

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

3 **SECTION 54.** 49.95 (1) of the statutes is renumbered 49.95 (1) (intro.) and  
4 amended to read:

5 49.95 (1) (intro.) Any person who, with intent to secure public assistance under  
6 this chapter, whether for himself or herself or for some other person, wilfully makes  
7 any false representations ~~may, if~~ is subject to the following penalties:

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

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

13 (c) If the value of the assistance exceeds \$1,000 but does not exceed \$2,500,  
14 \$2,000, the person may be fined not more than \$500 \$10,000 or imprisoned for not  
15 more than 7 years ~~and 6~~ 9 months or both; ~~and if~~,

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

19 **SECTION 55.** 49.95 (1) (e) and (f) of the statutes are created to read:

20 49.95 (1) (e) If the value of the assistance exceeds \$5,000 but does not exceed  
21 \$10,000, the person is guilty of a Class H felony.

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

24 **SECTION 56.** 50.065 (1) (e) 1. of the statutes is amended to read:



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## SECTION 56

1           50.065 (1) (e) 1. “Serious crime” means a violation of s. 940.19 (3), 1999 stats.,  
2 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), ~~(3)~~, (4), (5) or (6),  
3 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1),  
4 948.025 or 948.03 (2) (a), or a violation of the law of any other state or United States  
5 jurisdiction that would be a violation of s. 940.19 (3), 1999 stats., or a violation of s.  
6 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), ~~(3)~~, (4), (5) or (6), 940.22 (2) or (3),  
7 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1), 948.025 or 948.03 (2)  
8 (a) if committed in this state.

9           **SECTION 57.** 51.15 (12) of the statutes is amended to read:

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

14           **SECTION 58.** 55.06 (11) (am) of the statutes is amended to read:

15           55.06 (11) (am) Whoever signs a statement under par. (a) knowing the  
16 information contained therein to be false ~~may be fined not more than \$5,000 or~~  
17 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
18 felony.

19           **SECTION 59.** 66.1207 (1) (b) of the statutes is amended to read:

20           66.1207 (1) (b) Any person who secures or assists in securing dwelling  
21 accommodations under s. 66.1205 by intentionally making false representations in  
22 order to receive at least \$2,500 but not more than \$25,000 in financial assistance for  
23 which the person would not otherwise be entitled ~~shall be fined not more than~~  
24 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

25           **SECTION 60.** 66.1207 (1) (c) of the statutes is amended to read:

**ASSEMBLY BILL 3**

1           66.1207 (1) (c) Any person who secures or assists in securing dwelling  
2 accommodations under s. 66.1205 by intentionally making false representations in  
3 order to receive more than \$25,000 in financial assistance for which the person would  
4 not otherwise be entitled ~~shall be fined not more than \$10,000 or imprisoned for not~~  
5 ~~more than 7 years and 6 months or both~~ is guilty of a Class H felony.

6           **SECTION 61.** 69.24 (1) (intro.) of the statutes is amended to read:

7           69.24 (1) (intro.) Any person who does any of the following ~~shall be fined not~~  
8 ~~more than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class  
9 I felony:

10          **SECTION 62.** 70.47 (18) (a) of the statutes is amended to read:

11          70.47 (18) (a) Whoever with intent to injure or defraud alters, damages,  
12 removes or conceals any of the items specified under subs. (8) (f) and (17) ~~may be fined~~  
13 ~~not more than \$1,000 or imprisoned for not more than 3 years or both~~ is guilty of a  
14 Class I felony.

15          **SECTION 63.** 71.83 (2) (b) of the statutes is amended to read:

16          71.83 (2) (b) *Felony.* 1. ‘False income tax return; fraud.’ Any person, other than  
17 a corporation or limited liability company, who renders a false or fraudulent income  
18 tax return with intent to defeat or evade any assessment required by this chapter  
19 ~~shall be~~ is guilty of a Class H felony and may be ~~fined not more than \$10,000 or~~  
20 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~  
21 the cost of prosecution. In this subdivision, “return” includes a separate return filed  
22 by a spouse with respect to a taxable year for which a joint return is filed under s.  
23 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by  
24 the spouses with respect to a taxable year for which a separate return is filed under  
25 s. 71.03 (2) (m) after the filing of that joint return.

## ASSEMBLY BILL 3

## SECTION 63

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

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

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

22           **SECTION 64.** 86.192 (4) of the statutes is amended to read:

23           86.192 (4) Any person who violates this section ~~shall be fin~~ed not more than  
24 \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class H felony  
25 if the injury, defacement or removal causes the death of a person.