



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBs0382/1
ALL:all:all

ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

March 6, 2002 – Offered by JOINT COMMITTEE ON FINANCE.

1 **AN ACT relating to:** state finances and appropriations, correcting the imbalance
2 between projected revenues and authorized expenditures, and diverse other
3 matters.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 *~~-4548/2.1~~* *~~-3266/P1.1~~* **SECTION 1.** 6.18 of the statutes is amended to read:
5 **6.18 Former residents.** If ineligible to qualify as an elector in the state to
6 which the elector has moved, any former qualified Wisconsin elector may vote an
7 absentee ballot in the ward of the elector's prior residence in any presidential election
8 occurring within 24 months after leaving Wisconsin by requesting an application
9 form and returning it, properly executed, to the municipal clerk of the elector's prior
10 Wisconsin residence. When requesting an application form for an absentee ballot,
11 the applicant shall specify the applicant's eligibility for only the presidential ballot.

1 The application form shall require the following information and be in substantially
2 the following form:

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

7 APPLICATION FOR PRESIDENTIAL
8 ELECTOR'S ABSENT BALLOT.

9 (To be voted at the Presidential Election
10 on November, (year)

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

20 Signed

21 Address(Present address)

22(City)(State)

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

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

25(County)

1 My Commission expires
2 MAIL BALLOT TO:
3 NAME
4 ADDRESS
5 CITY STATE ZIP CODE

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

11 ... (Municipal Clerk)

12 ... (Municipality)

13 *~~4548/2.2~~* *~~3266/P1.2~~* **SECTION 2.** 11.61 (1) (a) of the statutes is amended
14 to read:

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

19 *~~4548/2.3~~* *~~3266/P1.3~~* **SECTION 3.** 11.61 (1) (b) of the statutes is amended
20 to read:

21 11.61 (1) (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1)
22 or 11.38 ~~where~~ is guilty of a Class I felony if the intentional violation does not involve
23 a specific figure, or ~~where~~ if the intentional violation concerns a figure which exceeds
24 \$100 in amount or value ~~may be fined not more than \$10,000 or imprisoned for not~~
25 ~~more than 4 years and 6 months or both.~~

1 *~~4548/2.4~~* *~~3266/P1.4~~* **SECTION 4.** 12.60 (1) (a) of the statutes is amended
2 to read:

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

6 *~~4548/2.5~~* *~~3266/P1.5~~* **SECTION 5.** 13.05 of the statutes is amended to read:

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

19 *~~4548/2.6~~* *~~3266/P1.6~~* **SECTION 6.** 13.06 of the statutes is amended to read:

20 **13.06 Executive favor.** Any member of the legislature who gives, offers or
21 promises to give his or her vote or influence in favor of or against any measure or
22 proposition pending or proposed to be introduced in the legislature, or that has
23 already been passed by either house of the legislature, in consideration of or on
24 condition that the governor approve, disapprove, veto or sign, or agree to approve,
25 disapprove, veto or sign, any other measure or proposition pending or proposed to be

1 introduced in the legislature or that has already been passed by the legislature, or
2 either house thereof, or in consideration or upon condition that the governor
3 nominate for appointment or appoint or remove any person to or from any office or
4 position under the laws of this state, ~~may be fined not less than \$500 nor more than~~
5 ~~\$1,000 or imprisoned for not less than one year nor more than 3 years or both~~ is guilty
6 of a Class I felony.

7 *~~4548/2.7~~* **SECTION 8.** 13.525 of the statutes is created to read:

8 **13.525 Joint review committee on criminal penalties. (1) CREATION.**

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

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

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

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

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

17 (e) A reserve judge who resides in the 1st, 2nd, 3rd, 4th, or 5th judicial
18 administrative district and a reserve judge who resides in the 6th, 7th, 8th, 9th, or
19 10th judicial administrative district, appointed by the supreme court.

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

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

1 **(3) JUDICIAL AND GUBERNATORIAL APPOINTEES.** Members appointed under sub. (1)
2 (e) or (f) shall serve at the pleasure of the authority appointing them.

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

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

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

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

20 2. The consistency of penalties proposed in the bill with existing criminal
21 penalties.

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

24 4. Whether acts prohibited under the bill are prohibited under existing
25 criminal statutes.

1 (c) The chief clerk shall print a report prepared by the committee under par.
2 (b) as an appendix to the bill and attach it thereto as are amendments. The
3 reproduction shall be in lieu of inclusion in the daily journal of the house in which
4 the proposal is introduced.

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

11 **(5m) RECOMMENDATIONS REGARDING SENTENCE MODIFICATIONS.** (a) No later than
12 the first day of the 6th month beginning after the effective date of this paragraph
13 [revisor inserts date], the committee shall submit a report to the legislature, in the
14 manner provided under s. 13.172 (2), and to the governor containing
15 recommendations regarding standards and procedures to be used by a court to
16 modify a bifurcated sentence. The report shall include any proposed legislation that
17 is necessary to implement the recommendations made by the committee in its report.

18 (b) Any proposed legislation included in the report under par. (a) shall provide
19 that a bifurcated sentence that a court previously imposed may be modified only by
20 reducing the term of confinement in prison portion of the sentence and lengthening
21 the term of extended supervision imposed so that the total length of the bifurcated
22 sentence originally imposed does not change.

23 **(6) COMMITTEE POWERS AND PROCEDURES.** The committee may hold hearings as
24 needed to elicit information for making a report under sub. (5) (b) or (5m) (a) or for
25 developing proposed legislation under sub. (5m) (a). The committee shall meet at the

1 call of its cochairpersons. All actions of the committee require the approval of a
2 majority of all of its members.

3 ~~*-4548/2.8*~~ **SECTION 9.** 13.525 (5m) of the statutes, as created by 2001
4 Wisconsin Act (this act), is repealed.

5 ~~*-4548/2.9*~~ ~~*-3266/P1.7*~~ **SECTION 10.** 13.69 (6m) of the statutes is amended
6 to read:

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

12 ~~*-4548/2.10*~~ ~~*-3361/P2.1*~~ **SECTION 13.** 15.01 (2) of the statutes, as affected
13 by 2001 Wisconsin Act 16, is amended to read:

14 15.01 (2) "Commission" means a 3-member governing body in charge of a
15 department or independent agency or of a division or other subunit within a
16 department, except for the Wisconsin waterways commission which shall consist of
17 5 members, the parole commission which shall consist of 8 members, and the Fox
18 River management commission which shall consist of 7 members. A Wisconsin group
19 created for participation in a continuing interstate body, or the interstate body itself,
20 shall be known as a "commission", but is not a commission for purposes of s. 15.06.
21 The parole commission created under s. 15.145 (1) shall be known as a "commission",
22 but is not a commission for purposes of s. 15.06. The sentencing commission created
23 under s. 15.105 (27) shall be known as a "commission" but is not a commission for
24 purposes of s. 15.06 (1) to (4m), (7), and (9).

1 *~~4548/2.11~~* *~~3361/P2.2~~* **SECTION 14.** 15.105 (27) of the statutes is created
2 to read:

3 15.105 (27) SENTENCING COMMISSION. (a) *Creation; membership.* There is
4 created a sentencing commission that is attached to the department of
5 administration under s. 15.03 and that shall consist of the following members:

6 1. The attorney general or his or her designee.

7 2. The state public defender or his or her designee.

8 3. Seven members, at least 2 of whom are not employed by any unit of federal,
9 state, or local government, appointed by the governor.

10 4. One majority party member and one minority party member from each house
11 of the legislature, appointed as are the members of standing committees in their
12 respective houses.

13 5. Two circuit judges, appointed by the supreme court.

14 6. One representative of crime victims and one prosecutor, each appointed by
15 the attorney general.

16 7. One attorney in private practice engaged primarily in the practice of criminal
17 defense, appointed by the criminal law section of the State Bar of Wisconsin.

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

21 (c) *Terms.* 1. Except as provided in subd. 2., members appointed under par. (a)
22 3. and 5. to 7. shall serve 3-year terms and are eligible for reappointment.

23 2. The term of a circuit judge appointed under par. (a) 5. shall end when such
24 person ceases to be a circuit judge. The term of a prosecutor appointed under par.

25 (a) 6. shall end when such person ceases to be a prosecutor.

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

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

11 (f) *Sunset.* This subsection does not apply after December 31, 2007.

12 ***b2309/1.1* SECTION 14d.** 15.197 (25) (c) of the statutes is amended to read:
13 15.197 (25) (c) This subsection does not apply beginning on July 1, 2002 2003.

14 ***b2279/1.1* SECTION 14m.** 16.003 (2) of the statutes is amended to read:
15 16.003 (2) STAFF. Except as provided in ss. ~~16.548~~, 16.57, 978.03 (1), (1m) and
16 (2), 978.04 and 978.05 (8) (b), the secretary shall appoint the staff necessary for
17 performing the duties of the department. All staff shall be appointed under the
18 classified service except as otherwise provided by law.

19 ***-4528/P1.1* SECTION 15.** 16.33 (1) (a) of the statutes is amended to read:
20 16.33 (1) (a) Subject to sub. (2), make grants or loans, directly or through agents
21 designated under s. 16.334, from the ~~appropriation~~ appropriations under s. 20.505
22 (7) (b) and (j) to persons or families of low or moderate income to defray housing costs
23 of the person or family.

24 ***b2268/1.1* SECTION 15c.** 16.33 (1) (a) of the statutes, as affected by 2001
25 Wisconsin Act (this act), is amended to read:

1 16.33 (1) (a) Subject to sub. (2), make grants or loans, directly or through agents
2 designated under s. 16.334, from the ~~appropriations~~ appropriation under s. 20.505
3 (7) (b) ~~and (j)~~ to persons or families of low or moderate income to defray housing costs
4 of the person or family.

5 *~~4508/1.1~~* **SECTION 16.** 16.40 (24) of the statutes, as created by 2001
6 Wisconsin Act 16, is repealed.

7 ***b2279/1.2*** **SECTION 20m.** 16.548 (1) of the statutes is amended to read:

8 16.548 (1) The department may maintain a federal–state relations office in
9 Washington, D.C., for the purpose of promoting federal–state cooperation, ~~headed by~~
10 ~~a director. The director and a staff assistant for the office shall be appointed by the~~
11 ~~governor outside the classified service, subject to the concurrence of the joint~~
12 ~~committee on legislative organization. The director and staff assistant shall serve~~
13 ~~at the pleasure of the governor.~~

14 *~~4548/2.12~~* *~~3361/P2.3~~* **SECTION 24.** 19.42 (10) (p) of the statutes is created
15 to read:

16 19.42 (10) (p) A member, the executive director, or the deputy director of the
17 sentencing commission.

18 ***b2297/1.1*** **SECTION 24m.** 19.42 (13) (c) of the statutes is amended to read:

19 19.42 (13) (c) All positions identified under s. 20.923 (2), (4), (4g), (6) (f) to (h),
20 (7), and (8) to (10), except clerical positions.

21 *~~4548/2.13~~* *~~3361/P2.4~~* **SECTION 25.** 19.42 (13) (o) of the statutes is created
22 to read:

23 19.42 (13) (o) The position of member, executive director, or deputy director of
24 the sentencing commission.

1 ***4528/P1.2*** SECTION 26. 20.005 (3) (schedule) of the statutes: at the
2 appropriate place, insert the following amounts for the purposes indicated:

				2001-02	2002-03
3					
4	20.285	University of Wisconsin System			
5	(1)	UNIVERSITY EDUCATION, RESEARCH AND PUBLIC			
6		SERVICE			
7	(s)	Energy costs; public benefits			
8		funding	SEG A	5,150,000	17,122,600
9	20.370	Natural resources, department of			
10	(6)	ENVIRONMENTAL AIDS			
11	(bw)	Wheelchair recycling project	SEG A	-0-	20,000
12	20.435	Health and family services, department			
13		of			
14	(2)	CARE AND TREATMENT FACILITIES			
15	(r)	Energy costs; public benefits			
16		funding	SEG A	-0-	600,000
17	20.465	Military affairs, department of			
18	(1)	NATIONAL GUARD OPERATIONS			
19	(r)	Energy costs; public benefits			
20		funding	SEG A	-0-	427,400
21	20.505	Administration, department of			
22	(4)	ATTACHED DIVISIONS AND OTHER BODIES			

				2001-02	2002-03
1	(dr)	Sentencing commission	GPR A	-0-	284,800
2	(7)	HOUSING ASSISTANCE			
3	(j)	Housing grants and loans; sur-			
4		plus transfer	PR B	1,500,000	3,300,300
5		20.765 Legislature			
6	(4)	CAPITOL OFFICES RELOCATION			
7	(a)	Capitol offices relocation costs	GPR B	2,652,000	-0-
8		20.855 Miscellaneous appropriations			
9	(4)	TAX, ASSISTANCE AND TRANSFER PAYMENTS			
10	(v)	Transfers to general fund;			
11		2001-02 and 2002-03 fiscal			
12		years	SEG A	4,333,600	6,190,900
13		*-4447/1.1* SECTION 27. 20.115 (1) (c) of the statutes, as affected by 2001			
14		Wisconsin Act 38, is repealed.			
15		*-4540/1.1* SECTION 28. 20.115 (4) (f) of the statutes is repealed.			
16		*-4498/1.1* SECTION 29. 20.143 (1) (en) of the statutes is repealed.			
17		*-4498/1.2* SECTION 30. 20.143 (1) (in) of the statutes is repealed.			
18		*b2340/2.1* SECTION 30m. 20.245 (1) (a) of the statutes, as affected by 2001			
19		Wisconsin Act 16, is amended to read:			
20		20.245 (1) (a) <i>General program operations.</i> The amounts in the schedule for			
21		general program operations of the historical society, except as provided under par.			
22		(ag).			

1 ***b2340/2.1* SECTION 30p.** 20.245 (1) (ag) of the statutes, as created by 2001
2 Wisconsin Act 16, is repealed.

3 ***-4490/6.1* SECTION 31.** 20.255 (2) (ac) of the statutes, as affected by 2001
4 Wisconsin Act 16, is amended to read:

5 20.255 (2) (ac) *General equalization aids.* A sum sufficient for the payment of
6 educational aids under ss. 121.08, 121.09, 121.095, and 121.105 and subch. VI of ch.
7 121 equal to ~~\$3,767,893,500~~ \$4,200,945,900 in the ~~1999–2000~~ 2002–03 fiscal year,
8 equal to the amount determined by law in the 2003–04 fiscal year and biennially
9 thereafter, and equal to the amount determined by the joint committee on finance
10 under s. 121.15 (3m) (c) in ~~each~~ the 2004–05 fiscal year and biennially thereafter.

11 ***-4678/2.2* SECTION 33.** 20.285 (1) (s) of the statutes is created to read:

12 20.285 (1) (s) *Energy costs; public benefits funding.* From the utility public
13 benefits fund, the amounts in the schedule to pay for utilities and for fuel, heat, and
14 air conditioning, and to pay costs incurred under ss. 16.858 and 16.895, including all
15 operating costs recommended by the department of administration that result from
16 the installation of pollution abatement equipment in state–owned or state–operated
17 heating, cooling, or power plants, by or on behalf of the board of regents. No moneys
18 may be encumbered from this appropriation after June 30, 2003.

19 ***-4543/5.2* SECTION 34.** 20.292 (1) (ep) of the statutes is repealed.

20 ***-4632/3.1* SECTION 36.** 20.370 (1) (fe) 1. of the statutes is amended to read:

21 20.370 (1) (fe) 1. From the general fund, a sum sufficient in fiscal year 1993–94
22 and in each fiscal year thereafter that equals the sum of the amount certified in that
23 fiscal year under s. 71.10 (5) (h) 3. for the previous fiscal year and the amounts
24 received under par. (gr) in that fiscal year for the purposes of the endangered
25 resources program, as defined in s. 71.10 (5) (a) 2. The amount appropriated under

1 this subdivision may not exceed \$500,000 in a fiscal year, except that the amount
2 appropriated under this subdivision in fiscal year 2001–02 may not exceed \$482,500
3 and the amount appropriated under this subdivision in fiscal year 2002–03 may not
4 exceed \$475,000.

5 *b2319/1.1* **SECTION 36b.** 20.370 (1) (kk) of the statutes, as created by 2001
6 Wisconsin Act 16, is amended to read:

7 20.370 (1) (kk) *Wild crane study.* From the general fund, the amounts in the
8 schedule for the study on crop damage by wild cranes under 2001 Wisconsin Act 16,
9 section 9137 (6f). All moneys transferred from the appropriation account under s.
10 20.505 (8) (hm) 8n. shall be credited to this appropriation account. Notwithstanding
11 s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to
12 the appropriation account under s. 20.505 (8) (hm). No moneys may be encumbered
13 from this appropriation after June 30, 2003.

14 *b2291/2.1* **SECTION 36d.** 20.370 (1) (mu) of the statutes is amended to read:

15 20.370 (1) (mu) *General program operations — state funds.* The amounts in
16 the schedule for general program operations that do not relate to the management
17 and protection of the state’s fishery resources under ss. 23.09 to 23.11, 27.01, 30.203,
18 and 30.277, subch. VI of ch. 77, and chs. 26, 28, and 29, to provide funding under 2001
19 Wisconsin Act (this act), section 9137 (1w), and for transfers to the appropriation
20 account under s. 20.285 (1) (kf).

21 *b2291/2.1* **SECTION 36db.** 20.370 (1) (mu) of the statutes, as affected by 2001
22 Wisconsin Act (this act), is amended to read:

23 20.370 (1) (mu) *General program operations — state funds.* The amounts in
24 the schedule for general program operations that do not relate to the management
25 and protection of the state’s fishery resources under ss. 23.09 to 23.11, 27.01, 30.203

1 and 30.277, subch. VI of ch. 77 and chs. 26, 28 and 29, ~~to provide funding under 2001~~
2 ~~Wisconsin Act (this act), section 9137 (1w),~~ and for transfers to the appropriation
3 account under s. 20.285 (1) (kf).

4 ***b2252/2.2* SECTION 36kb.** 20.370 (6) (bw) of the statutes is created to read:
5 20.370 (6) (bw) *Wheelchair recycling project.* From the recycling fund, the
6 amounts in the schedule for the wheelchair recycling project under 2001 Wisconsin
7 Act (this act), section 9137 (1q).

8 ***b2252/2.2* SECTION 36kc.** 20.370 (6) (bw) of the statutes, as created by 2001
9 Wisconsin Act (this act), is repealed.

10 ~~***4678/2.3* SECTION 38.**~~ 20.435 (2) (r) of the statutes is created to read:
11 20.435 (2) (r) *Energy costs; public benefits funding.* From the utility public
12 benefits fund, the amounts in the schedule to be used at mental health institutes and
13 centers for the developmentally disabled to pay for utilities and for fuel, heat, and
14 air conditioning and to pay costs incurred by or on behalf of the department under
15 ss. 16.858 and 16.895. No moneys may be encumbered from this appropriation after
16 June 30, 2003.

17 ~~***4570/3.1* SECTION 39.**~~ 20.435 (5) (fh) of the statutes, as affected by 2001
18 Wisconsin Act 16, is repealed.

19 ~~***4705/1.1* SECTION 40.**~~ 20.436 (1) (b) of the statutes is created to read:
20 20.436 (1) (b) *Annual transfer from general fund.* Annually, beginning on June
21 15, 2004, a sum sufficient to be transferred to the tobacco control fund equal to
22 \$25,000,000, less the amount transferred from the permanent endowment fund
23 under s. 13.101 (16) (b) in that year.

24 ~~***4663/1.1* SECTION 41.**~~ 20.445 (3) (md) of the statutes, as affected by 2001
25 Wisconsin Act 16, is amended to read:

1 20.445 (3) (md) *Federal block grant aids*. The amounts in the schedule, less
2 the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and
3 to be transferred to the appropriation accounts under ss. 20.255 (2) (kh), and (kp),
4 20.433 (1) (k), 20.434 (1) (kp) and (ky), 20.435 (3) (kc), (kd), (km), and (ky), (5) (ky),
5 (7) (ky), and (8) (kx), 20.465 (4) (k), and 20.835 (2) (kf). All block grant moneys
6 received for these purposes from the federal government or any of its agencies, all
7 moneys transferred under 2001 Wisconsin Act ... (this act), section 9223 (17), from
8 the appropriation account under s. 20.435 (7) (o), and all moneys recovered under s.
9 49.143 (3) shall be credited to this appropriation account.

10 ***b2260/3.1* SECTION 41r.** 20.455 (2) (fm) of the statutes, as affected by 2001
11 Wisconsin Act 16, is repealed.

12 ***-4678/2.4* SECTION 42.** 20.465 (1) (r) of the statutes is created to read:

13 20.465 (1) (r) *Energy costs; public benefits funding*. From the utility public
14 benefits fund, the amounts in the schedule to be used at military buildings under the
15 control of the department to pay for utilities and for fuel, heat, and air conditioning
16 and to pay costs incurred by or on behalf of the department under ss. 16.858 and
17 16.895. No moneys may be encumbered from this appropriation after June 30, 2003.

18 ***b2296/2.2* SECTION 43c.** 20.465 (4) (c) of the statutes is renumbered 20.465
19 (4) (ka) and amended to read:

20 20.465 (4) (ka) *Youth Challenge program; public instruction funds*. The
21 ~~amounts in the schedule~~ All moneys received from the department of public
22 instruction under s. 121.095, for the operation of the Youth Challenge program under
23 s. 21.26.

24 ***b2296/2.3* SECTION 43k.** 20.465 (4) (j) of the statutes is created to read:

1 20.465 (4) (j) *Youth Challenge program; county funds.* All moneys received
2 from counties under s. 21.26 (3), for the operation of the Youth Challenge program.

3 *~~4508/1.2~~* **SECTION 44.** 20.505 (1) (fe) of the statutes, as created by 2001
4 Wisconsin Act 16, is repealed.

5 *~~b2280/2.2~~* **SECTION 44d.** 20.505 (1) (md) of the statutes is amended to read:
6 20.505 (1) (md) *Oil overcharge restitution funds.* All federal moneys received
7 as oil overcharge funds, as defined in s. 14.065 (1), for expenditure under proposals
8 approved by the joint committee on finance under s. 14.065, and for transfers under
9 1993 Wisconsin Act 16, section 9201 (1z), ~~and for allocation under 1999 Wisconsin~~
10 ~~Act 113, section 32 (7).~~

11 *~~4678/2.5~~* **SECTION 45.** 20.505 (3) (s) of the statutes, as affected by 2001
12 Wisconsin Act 16, is amended to read:

13 20.505 (3) (s) *Energy conservation and efficiency and renewable resource*
14 *grants.* From the utility public benefits fund, a sum sufficient equal to the difference
15 between the unencumbered balance in the utility public benefits fund on the effective
16 date of this paragraph [revisor inserts date], and the sum of the amounts shown
17 in the schedule under s. 20.005 (3) for the appropriations under pars. (r) and (rr) and
18 the amounts appropriated under ss. 20.285 (1) (s), 20.435 (2) (r), 20.465 (1) (r), and
19 20.505 (3) (q), for energy conservation and efficiency and renewable resource grants
20 under s. 16.957 (2) (b) 1. and to make the transfer to the air quality improvement fund
21 under s. 16.958 (2) (a).

22 *~~4678/2.6~~* **SECTION 46.** 20.505 (3) (s) of the statutes, as affected by 2001
23 Wisconsin Act (this act), is repealed and recreated to read:

24 20.505 (3) (s) *Energy conservation and efficiency and renewable resource*
25 *grants.* From the utility public benefits fund, a sum sufficient for energy

1 conservation and efficiency and renewable resource grants under s. 16.957 (2) (b) 1.
2 and to make the transfer to the air quality improvement fund under s. 16.958 (2) (a).

3 *~~4548/2.15~~* *~~3361/P2.6~~* SECTION 47. 20.505 (4) (dr) of the statutes is
4 created to read:

5 20.505 (4) (dr) *Sentencing commission*. The amounts in the schedule for the
6 general program operations of the sentencing commission. No money may be
7 encumbered from the appropriation under this paragraph after December 31, 2007.

8 *~~4548/2.16~~* *~~3361/P2.7~~* SECTION 48. 20.505 (4) (mr) of the statutes is
9 created to read:

10 20.505 (4) (mr) *Sentencing commission; federal aid*. All moneys received as
11 federal aid as authorized by the governor under s. 16.54 to carry out the purposes for
12 which the aid is provided. No money may be encumbered from the appropriation
13 under this paragraph after December 31, 2007.

14 *~~4528/P1.3~~* SECTION 51. 20.505 (7) (b) (title) of the statutes is amended to
15 read:

16 20.505 (7) (b) (title) *Housing grants and loans; general purpose revenue*.

17 *~~4528/P1.4~~* SECTION 52. 20.505 (7) (j) of the statutes is created to read:

18 20.505 (7) (j) *Housing grants and loans; surplus transfer*. Biennially, the
19 amounts in the schedule for grants and loans under s. 16.33 and for grants under s.
20 16.336. All moneys received from the Wisconsin Housing and Economic
21 Development Authority under s. 234.165 (3) shall be credited to this appropriation
22 account.

23 *~~b2268/1.2~~* SECTION 52c. 20.505 (7) (j) of the statutes, as created by 2001
24 Wisconsin Act (this act), is repealed.

1 ***b2258/1.1* SECTION 52g.** 20.505 (8) (b) of the statutes, as created by 2001
2 Wisconsin Act 16, is repealed.

3 ***b2338/2.2* SECTION 52m.** 20.765 (4) of the statutes is created to read:

4 20.765 (4) CAPITOL OFFICES RELOCATION. (a) *Capitol offices relocation costs.* The
5 amounts in the schedule for office relocation costs related to the assembly, senate,
6 and legislative service agencies. Expenditures from this appropriation may be made
7 only with the approval of the cochairpersons of the joint committee on legislative
8 organization.

9 ~~***4462/4.1* SECTION 53.**~~ 20.835 (1) (b) of the statutes is amended to read:

10 20.835 (1) (b) *Small municipalities shared revenue.* A sum sufficient to make
11 the payments under s. 79.03 (3c). No moneys may be encumbered or expended from
12 this appropriation after December 31, 2003.

13 ~~***4462/4.2* SECTION 54.**~~ 20.835 (1) (c) of the statutes is amended to read:

14 20.835 (1) (c) *Expenditure restraint program account.* A sum sufficient to make
15 the payments under s. 79.05. No moneys may be encumbered or expended from this
16 appropriation after December 31, 2003.

17 ~~***4462/4.3* SECTION 55.**~~ 20.835 (1) (d) of the statutes is amended to read:

18 20.835 (1) (d) *Shared revenue account.* A sum sufficient to meet the
19 requirements of the shared revenue account established under s. 79.01 (2) to provide
20 for the distributions from the shared revenue account to counties, towns, villages,
21 and cities under ss. 79.03, 79.04, and 79.06. No moneys may be encumbered or
22 expended from this appropriation after December 31, 2003.

23 ***b2339/2.2* SECTION 55b.** 20.835 (1) (db) of the statutes is created to read:

24 20.835 (1) (db) *County and municipal aid account.* Beginning in 2003, a sum
25 sufficient to make payments to counties, towns, villages, and cities under s. 79.035.

1 ***b2339/2.2* SECTION 55d.** 20.835 (1) (dm) of the statutes is created to read:
2 20.835 (1) (dm) *Public utility distribution account.* Beginning in 2004, a sum
3 sufficient to make the payments under s. 79.04 (4), (6), and (7).

4 ~~***4462/4.4* SECTION 56.**~~ 20.835 (1) (f) of the statutes is amended to read:
5 20.835 (1) (f) *County mandate relief account.* A sum sufficient to make the
6 payments to counties under s. 79.058. No moneys may be encumbered or expended
7 from this appropriation after December 31, 2003.

8 ~~***4459/3.1* SECTION 58.**~~ 20.855 (4) (f) of the statutes is amended to read:
9 20.855 (4) (f) *Supplemental title fee matching.* From the general fund, a sum
10 sufficient equal to the amount of supplemental title fees collected under ss. 101.9208
11 (1) (dm) and 342.14 (3m), as determined under s. 85.037, less \$555,000, to be
12 transferred to the environmental fund on October 1 annually.

13 ~~***4550/8.2* SECTION 59.**~~ 20.855 (4) (rb) of the statutes is created to read:
14 20.855 (4) (rb) *Shared revenue payment.* From the permanent endowment
15 fund, a sum sufficient to make the payments under s. 79.02 (3).

16 ~~***4550/8.3* SECTION 60.**~~ 20.855 (4) (rb) of the statutes, as created by 2001
17 Wisconsin Act (this act), is repealed.

18 ~~***4550/8.4* SECTION 61.**~~ 20.855 (4) (rh) of the statutes, as created by 2001
19 Wisconsin Act 16, is amended to read:

20 20.855 (4) (rh) *Annual transfer from permanent endowment fund to general*
21 *fund.* From the permanent endowment fund, to be transferred to the general fund,
22 a sum sufficient equal to the amount that is required to be transferred to the general
23 fund under s. 13.101 (16).

24 ~~***4691/3.2* SECTION 63.**~~ 20.855 (4) (v) of the statutes is created to read:

1 20.855 (4) (v) *Transfers to general fund; 2001–02 and 2002–03 fiscal years.*
2 From the transportation fund, the amounts in the schedule to be transferred to the
3 general fund.

4 *~~4691/3.3~~* **SECTION 64.** 20.855 (4) (v) of the statutes, as created by 2001
5 Wisconsin Act (this act), is repealed.

6 ***b2253/1.1*** **SECTION 64r.** 20.866 (2) (tm) of the statutes is amended to read:
7 20.866 (2) (tm) *Natural resources; pollution abatement and sewage collection*
8 *facilities, ORAP funding.* From the capital improvement fund, a sum sufficient to
9 the department of natural resources to acquire, construct, develop, enlarge or
10 improve point source water pollution abatement facilities and sewage collection
11 facilities under ss. 281.55 and 281.56. The state may contract public debt in an
12 amount not to exceed ~~\$146,850,000~~ \$145,060,325 for this purpose. Of this amount,
13 \$5,000,000 is allocated for point source water pollution abatement facilities and
14 sewage collection facilities under s. 281.56.

15 *~~4573/1.1~~* **SECTION 65.** 20.866 (2) (xc) of the statutes is amended to read:
16 20.866 (2) (xc) *Building commission; refunding tax-supported general*
17 *obligation debt.* From the capital improvement fund, a sum sufficient to refund the
18 whole or any part of any unpaid indebtedness used to finance facilities in which
19 general obligation bonds are paid from general purpose revenue. The state may
20 contract public debt in an amount not to exceed ~~\$2,125,000,000~~ \$2,102,086,430 for
21 this purpose. Such indebtedness shall be construed to include any premium and
22 interest payable with respect thereto. Debt incurred by this paragraph shall be
23 repaid under the appropriations providing for the retirement of public debt incurred
24 for tax-supported facilities in proportional amounts to the purposes for which the

1 debt was refinanced. It is the intent of the legislature that this refunding authority
2 only be used if the true interest costs to the state can be reduced.

3 *–4573/1.2* **SECTION 66.** 20.866 (2) (xd) of the statutes is amended to read:

4 20.866 (2) (xd) *Building commission; refunding self-amortizing general*
5 *obligation debt.* From the capital improvement fund, a sum sufficient to refund the
6 whole or any part of any unpaid indebtedness used to finance facilities in which
7 general obligation bonds are repaid from program revenues or segregated funds. The
8 state may contract public debt in an amount not to exceed \$275,000,000
9 \$272,863,033 for this purpose. Such indebtedness shall be construed to include any
10 premium and interest payable with respect thereto. Debt incurred by this paragraph
11 shall be repaid under the appropriations providing for the retirement of public debt
12 incurred for self-amortizing facilities in proportional amounts to the purposes for
13 which the debt was refinanced. It is the intent of the legislature that this refunding
14 authority only be used if the true interest costs to the state can be reduced.

15 *–4573/1.3* **SECTION 67.** 20.866 (2) (xe) (title) of the statutes, as created by
16 2001 Wisconsin Act 16, is amended to read:

17 20.866 (2) (xe) (title) *Building commission; refunding tax-supported and*
18 *self-amortizing general obligation debt incurred before June 30, 2003.*

19 *–4573/1.4* **SECTION 68.** 20.866 (2) (xm) of the statutes is created to read:

20 20.866 (2) (xm) *Building commission; refunding tax-supported and*
21 *self-amortizing general obligation debt.* From the capital improvement fund, a sum
22 sufficient to refund the whole or any part of any unpaid indebtedness used to finance
23 tax-supported or self-amortizing facilities. In addition to the amount that may be
24 contracted under par. (xe), the state may contract public debt in an amount not to
25 exceed \$440,000,000 for this purpose. Such indebtedness shall be construed to

1 include any premium and interest payable with respect thereto. Debt incurred by
2 this paragraph shall be repaid under the appropriations providing for the retirement
3 of public debt incurred for tax-supported and self-amortizing facilities in
4 proportional amounts to the purposes for which the debt was refinanced. No moneys
5 may be expended under this paragraph unless the true interest costs to the state can
6 be reduced by the expenditure.

7 ***-4548/2.17* *-3361/P2.8* SECTION 69.** 20.923 (4) (b) 7. of the statutes is
8 created to read:

9 20.923 (4) (b) 7. Sentencing commission: executive director.

10 ***b2279/1.3* SECTION 69g.** 20.923 (4) (c) 1. of the statutes is repealed.

11 ***b2279/1.3* SECTION 69r.** 20.923 (6) (ah) of the statutes is repealed.

12 ***-4548/2.18* *-3361/P2.9* SECTION 71.** 20.923 (6) (hr) of the statutes is
13 created to read:

14 20.923 (6) (hr) Sentencing commission: deputy director.

15 ***b2297/1.2* SECTION 71g.** 20.923 (16) of the statutes is amended to read:

16 20.923 (16) OVERTIME AND COMPENSATORY TIME EXCLUSION. The salary paid to
17 any person whose position is included under subs. (2), (4), (4g), (5), (7), and (8) to (12)
18 is deemed to compensate that person for all work hours. No overtime compensation
19 may be paid, and no compensatory time under s. 103.025 may be provided, to any
20 such person for hours worked in any workweek in excess of the standard basis of
21 employment as specified in s. 230.35 (5) (a).

22 ***b2340/2.2* SECTION 71m.** 20.924 (4) of the statutes, as affected by 2001
23 Wisconsin Act 16, is amended to read:

1 20.924 (4) In addition to the authorized building program for the historical
2 society, the society may expend any funds which are made available from the
3 appropriations under s. 20.245 (1) ~~(ag)~~ (a), (g), (h), (m), and (n).

4 ***b2296/2.4* SECTION 72c.** 21.26 of the statutes is renumbered 21.26 (1).

5 ***b2296/2.4* SECTION 72d.** 21.26 (2) of the statutes is created to read:

6 21.26 (2) Annually, the department of military affairs shall do all of the
7 following:

8 (a) Calculate 40% of the average cost per pupil attending the Youth Challenge
9 program and report this information to the department of public instruction.

10 (b) Notwithstanding s. 118.125, report to each school district in which a pupil
11 attending the program is enrolled the pupil's name and the name and address of the
12 pupil's custodial parent or guardian.

13 ***b2296/2.4* SECTION 72e.** 21.26 (3) of the statutes is created to read:

14 21.26 (3) Based on the information received under s. 121.095 (3), if the
15 department of military affairs determines that a pupil attending the Youth
16 Challenge program is enrolled in a school district that had its state aid reduced by
17 the amount under s. 121.095 (1) (b) 2., the county in which the pupil's custodial
18 parent or guardian resided at the time of the pupil's attendance in the program shall
19 pay to the state, from the funds received under s. 20.410 (3) (cd) and (ko), the
20 difference between the amount under s. 121.095 (1) (b) 2. and the amount calculated
21 under sub. (2) (a). The pupil's custodial parent or guardian is the person who claims
22 the pupil as a dependent under section 151 (c) of the Internal Revenue Code on his
23 or her tax return. The department shall notify the county where a pupil resides of
24 the amount that the county is required to pay to the state.

25 ***b2266/1.1* SECTION 72g.** 23.0917 (4) (cm) 7. of the statutes is created to read:

1 23.0917 (4) (cm) 7. Development of a wildlife rehabilitation center under s.
2 23.197 (10).

3 ***b2277/1.1* SECTION 72k.** 23.0917 (7) (e) of the statutes is amended to read:

4 23.0917 (7) (e) For any land for which moneys are proposed to be obligated from
5 the appropriation under s. 20.866 (2) (ta) in order to provide a grant or state aid to
6 a governmental unit under s. 23.09 (19), (20), or (20m) or 30.277 or to a nonprofit
7 conservation organization under s. 23.096, the department shall use at least 2
8 appraisals to determine the fair market value of the land. The governmental unit
9 or nonprofit conservation organization shall submit to the department ~~two~~
10 appraisals if the department estimates that the fair market value of the land exceeds
11 \$200,000 one appraisal that is paid for by the governmental unit or nonprofit
12 conservation organization. The department shall obtain its own independent
13 appraisal. The department may also require that the governmental unit or nonprofit
14 conservation organization submit a 3rd independent appraisal. The department
15 shall reimburse the governmental unit or nonprofit conservation organization up to
16 50% of the costs of the 3rd appraisal as part of the acquisition costs of the land if the
17 land is acquired by the governmental unit or nonprofit conservation organization
18 with moneys obligated from the appropriation under s. 20.866 (2) (ta). This
19 paragraph does not apply if the fair market value of the land is estimated by the
20 department to be \$200,000 or less.

21 ***b2289/1.1* SECTION 72m.** 23.155 of the statutes is created to read:

22 **23.155 Contracts to sell or exchange state-owned land under the**
23 **jurisdiction of the department. (1)** In this section, “department land” means an
24 area of land that is owned by the state, that is under the jurisdiction of the

1 department, and that is used for one of the purposes described in s. 23.09 (2) (d) 1.,
2 2., 3., 6., 7., 8., 10., 11., 12., 13., 14., 15., or 16.

3 (2) The department may not enter into a contract to sell or exchange
4 department land that has a fair market value in excess of \$75,000 unless the
5 department first notifies the joint committee on finance in writing of the proposed
6 contract. If the cochairpersons of the committee do not notify the department within
7 14 working days after the date of the department's notification that the committee
8 has scheduled a meeting to review the proposed contract, the department may enter
9 into the contract. If, within 14 working days after receiving the notification from the
10 department, the cochairpersons of the committee notify the department that the
11 committee has scheduled a meeting to review the proposed contract, the department
12 may enter into the contract only on the approval of the committee.

13 (3) The joint committee on finance may approve a contract under sub. (2) to sell
14 department land only if the committee determines that the level of reimbursement
15 to be received by the state adequately reimburses the state for its cost in acquiring
16 and developing the department land. The joint committee on finance may approve
17 a contract under sub. (2) to exchange department land for other land only if the
18 committee determines that the value of the land to be received by the state in the
19 exchange adequately reflects the state's cost in acquiring and developing the
20 department land.

21 (4) The approval process under subs. (2) and (3) is in addition to any approval
22 process that may apply to the sale or exchange of the department land under s. 13.48
23 (14) (d).

24 *b2263/1.1* SECTION 72p. 23.197 (6g) of the statutes is created to read:

1 23.197 (6g) PLOVER RIVER; CONSERVATION EASEMENTS. From the appropriation
2 under s. 20.866 (2) (ta), the department shall provide funding in the amount of
3 \$250,000 to acquire conservation easements along the Plover River in Marathon
4 County and Portage County. For the purposes of s. 23.0917, moneys provided under
5 this subsection from the appropriation under s. 20.866 (2) (ta) shall be treated as
6 moneys obligated under the subprogram for land acquisition.

7 ***b2266/1.1* SECTION 72r.** 23.197 (10) of the statutes is created to read:

8 23.197 (10) WILDLIFE REHABILITATION CENTER. From the appropriation under s.
9 20.866 (2) (ta), the department shall provide \$500,000 to the Wisconsin Humane
10 Society in Milwaukee for the development of an outdoor center to be used for the
11 rehabilitation of wildlife. For purposes of s. 23.0917, the moneys provided under this
12 subsection shall be treated as moneys obligated from either or both of the
13 subprograms under s. 23.0917 (3) and (4).

14 ***-4548/2.19* *-3266/P1.8* SECTION 73.** 23.33 (13) (cg) of the statutes is
15 amended to read:

16 23.33 (13) (cg) *Penalties related to causing death or injury; interference with*
17 *signs and standards.* A person who violates sub. (8) (f) 1. ~~shall be fined not more than~~
18 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony
19 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another
20 person.

21 ***-4705/1.2* SECTION 81.** 25.66 (1) (e) of the statutes is created to read:

22 25.66 (1) (e) Beginning in fiscal year 2003–04, all moneys transferred from the
23 general fund under s. 20.436 (1) (b).

24 ***-4550/8.6* SECTION 82.** 25.69 of the statutes, as created by 2001 Wisconsin
25 Act 16, is amended to read:

1 **25.69 Permanent endowment fund.** There is established a separate
2 nonlapsible trust fund designated as the permanent endowment fund, consisting of
3 all of the proceeds from the sale of the state's right to receive payments under the
4 Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,
5 and all investment earnings on the proceeds. Moneys in the permanent endowment
6 fund shall be used only to make the transfers under s. 20.855 (4) (rc), (rh), (rp), and
7 (rv) and to make the appropriation under s. 20.855 (4) (rb).

8 *~~4550/8.7~~* **SECTION 83.** 25.69 of the statutes, as affected by 2001 Wisconsin
9 Acts 16 and (this act), is repealed and recreated to read:

10 **25.69 Permanent endowment fund.** There is established a separate
11 nonlapsible trust fund designated as the permanent endowment fund, consisting of
12 all of the proceeds from the sale of the state's right to receive payments under the
13 Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,
14 and all investment earnings on the proceeds. Moneys in the permanent endowment
15 fund shall be used only to make the transfers under ss. 13.101 (16) and 20.855 (4) (rh).

16 *~~4548/2.20~~* *~~3266/P1.9~~* **SECTION 84.** 26.14 (8) of the statutes is amended
17 to read:

18 26.14 (8) Any person who intentionally sets fire to the land of another or to a
19 marsh ~~shall be fined not more than \$10,000 or imprisoned for not more than 7 years~~
20 ~~and 6 months or both~~ is guilty of a Class H felony.

21 *~~b2321/1.1~~* **SECTION 84g.** 26.145 (2m) of the statutes is created to read:

22 26.145 (2m) **EFFECT OF OTHER FINANCIAL ASSISTANCE.** The department may
23 consider any cost which has been or will be paid or reimbursed from moneys received
24 under another federal or state financial assistance program as an ineligible cost for
25 the purposes of calculating the amount of a grant under sub. (1), except that the

1 department shall consider any cost that has been or will be paid or reimbursed from
2 moneys received under s. 101.573 (3) as an eligible cost for the purposes of calculating
3 the amount of a grant under sub. (1).

4 ***b2321/1.1* SECTION 84h.** 26.145 (2m) of the statutes, as created by 2001
5 Wisconsin Act (this act) is repealed.

6 ***-4548/2.21* *-3266/P1.10* SECTION 85.** 29.971 (1) (c) of the statutes is
7 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 ***-4548/2.22* *-3266/P1.11* SECTION 86.** 29.971 (1m) (c) of the statutes is
13 amended to read:

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

17 ***-4548/2.23* *-3266/P1.12* SECTION 87.** 29.971 (11m) (a) of the statutes is
18 amended to read:

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

1 issued to the person under this chapter and shall prohibit the issuance of any new
2 hunting approval under this chapter to the person for 3 years.

3 *~~4548/2.24~~* *~~3266/P1.13~~* SECTION 88. 29.971 (11p) (a) of the statutes is
4 amended to read:

5 29.971 (11p) (a) For entering the den of a hibernating black bear and harming
6 the bear, by a fine of not more than \$10,000 or imprisonment for not more than 2
7 years 9 months or both.

8 *~~4548/2.25~~* *~~3266/P1.14~~* SECTION 89. 30.80 (2g) (b) of the statutes is
9 amended to read:

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

13 *~~4548/2.26~~* *~~3266/P1.15~~* SECTION 90. 30.80 (2g) (c) of the statutes is
14 amended to read:

15 30.80 (2g) (c) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~
16 ~~than 3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a
17 person and the person suffered great bodily harm.

18 *~~4548/2.27~~* *~~3266/P1.16~~* SECTION 91. 30.80 (2g) (d) of the statutes is
19 amended to read:

20 30.80 (2g) (d) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~
21 ~~than 7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved
22 death to a person.

23 *~~4548/2.28~~* *~~3266/P1.17~~* SECTION 92. 30.80 (3m) of the statutes is
24 amended to read:

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

4 *~~4548/2.29~~* *~~3266/P1.18~~* **SECTION 93.** 36.25 (6) (d) of the statutes is
5 amended to read:

6 36.25 (6) (d) Any officer, agent, clerk or employee of the survey or department
7 of revenue who makes known to any person except the officers of the survey or
8 department of revenue, in any manner, any information given to such person in the
9 discharge of such person's duties under par. (c), which information was given to such
10 person with the request that it not be made known, ~~upon conviction thereof, shall be~~
11 ~~finned not less than \$50 nor more than \$500 or imprisoned for not less than one month~~
12 ~~nor more than 3 years~~ is guilty of a Class I felony. This paragraph shall not prevent
13 the use for assessment purposes of any information obtained under this subsection.

14 *~~4572/4.6~~* **SECTION 94.** 38.04 (9) of the statutes is amended to read:

15 38.04 (9) TRAINING PROGRAMS FOR FIRE FIGHTERS. In order to promote safety to
16 life and property, the board may establish and supervise training programs in fire
17 prevention and protection. The training programs shall include training in
18 responding to acts of terrorism, as defined in s. 146.50 (1) (ag), and shall be available
19 to members of volunteer and paid fire departments maintained by public and private
20 agencies, including industrial plants. No training program required for
21 participation in structural fire fighting that is offered to members of volunteer and
22 paid fire departments maintained by public agencies may require more than 60
23 hours of training.

24 *~~4543/5.4~~* **SECTION 98.** 38.28 (1m) (a) 1. of the statutes, as affected by 2001
25 Wisconsin Act 16, is amended to read:

1 38.28 (1m) (a) 1. “District aidable cost” means the annual cost of operating a
2 technical college district, including debt service charges for district bonds and
3 promissory notes for building programs or capital equipment, but excluding all
4 expenditures relating to auxiliary enterprises and community service programs, all
5 expenditures funded by or reimbursed with federal revenues, all receipts under sub.
6 (6) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r), and 146.55 (5), all
7 receipts from grants awarded under ss. 38.04 (8), (19), (20), and (31), 38.14 (11),
8 38.26, 38.27, ~~38.305~~, 38.31, 38.33, and 38.38, all fees collected under s. 38.24, and
9 driver education and chauffeur training aids.

10 *~~4543/5.5~~* **SECTION 99.** 38.305 of the statutes, as affected by 2001 Wisconsin
11 Act 16, is repealed.

12 ***b2297/1.3*** **SECTION 100g.** 40.02 (30) of the statutes is amended to read:

13 40.02 (30) “Executive participating employee” means a participating employee
14 in a position designated under s. 19.42 (10) (L) or 20.923 (4), (4g), (7), (8), or (9) or
15 authorized under s. 230.08 (2) (e) during the time of employment. All service credited
16 prior to May 17, 1988, as executive service as defined under s. 40.02 (31), 1985 stats.,
17 shall continue to be treated as executive service as defined under s. 40.02 (31), 1985
18 stats., but no other service rendered prior to May 17, 1988, may be changed to
19 executive service as defined under s. 40.02 (31), 1985 stats.

20 ***b2337/3.1*** **SECTION 100m.** 44.015 (5m) of the statutes is created to read:

21 44.015 (5m) Except as otherwise provided by law, establish fees for services or
22 products or for admission to venues.

23 ***b2312/2.1*** **SECTION 100p.** 46.286 (3m) of the statutes is created to read:

24 46.286 (3m) **INFORMATION ABOUT FAMILY CARE ENROLLEES.** (a) In this subsection:

25 1. “Disability insurance policy” has the meaning given in s. 632.895 (1) (a).

1 2. “Insurer” has the meaning given in s. 600.03 (27).

2 (b) An insurer that issues or delivers a disability insurance policy that provides
3 coverage to a resident of this state shall provide to the department, upon the
4 department’s request, information contained in the insurer’s records regarding all
5 of the following:

6 1. Information that the department needs to identify enrollees of family care
7 who satisfy any of the following:

8 a. Are eligible for benefits under a disability insurance policy.

9 b. Would be eligible for benefits under a disability insurance policy if the
10 enrollee were enrolled as a dependent of a person insured under the disability
11 insurance policy.

12 2. Information required for submittal of claims under the insurer’s disability
13 insurance policy.

14 3. The types of benefits provided by the disability insurance policy.

15 (c) Upon requesting an insurer to provide the information under par. (b), the
16 department shall enter into a written agreement with the insurer that satisfies all
17 of the following:

18 1. Identifies in detail the information to be disclosed.

19 2. Includes provisions that adequately safeguard the confidentiality of the
20 information to be disclosed.

21 (d) 1. An insurer shall provide the information requested under par. (b) within
22 180 days after receiving the department’s request if it is the first time that the
23 department has requested the insurer to disclose information under this subsection.

1 2. An insurer shall provide the information requested under par. (b) within 30
2 days after receiving the department's request if the department has previously
3 requested the insurer to disclose information under this subsection.

4 3. If an insurer fails to comply with subd. 1. or 2., the department may notify
5 the commissioner of insurance, and the commissioner of insurance may initiate
6 enforcement proceedings against the insurer under s. 601.41 (4) (a).

7 *~~4548/2.30~~* *~~3266/P1.19~~* **SECTION 101.** 47.03 (3) (d) of the statutes is
8 amended to read:

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

11 *~~4548/2.31~~* *~~0590/P5.1~~* **SECTION 102.** 48.355 (2d) (b) 3. of the statutes is
12 amended to read:

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

21 *~~4548/2.32~~* *~~0590/P5.2~~* **SECTION 103.** 48.415 (9m) (b) 2. of the statutes is
22 amended to read:

23 48.415 (9m) (b) 2. The commission of a violation of s. 940.19 (3), 1999 stats.,
24 a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,
25 948.03 (2) (a) or (3) (a), 948.05, 948.06 or 948.08 or a violation of the law of any other

1 state or federal law, if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or
2 (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (3) (a), 948.05, 948.06
3 or 948.08 if committed in this state.

4 ***-4548/2.33* *-0590/P5.3* SECTION 104.** 48.417 (1) (d) of the statutes is
5 amended to read:

6 48.417 (1) (d) A court of competent jurisdiction has found that the parent has
7 committed a violation of s. 940.19 (3), 1999 stats., a violation of s. 940.19 (2), ~~(3)~~, (4)
8 or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) or a
9 violation of the law of any other state or federal law, if that violation would be a
10 violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or
11 948.03 (2) (a) or (3) (a) if committed in this state, and that the violation resulted in
12 great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as
13 defined in s. 939.22 (38), to the child or another child of the parent.

14 ***-4548/2.34* *-0590/P5.4* SECTION 110.** 48.57 (3p) (g) 2. of the statutes is
15 amended to read:

16 48.57 (3p) (g) 2. The person has had imposed on him or her a penalty specified
17 in s. 939.64, 1999 stats., or s. 939.641, 1999 stats., or s. 939.62, 939.621, 939.63,
18 939.64, 939.641 or 939.645 or has been convicted of a violation of the law of any other
19 state or federal law under circumstances under which the person would be subject
20 to a penalty specified in any of those sections if convicted in this state.

21 ***-4548/2.35* SECTION 111.** 48.685 (1) (c) of the statutes is amended to read:

22 48.685 (1) (c) "Serious crime" means a violation of s. 940.19 (3), 1999 stats., a
23 violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), ~~(3)~~, (4), (5) or (6),
24 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2),
25 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am),

1 948.12, 948.13, 948.21 (1) or 948.30 or a violation of the law of any other state or
2 United States jurisdiction that would be a violation of s. 940.19 (3), 1999 stats., or
3 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), ~~(3)~~, (4), (5) or (6),
4 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2),
5 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am),
6 948.12, 948.13, 948.21 (1) or 948.30 if committed in this state.

7 ***-4548/2.36* *-0590/P5.5* SECTION 112.** 48.685 (5) (bm) 2. of the statutes is
8 amended to read:

9 48.685 (5) (bm) 2. A violation of s. 940.19 (3), 1999 stats., or of s. 940.19 (2), ~~(3)~~,
10 (4), (5) or (6) or 940.20 (1) or (1m), if the victim is the spouse of the person.

11 ***-4548/2.37* *-0590/P5.6* SECTION 113.** 48.685 (5) (bm) 3. of the statutes is
12 amended to read:

13 48.685 (5) (bm) 3. A violation of s. 943.23 (1m) or (1r), 1999 stats., or of s. 940.01,
14 940.02, 940.03, 940.05, 940.06, 940.21, 940.225 (1), (2) or (3), 940.23, 940.305, 940.31,
15 941.20 (2) or (3), 941.21, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~ or 943.32 (2).

16 ***-4548/2.38* *-0590/P5.7* SECTION 114.** 48.685 (5) (bm) 4. of the statutes is
17 amended to read:

18 48.685 (5) (bm) 4. A violation of s. 940.19 (3), 1999 stats., or of s. 940.19 (2), ~~(3)~~,
19 (4), (5) or (6), 940.20, 940.203, 940.205 or 940.207 or an offense under ch. 961 that
20 is a felony, if committed not more than 5 years before the date of the investigation
21 under sub. (2) (am).

22 ***-4548/2.39* *-3266/P1.23* SECTION 115.** 49.141 (7) (a) of the statutes is
23 amended to read:

24 49.141 (7) (a) A person who is convicted of violating sub. (6) in connection with
25 the furnishing by that person of items or services for which payment is or may be

1 made under Wisconsin works may be fined not more than \$25,000 or imprisoned for
2 not more than 7 years and 6 months or both is guilty of a Class H felony.

3 ~~*-4548/2.40*~~ ~~*-3266/P1.24*~~ **SECTION 116.** 49.141 (7) (b) of the statutes is
4 amended to read:

5 49.141 (7) (b) A person, other than a person under par. (a), who is convicted of
6 violating sub. (6) may be fined not more than \$10,000 or imprisoned for not more than
7 2 years 9 months or both.

8 ~~*-4548/2.41*~~ ~~*-3266/P1.25*~~ **SECTION 117.** 49.141 (9) (a) of the statutes is
9 amended to read:

10 49.141 (9) (a) Whoever solicits or receives any remuneration in cash or in-kind,
11 in return for referring an individual to a person for the furnishing or arranging for
12 the furnishing of any item or service for which payment may be made in whole or in
13 part under Wisconsin works, or in return for purchasing, leasing, ordering, or
14 arranging for or recommending purchasing, leasing, or ordering any good, facility,
15 service, or item for which payment may be made in whole or in part under Wisconsin
16 works, is guilty of a Class H felony, except that, notwithstanding the maximum fine
17 specified in s. 939.50 (3) (h), the person may be fined not more than \$25,000 or
18 imprisoned for not more than 7 years and 6 months or both.

19 ~~*-4548/2.42*~~ ~~*-3266/P1.26*~~ **SECTION 118.** 49.141 (9) (b) of the statutes is
20 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

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 *~~4548/2.43~~* *~~3266/P1.27~~* **SECTION 119.** 49.141 (10) (b) of the statutes is
6 amended to read:

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

11 ***b2355/2.1*** **SECTION 119m.** 49.175 (1) (zh) 2. of the statutes, as affected by
12 2001 Wisconsin Act 16, is amended to read:

13 49.175 (1) (zh) 2. ‘Taxable years 1999 and thereafter.’ For the transfer of
14 moneys from the appropriation account under s. 20.445 (3) (md) to the appropriation
15 account under s. 20.835 (2) (kf) for the earned income tax credit, \$51,244,500 in fiscal
16 year 2001–02 and ~~\$52,200,000~~ \$55,160,000 in fiscal year 2002–03.

17 *~~4548/2.44~~* **SECTION 120.** 49.195 (3n) (k) of the statutes is amended to read:

18 49.195 (3n) (k) Any person who removes, deposits or conceals or aids in
19 removing, depositing or concealing any property upon which a levy is authorized
20 under this subsection with intent to evade or defeat the assessment or collection of
21 any debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years~~
22 ~~and 6 months or both, is guilty of a Class H felony and shall be liable to the state for~~
23 assessed the costs of prosecution.

24 *~~4548/2.45~~* **SECTION 121.** 49.195 (3n) (r) of the statutes is amended to read:

1 49.195 (3n) (r) No employer may discharge or otherwise discriminate with
2 respect to the terms and conditions of employment against any employee by reason
3 of the fact that his or her earnings have been subject to levy for any one levy or
4 because of compliance with any provision of this subsection. Any person who violates
5 this paragraph ~~may be fined not more than \$1,000 or imprisoned for not more than~~
6 ~~2 years or both~~ is guilty of a Class I felony.

7 *~~4668/2.1~~* **SECTION 122.** 49.45 (49) of the statutes is created to read:

8 49.45 (49) PRESCRIPTION DRUG PRIOR AUTHORIZATION. (a) The secretary shall
9 exercise his or her authority under s. 15.04 (1) (c) to create a prescription drug prior
10 authorization committee to advise the department on issues related to prior
11 authorization decisions made concerning prescription drugs on behalf of medical
12 assistance recipients. The secretary shall appoint as members at least all of the
13 following:

- 14 1. Two physicians, as defined in s. 448.01 (5), who are currently in practice.
- 15 2. Two pharmacists, as defined in s. 450.01 (15).
- 16 3. One advocate for recipients of medical assistance who has sufficient medical
17 background, as determined by the department, to evaluate a prescription drug's
18 clinical effectiveness.

19 (b) The prescription drug prior authorization committee shall accept
20 information or commentary from representatives of the pharmaceutical
21 manufacturing industry in the committee's review of prior authorization policies.

22 *~~4548/2.46~~* *~~3266/P1.28~~* **SECTION 123.** 49.49 (1) (b) 1. of the statutes is
23 amended to read:

24 49.49 (1) (b) 1. In the case of such a statement, representation, concealment,
25 failure, or conversion by any person in connection with the furnishing by that person

1 of items or services for which medical assistance is or may be made, a person
2 ~~convicted of violating this subsection is guilty of a Class H felony, except that,~~
3 ~~notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be~~
4 ~~fined not more than \$25,000 or imprisoned for not more than 7 years and 6 months~~
5 ~~or both.~~

6 *~~4548/2.47~~* *~~3266/P1.29~~* **SECTION 124.** 49.49 (2) (a) of the statutes is
7 amended to read:

8 49.49 (2) (a) *Solicitation or receipt of remuneration.* Any person who solicits
9 or receives any remuneration, including any kickback, bribe, or rebate, directly or
10 indirectly, overtly or covertly, in cash or in kind, in return for referring an individual
11 to a person for the furnishing or arranging for the furnishing of any item or service
12 for which payment may be made in whole or in part under a medical assistance
13 program, or in return for purchasing, leasing, ordering, or arranging for or
14 recommending purchasing, leasing, or ordering any good, facility, service, or item for
15 which payment may be made in whole or in part under a medical assistance program,
16 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified
17 in s. 939.50 (3) (h), the person may be fined not more than \$25,000 or imprisoned for
18 not more than 7 years and 6 months or both.

19 *~~4548/2.48~~* *~~3266/P1.30~~* **SECTION 125.** 49.49 (2) (b) of the statutes is
20 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

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 *~~4548/2.49~~* *~~3266/P1.31~~* **SECTION 126.** 49.49 (3) of the statutes is amended
8 to read:

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

19 *~~4548/2.50~~* *~~3266/P1.32~~* **SECTION 127.** 49.49 (3m) (b) of the statutes is
20 amended to read:

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

1 *~~4548/2.51~~* *~~3266/P1.33~~* SECTION 128. 49.49 (4) (b) of the statutes is
2 amended to read:

3 49.49 (4) (b) A person who violates this subsection is guilty of a Class H felony,
4 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the
5 person may be fined not more than \$25,000 ~~or imprisoned for not more than 7 years~~
6 ~~and 6 months or both.~~

7 *~~b2317/2.1~~* SECTION 128m. 49.665 (4) (at) 1. b. of the statutes is amended to
8 read:

9 49.665 (4) (at) 1. b. The department may not lower the maximum income level
10 for initial eligibility unless the department first submits to the joint committee on
11 finance ~~its plans~~ a plan for lowering the maximum income level ~~and the committee~~
12 ~~approves the plan.~~ If, within 14 days after ~~submitting the plan~~ the date on which the
13 plan is submitted to the joint committee on finance, the cochairpersons of the
14 committee do not notify the secretary that the committee has scheduled a meeting
15 for the purpose of reviewing the plan, the department shall implement the plan is
16 ~~considered approved by the committee as proposed.~~ If, within 14 days after the date
17 on which the plan is submitted to the committee, the cochairpersons of the committee
18 notify the secretary that the committee has scheduled a meeting to review the plan,
19 the department may implement the plan only as approved by the committee.

20 *~~b2317/2.1~~* SECTION 128n. 49.665 (4) (at) 1. cm. of the statutes is created to
21 read:

22 49.665 (4) (at) 1. cm. Notwithstanding s. 20.001 (3) (b), if, after reviewing the
23 plan submitted under subd. 1. b., the joint committee on finance determines that the
24 amounts appropriated under s. 20.435 (4) (bc), (jz), (p), and (x) are insufficient to
25 accommodate the projected enrollment levels, the committee may transfer

1 appropriated moneys from the general purpose revenue appropriation account of any
2 state agency, as defined in s. 20.001 (1), other than a sum sufficient appropriation
3 account, to the appropriation account under s. 20.435 (4) (bc) to supplement the
4 health care program under this section if the committee finds that the transfer will
5 eliminate unnecessary duplication of functions, result in more efficient and effective
6 methods for performing programs, or more effectively carry out legislative intent,
7 and that legislative intent will not be changed by the transfer.

8 ***b2312/2.2* SECTION 128p.** 49.665 (5m) of the statutes is created to read:

9 49.665 (5m) INFORMATION ABOUT BADGER CARE RECIPIENTS. (a) In this subsection:

- 10 1. “Disability insurance policy” has the meaning given in s. 632.895 (1) (a).
11 2. “Insurer” has the meaning given in s. 600.03 (27).

12 (b) An insurer that issues or delivers a disability insurance policy that provides
13 coverage to a resident of this state shall provide to the department, upon the
14 department’s request, information contained in the insurer’s records regarding all
15 of the following:

16 1. Information that the department needs to identify recipients of badger care
17 who satisfy any of the following:

- 18 a. Are eligible for benefits under a disability insurance policy.
19 b. Would be eligible for benefits under a disability insurance policy if the
20 recipient were enrolled as a dependent of a person insured under the disability
21 insurance policy.

22 2. Information required for submittal of claims under the insurer’s disability
23 insurance policy.

24 3. The types of benefits provided by the disability insurance policy.

1 (c) Upon requesting an insurer to provide the information under par. (b), the
2 department shall enter into a written agreement with the insurer that satisfies all
3 of the following:

4 1. Identifies in detail the information to be disclosed.

5 2. Includes provisions that adequately safeguard the confidentiality of the
6 information to be disclosed.

7 (d) 1. An insurer shall provide the information requested under par. (b) within
8 180 days after receiving the department's request if it is the first time that the
9 department has requested the insurer to disclose information under this subsection.

10 2. An insurer shall provide the information requested under par. (b) within 30
11 days after receiving the department's request if the department has previously
12 requested the insurer to disclose information under this subsection.

13 3. If an insurer fails to comply with subd. 1. or 2., the department may notify
14 the commissioner of insurance, and the commissioner of insurance may initiate
15 enforcement proceedings against the insurer under s. 601.41 (4) (a).

16 *b2312/2.3* SECTION 140p. 49.688 (2) (a) 3. of the statutes, as created by 2001
17 Wisconsin Act 16, is amended to read:

18 49.688 (2) (a) 3. The person is not a recipient of medical assistance or, as a
19 recipient, does not receive prescription drug coverage.

20 *b2312/2.3* SECTION 140q. 49.688 (3) (d) of the statutes, as created by 2001
21 Wisconsin Act 16, is amended to read:

22 49.688 (3) (d) Notwithstanding s. 49.002, if a person who is eligible under this
23 section has other available coverage for payment of a prescription drug, this section
24 applies only to costs for prescription drugs for the persons person that are not covered
25 under the person's other available coverage.

1 ***b2312/2.3* SECTION 140r.** 49.688 (8m) of the statutes is created to read:

2 49.688 (8m) (a) In this subsection:

3 1. “Disability insurance policy” has the meaning given in s. 632.895 (1) (a).

4 2. “Insurer” has the meaning given in s. 600.03 (27).

5 (b) An insurer that issues or delivers a disability insurance policy that provides
6 coverage to a resident of this state shall provide to the department, upon the
7 department’s request, information contained in the insurer’s records regarding all
8 of the following:

9 1. Information that the department needs to identify eligible persons under
10 this section who satisfy any of the following:

11 a. Are eligible for benefits under a disability insurance policy.

12 b. Would be eligible for benefits under a disability insurance policy if the
13 eligible person were enrolled as a dependent of a person insured under the disability
14 insurance policy.

15 2. Information required for submittal of claims under the insurer’s disability
16 insurance policy.

17 3. The types of benefits provided by the disability insurance policy.

18 (c) Upon requesting an insurer to provide the information under par. (b), the
19 department shall enter into a written agreement with the insurer that satisfies all
20 of the following:

21 1. Identifies in detail the information to be disclosed.

22 2. Includes provisions that adequately safeguard the confidentiality of the
23 information to be disclosed.

1 (d) 1. An insurer shall provide the information requested under par. (b) within
2 180 days after receiving the department's request if it is the first time that the
3 department has requested the insurer to disclose information under this subsection.

4 2. An insurer shall provide the information requested under par. (b) within 30
5 days after receiving the department's request if the department has previously
6 requested the insurer to disclose information under this subsection.

7 3. If an insurer fails to comply with subd. 1. or 2., the department may notify
8 the commissioner of insurance, and the commissioner of insurance may initiate
9 enforcement proceedings against the insurer under s. 601.41 (4) (a).

10 *~~4548/2.52~~* **SECTION 141.** 49.688 (9) (b) of the statutes, as created by 2001
11 Wisconsin Act 16, is amended to read:

12 49.688 (9) (b) A person who is convicted of violating a rule promulgated by the
13 department under par. (a) in connection with that person's furnishing of prescription
14 drugs under this section is guilty of a Class H felony, except that, notwithstanding
15 the maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than
16 \$25,000, ~~or imprisoned for not more than 7 years and 6 months, or both.~~

17 *~~4548/2.53~~* **SECTION 142.** 49.688 (9) (c) of the statutes, as created by 2001
18 Wisconsin Act 16, is amended to read:

19 49.688 (9) (c) A person other than a person specified in par. (b) who is convicted
20 of violating a rule promulgated by the department under par. (a) may be fined not
21 more than \$10,000, or imprisoned in the county jail for not more than one year, or
22 both.

23 *~~4548/2.54~~* *~~3266/P1.20~~* **SECTION 143.** 49.795 (8) (a) 2. of the statutes, as
24 affected by 2001 Wisconsin Act 16, is amended to read:

1 49.795 (8) (a) 2. If the value of the food coupons exceeds \$100, but is less than
2 \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~
3 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class I felony.

4 *~~4548/2.55~~* *~~3266/P1.21~~* **SECTION 144.** 49.795 (8) (b) 2. of the statutes, as
5 affected by 2001 Wisconsin Act 16, is amended to read:

6 49.795 (8) (b) 2. If the value of the food coupons exceeds \$100, but is less than
7 \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~
8 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
9 felony.

10 *~~4548/2.56~~* *~~3266/P1.22~~* **SECTION 145.** 49.795 (8) (c) of the statutes, as
11 affected by 2001 Wisconsin Act 16, is amended to read:

12 49.795 (8) (c) For any offense under this section, if the value of the food coupons
13 is \$5,000 or more, a person who violates this section ~~may be fined not more than~~
14 ~~\$250,000 or imprisoned for not more than 30 years or both~~ is guilty of a Class G felony.

15 *~~4548/2.57~~* *~~3266/P1.34~~* **SECTION 146.** 49.95 (1) of the statutes is
16 renumbered 49.95 (1) (intro.) and amended to read:

17 49.95 (1) (intro.) Any person who, with intent to secure public assistance under
18 this chapter, whether for himself or herself or for some other person, wilfully makes
19 any false representations ~~may, if~~ is subject to the following penalties:

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

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

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

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

7 *~~4548/2.58~~* **SECTION 147.** 49.95 (1) (e) and (f) of the statutes are created to
8 read:

9 49.95 (1) (e) If the value of the assistance exceeds \$5,000 but does not exceed
10 \$10,000, the person is guilty of a Class H felony.

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

13 *~~4548/2.59~~* **SECTION 148.** 50.065 (1) (e) 1. of the statutes is amended to read:

14 50.065 (1) (e) 1. "Serious crime" means a violation of s. 940.19 (3), 1999 stats.,
15 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), ~~(3),~~ (4), (5) or (6),
16 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1),
17 948.025 or 948.03 (2) (a), or a violation of the law of any other state or United States
18 jurisdiction that would be a violation of s. 940.19 (3), 1999 stats., or a violation of s.
19 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), ~~(3),~~ (4), (5) or (6), 940.22 (2) or (3),
20 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1), 948.025 or 948.03 (2)
21 (a) if committed in this state.

22 *~~4548/2.60~~* *~~3266/P1.35~~* **SECTION 149.** 51.15 (12) of the statutes is
23 amended to read:

24 51.15 (12) PENALTY. Whoever signs a statement under sub. (4), (5) or (10)
25 knowing the information contained therein to be false ~~may be fined not more than~~

1 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
2 Class H felony.

3 *~~4548/2.61~~* *~~3266/P1.36~~* **SECTION 150.** 55.06 (11) (am) of the statutes is
4 amended to read:

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

9 *~~4585/2.1~~* **SECTION 151.** 66.0143 of the statutes is created to read:

10 **66.0143 Local appeals for exemption from state mandates. (1)**

11 DEFINITIONS. In this section:

12 (a) “Political subdivision” means a city, village, town, or county.

13 (b) “State mandate” means a state law that requires a political subdivision to
14 engage in an activity or provide a service, or to increase the level of its activities or
15 services.

16 (2) APPEALS FOR EXEMPTIONS. (a) A political subdivision may file a request with
17 the department of revenue for a waiver from a state mandate, except for a state
18 mandate that is related to any of the following:

19 1. Health.

20 2. Safety.

21 (b) An administrative agency, or the department of revenue, may grant a
22 political subdivision a waiver from a state mandate as provided in par. (c).

23 (c) The political subdivision shall specify in its request for a waiver its reason
24 for requesting the waiver. Upon receipt of a request for a waiver, the department of
25 revenue shall forward the request to the administrative agency which is responsible

1 for administrating the state mandate. The agency shall determine whether to grant
2 the waiver and shall notify the political subdivision and the department of revenue
3 of its decision in writing. If no agency is responsible for administrating the state
4 mandate, the department of revenue shall determine whether to grant the waiver
5 and shall notify the political subdivision of its decision in writing.

6 (3) DURATION OF WAIVERS. A waiver is effective for 4 years. The administrative
7 agency may renew the waiver for additional 4-year periods. If a waiver is granted
8 by the department of revenue, the department may renew the waiver under this
9 subsection.

10 (4) EVALUATION. By July 1, 2004, the department of revenue shall submit a
11 report to the governor, and to the appropriate standing committees of the legislature
12 under s. 13.172 (3). The report shall specify the number of waivers requested under
13 this section, a description of each waiver request, the reason given for each waiver
14 request, and the financial effects on the political subdivision of each waiver that was
15 granted.

16 *~~4586/2.1~~ SECTION 152. 66.0602 of the statutes is created to read:

17 **66.0602 Limit on operating levy increase.** (1) DEFINITIONS. In this section:

18 (a) "Debt levy" means the political subdivision levy for debt service on loans
19 under subch. II of ch. 24, bonds issued under s. 67.05, and promissory notes issued
20 under s. 67.12 (12), less any revenues that abate the levy.

21 (b) "Inflation" means a percentage equal to the average annual percentage
22 change in the U.S. consumer price index for all urban consumers, U.S. city average,
23 as determined by the U.S. department of labor, for the 12 months ending on
24 September 30 of the year of the operating levy.

25 (c) "Municipality" means a city, village, or town.

1 (d) “Operating levy” means the political subdivision levy, less the debt levy.

2 (e) “Political subdivision” means a municipality or a county.

3 (f) “Population” means the number of persons residing in the political
4 subdivision as determined by the department of administration under s. 16.96.

5 (g) “Total levy rate” means the political subdivision purpose levy divided by the
6 equalized value of the political subdivision exclusive of any tax incremental district
7 value increment.

8 (h) “Valuation factor” means a percentage equal to 60% of the percentage
9 change in a municipality’s equalized value due to new construction, less
10 improvements removed, between the year before the year of the operating levy and
11 the previous year, but not less than zero nor greater than 2.

12 (2) LIMIT. Except as provided in sub. (3), no municipality whose total levy rate
13 is equal to or greater than .001 may increase its operating levy, each year, by a
14 percentage that exceeds the sum of the percentages that are specified in pars. (a) and
15 (c) and the amount that is specified in par. (d), and no county whose total levy rate
16 is equal to or greater than .001 may increase its operating levy, each year, by a
17 percentage that exceeds the sum of the percentages that are specified in pars. (a) and
18 (b) and the amount that is specified in par. (d):

19 (a) Inflation.

20 (b) The percentage increase in population in the county from the preceding year
21 to the current year.

22 (c) The valuation factor.

23 (d) An amount equal to 50% of the difference between the political subdivision’s
24 allowable operating levy, as determined in the prior year, and the political
25 subdivision’s adopted operating levy, as determined in the prior year.

1 **(3) REFERENDUM, EXCEPTIONS.** (a) 1. If the governing body of a political
2 subdivision wishes to exceed the operating levy limit otherwise applicable to the
3 political subdivision under this section, it shall adopt a resolution to that effect. The
4 resolution shall specify the operating levy and the percentage increase in the
5 operating levy that the governing body wishes to impose. The governing body shall
6 call a special election for the purpose of submitting the resolution to the electors of
7 the political subdivision for a referendum on approval or rejection. In lieu of calling
8 a special election, the governing body may specify that the referendum be held at the
9 next succeeding spring primary or election or September primary or general election
10 to be held not earlier than 42 days after the adoption of the resolution of the
11 governing body. The governing body shall file the resolution to be submitted to the
12 electors as provided in s. 8.37.

13 2. The question submitted at the referendum shall be as follows: “Under state
14 law, the operating levy increase for the (name of political subdivision), for the tax
15 to be imposed for the year (year), is limited to% (the amount calculated under
16 sub. (2)) that results in an operating levy of \$.... . Notwithstanding the operating levy
17 increase limit, shall the (name of political subdivision) be allowed to exceed this
18 operating levy increase limit such that the operating levy increase for the year
19 (year) will be% (the amount specified in the governing body’s resolution) that
20 results in an operating levy of \$.... ?”

21 3. Immediately after expiration of the time allowed to file a petition for a
22 recount, the clerk of the political subdivision shall certify the results of the
23 referendum to the department of revenue. If a petition for a recount is filed, the clerk
24 shall make this certification immediately after the recount has been completed and
25 the time allowed for filing an appeal has passed or, if appealed, immediately after the

1 appeal is decided. A political subdivision may exceed the operating levy increase
2 limit otherwise applicable to it under this section in that year such that the operating
3 levy increase may not exceed the percentage approved by a majority of those voting
4 on the question. The operating levy that results from approval in a referendum shall
5 be the base operating levy to which the limit under sub. (2) is applied in the following
6 year.

7 (b) 1. If a political subdivision transfers to another governmental unit
8 responsibility for providing any service that the political subdivision provided in the
9 preceding year, the operating levy increase limit otherwise applicable under this
10 section to the political subdivision in the current year is decreased to reflect the cost
11 that the political subdivision would have incurred to provide that service, as
12 determined by the department of revenue.

13 2. If a political subdivision increases the services that it provides by adding
14 responsibility for providing a service transferred to it from another governmental
15 unit in any year, the operating levy increase limit otherwise applicable under this
16 section to the political subdivision in the current year is increased to reflect the cost
17 of that service, as determined by the department of revenue.

18 (c) This section does not apply to any county in which the operating levy that
19 the county may impose under s. 59.605 is less than the operating levy that the county
20 may impose under this section.

21 (d) The limitation in this section does not apply to any increase in a political
22 subdivision's operating levy that results from complying with a court order.

23 (4) NOTIFICATION. Each year, not later than November 1, the department of
24 revenue shall notify every political subdivision of the increase in inflation, valuation

1 factor, and population, as described in sub. (2), that applies to the political
2 subdivision.

3 *~~4548/2.62~~* *~~3266/P1.37~~* **SECTION 154.** 66.1207 (1) (b) of the statutes is
4 amended to read:

5 66.1207 (1) (b) Any person who secures or assists in securing dwelling
6 accommodations under s. 66.1205 by intentionally making false representations in
7 order to receive at least \$2,500 but not more than \$25,000 in financial assistance for
8 which the person would not otherwise be entitled ~~shall be fined not more than~~
9 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

10 *~~4548/2.63~~* *~~3266/P1.38~~* **SECTION 155.** 66.1207 (1) (c) of the statutes is
11 amended to read:

12 66.1207 (1) (c) Any person who secures or assists in securing dwelling
13 accommodations under s. 66.1205 by intentionally making false representations in
14 order to receive more than \$25,000 in financial assistance for which the person would
15 not otherwise be entitled ~~shall be fined not more than \$10,000 or imprisoned for not~~
16 ~~more than 7 years and 6 months or both~~ is guilty of a Class H felony.

17 *~~4548/2.64~~* *~~3266/P1.39~~* **SECTION 156.** 69.24 (1) (intro.) of the statutes is
18 amended to read:

19 69.24 (1) (intro.) Any person who does any of the following ~~shall be fined not~~
20 ~~more than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class
21 I felony:

22 *~~4548/2.65~~* *~~3266/P1.40~~* **SECTION 157.** 70.47 (18) (a) of the statutes is
23 amended to read:

24 70.47 (18) (a) Whoever with intent to injure or defraud alters, damages,
25 removes or conceals any of the items specified under subs. (8) (f) and (17) ~~may be fined~~

1 ~~not more than \$1,000 or imprisoned for not more than 3 years or both~~ is guilty of a
2 Class I felony.

3 ~~*-4575/3.1*~~ **SECTION 158.** 71.01 (6) (g) of the statutes is repealed.

4 ~~*-4575/3.2*~~ **SECTION 159.** 71.01 (6) (h) of the statutes is repealed.

5 ~~*-4575/3.3*~~ **SECTION 160.** 71.01 (6) (i) of the statutes is amended to read:

6 71.01 (6) (i) For taxable years that begin after December 31, 1993, and before
7 January 1, 1995, for natural persons and fiduciaries, except fiduciaries of nuclear
8 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
9 Internal Revenue Code as amended to December 31, 1993, excluding sections 103,
10 104, and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203
11 (d), and 13215 of P.L. 103–66 and as amended by P.L. 103–296, P.L. 103–337, P.L.
12 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding
13 section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206
14 and, P.L. 105–277, and P.L. 106–554, and as indirectly affected by P.L. 99–514, P.L.
15 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.
16 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and
17 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
18 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103–66, P.L. 103–296,
19 P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L.
20 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
21 105–34, P.L. 105–206 ~~and, P.L. 105–277, and P.L. 106–554~~. The Internal Revenue
22 Code applies for Wisconsin purposes at the same time as for federal purposes.
23 Amendments to the federal Internal Revenue Code enacted after
24 December 31, 1993, do not apply to this paragraph with respect to taxable years
25 beginning after December 31, 1993, and before January 1, 1995, except that

1 changes to the Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L.
2 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding
3 section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206
4 ~~and, P.L. 105–277, and P.L. 106–554,~~ and changes that indirectly affect the
5 provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L.
6 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding
7 section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206
8 ~~and, P.L. 105–277, and P.L. 106–554,~~ apply for Wisconsin purposes at the same time
9 as for federal purposes.

10 *~~4575/3.4~~* **SECTION 161.** 71.01 (6) (j) of the statutes is amended to read:

11 71.01 (6) (j) For taxable years that begin after December 31, 1994, and before
12 January 1, 1996, for natural persons and fiduciaries, except fiduciaries of nuclear
13 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
14 Internal Revenue Code as amended to December 31, 1994, excluding sections 103,
15 104, and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, and
16 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–117, P.L. 104–188,
17 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L.
18 104–193, P.L. 105–34, P.L. 105–206 ~~and, P.L. 105–277, and P.L. 106–554,~~ and as
19 indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
20 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L.
21 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
22 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
23 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.
24 104–117, P.L. 104–188, excluding sections 1202, 1204, 1311, and 1605 of P.L.
25 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 ~~and, P.L. 105–277,~~

1 and P.L. 106-554. The Internal Revenue Code applies for Wisconsin purposes at the
2 same time as for federal purposes. Amendments to the federal Internal Revenue
3 Code enacted after December 31, 1994, do not apply to this paragraph with respect
4 to taxable years beginning after December 31, 1994, and before January 1, 1996,
5 except that changes to the Internal Revenue Code made by P.L. 104-7, P.L. 104-117,
6 P.L. 104-188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L.
7 104-191, P.L. 104-193, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.
8 106-554, and changes that indirectly affect the provisions applicable to this
9 subchapter made by P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1202,
10 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-34, P.L.
11 105-206 and, P.L. 105-277, and P.L. 106-554, apply for Wisconsin purposes at the
12 same time as for federal purposes.

13 ***-4575/3.5* SECTION 162.** 71.01 (6) (k) of the statutes is amended to read:

14 71.01 (6) (k) For taxable years that begin after December 31, 1995, and before
15 January 1, 1997, for natural persons and fiduciaries, except fiduciaries of nuclear
16 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
17 Internal Revenue Code as amended to December 31, 1995, excluding sections 103,
18 104, and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, and
19 13203 (d) of P.L. 103-66, and as amended by P.L. 104-117, P.L. 104-188, excluding
20 sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191, P.L.
21 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.
22 106-554, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.
23 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L.
24 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
25 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),

1 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
2 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and
3 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
4 105-206 and, P.L. 105-277, and P.L. 106-554. The Internal Revenue Code applies
5 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
6 federal Internal Revenue Code enacted after December 31, 1995, do not apply to this
7 paragraph with respect to taxable years beginning after December 31, 1995, and
8 before January 1, 1997, except that changes to the Internal Revenue Code made by
9 P.L. 104-117, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311, and 1605 of
10 P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206
11 and, P.L. 105-277, and P.L. 106-554, and changes that indirectly affect the
12 provisions applicable to this subchapter made by P.L. 104-117, P.L. 104-188,
13 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104-188, P.L. 104-191,
14 P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206 and, P.L. 105-277, and P.L.
15 106-554, apply for Wisconsin purposes at the same time as for federal purposes.

16 *~~4575/3.6~~ **SECTION 163.** 71.01 (6) (L) of the statutes is amended to read:

17 71.01 (6) (L) For taxable years that begin after December 31, 1996, and before
18 January 1, 1998, for natural persons and fiduciaries, except fiduciaries of nuclear
19 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
20 Internal Revenue Code as amended to December 31, 1996, excluding sections 103,
21 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
22 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
23 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277
24 and, P.L. 106-36, P.L. 106-554, and P.L. 107-16, excluding section 431 of P.L.
25 107-16, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.

1 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L.
2 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
3 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
4 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
5 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
6 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
7 105–34, P.L. 105–206, P.L. 105–277 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16,
8 excluding section 431 of P.L. 107–16. The Internal Revenue Code applies for
9 Wisconsin purposes at the same time as for federal purposes. Amendments to the
10 federal Internal Revenue Code enacted after December 31, 1996, do not apply to this
11 paragraph with respect to taxable years beginning after December 31, 1996, and
12 before January 1, 1998, except that changes to the Internal Revenue Code made by
13 P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277 and, P.L. 106–36, P.L. 106–554,
14 and P.L. 107–16, excluding section 431 of P.L. 107–16, and changes that indirectly
15 affect the provisions applicable to this subchapter made by P.L. 105–33, P.L. 105–34,
16 P.L. 105–206, P.L. 105–277 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16,
17 excluding section 431 of P.L. 107–16, apply for Wisconsin purposes at the same time
18 as for federal purposes.

19 *~~4575/3.7~~* **SECTION 164.** 71.01 (6) (m) of the statutes is amended to read:

20 71.01 (6) (m) For taxable years that begin after December 31, 1997, and before
21 January 1, 1999, for natural persons and fiduciaries, except fiduciaries of nuclear
22 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
23 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,
24 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
25 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.